

Under 18's Policy & Procedure

1. Milton Keynes College has a duty of care towards all its students, staff and visitors. In the case of students joining the College before their 18th birthday, this duty is enhanced as such students are regarded as children under UK law.
2. In admitting students under the age of 18 the College must ensure that the following legal obligations are recognised and discharged:
 - i) Anyone under 18 is, as a matter of law, a child.
 - ii) The College will have special duties of care towards a child.
 - iii) The College should inform the parents that it is not in loco parentis
 - iv) The College should have a list of the child's emergency contact details, in particular those of parents and guardians.
 - v) Teachers, Tutors and anyone with a particular connection with a child should have Criminal Record Bureau and/or List 99 checks run
 - vi) The same staff should be aware of the College's Safeguarding Policy.
 - vii) The College should notify its insurers and enquire whether they require any specific steps to be taken.
 - viii) The child should be informed that he/she may not enter licensed premises or hold office.
 - ix) The College should obtain a guarantee from the child's parents to honour any contracts the child may purport to enter into.

3. Parental consent

The leaflet at Annex A sets out useful information about the College to assist in managing the expectations of parents of students under the age of 18. The leaflet will be provided to parents at the time of application and includes a consent form that parents will be asked to ensure is completed and returned with the acceptance of the offer. The following wording will be used to make clear that return of the consent form is a condition of offer:

"This offer is also subject to agreement by your parent/guardian to the terms laid out in the College's under-18 consent form. Please see the letter from the College's Admissions Officer."

For international students it will be the responsibility of the agents to provide the leaflet to parents of students under the age of 18.

4. Guardian consent

The contact details and consent of a nominated Guardian who is resident in the UK is required.

5. Student Consent

In the event that a student under the age of 18 fails to pay any sums agreed under a contract with the College it would be necessary to disclose personal data relevant to the pursuance of such a debt. In order to do this it is necessary under the Data Protection Act to obtain the consent of the student (see attached consent form).

6. College Responsibilities

Colleges that admit students under the age of 18 are required to:

- Identify named persons in the College who will act as personal tutors to all students under 18 in the College.

- Ensure those staff are aware of the College's Safeguarding Policy.
- Ensure that students under 18 meet with their personal tutor on a monthly basis. This would establish *substantial contact* over and above the contact such a student might have with other members of staff in the College.
- Ensure that personal tutors for students under the age of 18 have Disclosure and barring Service (DBS) checks.

7. Support for personal tutors of students under 18

Student Services and Human Resources operate a Safeguarding Forum which meets termly to discuss any current issues and provide peer support.

8. Accommodation

As a matter of policy Host Families will also be required to have DBS checks and be made aware of the College's Safeguarding Policy.

9. College Insurance

Advice from the College insurers states that there is no bar whatsoever to the ages of students and therefore no Cover restrictions apply provided a risk assessment has been undertaken and adequate steps put in place to mitigate against areas of concern. In addition Heads of Colleges should ensure that they are aware of any students under the age of 18 and that any equipment used is suitable.

10. Procedure

- Colleges will be notified annually of any students aged under 18 who are expected to enrol.
- Colleges will notify the Head of Student Services of the names of their Under 18s Tutors.
- New Under 18s Tutors will be provided with:
 - An Acceptance form
 - College Safeguarding Policy
 - DBS Disclosure Application Form
- The acceptance form will be sent to Amy Lim, Manager International Office and the DBS Disclosure Application Form to Alison Wayman, HR Manager.
- Reports on the implementation of the policy will be made periodically to the Registrar.
- The International Office will notify all recruitment agents of the policy and provide them with sufficient copies of the information leaflet for distribution. All agreements with agents will state that agents are responsible for providing parents of international students under the age of 18 with the information leaflet.
- The parental consent form will be returned to the Admissions Office at the time an offer is accepted and then passed to Student Services.

ANNEX A

INFORMATION FOR STUDENTS AGED UNDER 18 AND THEIR PARENTS

Milton Keynes College has a duty of care towards all its students and staff. In the case of students joining the College before their 18th birthday, this duty is enhanced as such students are regarded as children under UK law. In order that families can be assured of the College's commitment to the safety and well-being of younger students, this document has been produced as a guide to the level of care provided by the institution.

Students and their families should bear in mind that Milton Keynes College is an adult environment. Students are expected to behave like adults and to assume an adult level of responsibility. Universities in the UK do not provide the same level of supervision as universities in many other countries. Students are expected to have the necessary skills to study and live independently alongside people from a wide variety of backgrounds. Milton Keynes College has students of all ages from over 60 different countries. It is necessary for these students to adapt to academic life in the UK and to living away from home and looking after themselves in all practical matters. This can be particularly challenging for younger students. For this reason, every student aged under 18 at the time of enrolment with the College will be allocated a personal tutor who has special responsibility for younger students.

The College is not in loco parentis i.e. it is not in the same position as a parent and does not accept that level of responsibility for its students. For this reason, if a student's parents are not resident in the UK, it will be necessary for them to appoint a guardian in the UK and provide contact details for this person and their informed consent to acting in this capacity.

Being a guardian involves carrying out the tasks and responsibilities of the parent as delegated by the child's parents. As such it is a private arrangement between the parent and the guardian. The College is not able to assist parents in finding a suitable guardian.

In rare instances, consent for emergency medical treatment may be required before parents or guardians can be contacted. The College therefore requires parents to give their consent that, in the case of such an emergency, the College has parental permission to act on medical advice and do what is in the best interests of the child.

As a general rule, those under the age of 18 are unable to enter into contracts. Where these are required, e.g. for accommodation, the College requires parents to act as guarantors i.e. to agree to pay any sums agreed under a contract if the student fails to do so.

Although those under 18 are regarded as children under the law, they still have the right under the Data Protection Act for information about them not to be disclosed without their consent unless the College believes them to be a risk to themselves or others. This means that the College is not able to give information to parents regarding the student's progress, results etc unless the student has given their specific consent.

However if the student fails to pay any sums agreed under contract it will be necessary to disclose this information to their parents and possibly also a debt collection agency. For this reason the Student is asked to sign the declaration at the bottom of the page. Failure to pay debts due to the College could also result in the student's enrolment at the College being suspended.

If your child decides to accept the offer of a place at Milton Keynes College, please ensure the declarations below are completed, signed and returned with the acceptance of the offer.

Parent / Guardian

1. I understand that Milton Keynes College is not in loco parentis.
2. I have appointed a guardian in the UK who will also act as a Financial Guarantor. Their contact details and authorisation are provided below (non-UK residents only).
3. I consent to the activities that the student will be undertaking as a participant on the course.
4. I consent to Milton Keynes College acting on medical advice in the best interests of the child to authorise emergency medical treatment if it is not possible to contact either myself or the appointed guardian.
5. I agree to accept liability for my son/daughter's debts to Milton Keynes College.
6. I understand and accept that Milton Keynes College is an adult environment and that my son/daughter will generally be treated as an adult.
7. I understand and accept that while studying at Milton Keynes College my son/daughter will be subject to UK law and the rules of the College.
8. I understand and accept that Milton Keynes College cannot release information relating to my son/daughter's progress, either academic or social, without my son/daughter giving the College express consent to release the information unless the College believes them to be a risk to themselves or others.

I (name) _____ Parent/Guardian (please delete as applicable)

of (name of student) _____

declare that I have read and accept the above conditions.

Signed: _____ Date: _____

Guardian

Name: _____

UK address: _____

Telephone: _____ Fax: _____

Email: _____

I agree to act as Guardian and Financial Guarantor to the above named student.

Signed: _____ Date: _____

Student

I (name), _____, agree that Milton Keynes College may disclose any personal data relevant to the pursuance of unpaid fees or charges.

Signed: _____ Date: _____