

Students Aged under 18

King's Residences

Procedure SharePoint [insert link]

Location Procedure Issue 20/12/2018
December

Version & Date of Last Review

Version 2.0 - 20

Date

2018

	NAME	JOB TITLE	SIGNATURE
Author			
Reviewer	Paul Cornell	Associate Director (Advice & Guidance)	<i>P/Cornell</i>
Authoriser	Paloma Lisboa	Director of Student Residences	<i>P Lisboa</i>

Effective Date	20 December 2018
Next Review	20 December 2018

Change History

Document Version	Effective Date	Significant Changes
1.0	30 August 2017	
2.0	20 December 2018	

Contents

Introduction	1
Aims	1
Purpose	1
Definition	1
Key Areas Covered Under Residents Discipline	1
Limitations	2
Application of this Procedure	2
Reporting Incidences of Misconduct	2
Initial Inquiry by a First Responder	3
Investigation by the Case Manager	3
Consequences of Misconduct	3
Categories of Misconduct & Reprimands under this Procedure	4
Disciplinary Procedure	7
Cases Referred for Local Management Decision	7
Cases Referred for Residences Disciplinary Board Decision	7
Informing Resident of Outcome	9
Right of Appeal	9
Decisions made by Local Management.....	9
Decisions made by the Residences Disciplinary Board	10
Procedures that take precedent over this document	10
Relevant Policies and Documents	10

Introduction

This Procedure is governed by the College's Safeguarding Policy and is supported by the current [Kings Residences Licence Agreement \(Terms & Conditions\)](#). Thus, they should be read together for a fuller understanding of the arrangements and conditions attached to the housing of persons under the age of 18 in King's Residences.

Statement

King's Residences will not assume parental responsibility for minors who are residing or visiting its residences. Students and visitors under the age of 18 and their families or carers should recognise that King's Residences are homes and places of work comprising of adults. Students residing in King's Residences are expected to demonstrate competence and readiness to live independently and alongside people from diverse backgrounds and ages. In housing students aged under 18, it is the aim of King's Residences to respect their independence, whilst also extending an enhanced duty of care in accordance with UK law and good safeguarding practice.

Purpose

The purpose of the Under 18 Procedure in King's Residence is to:

- Safeguard the welfare of persons under the age of 18 who are resident or guest in its premises
- Provide guidance on arrangements offered to protect the personal safety and social wellbeing of under 18
- Ensure the relevant legislation is adhered to for the safeguarding of persons under the age of 18

Application of this Procedure

This procedure applies to all students residing in King's College London managed and nominated residences whose 18th birthday falls after the start date of the tenancy agreement. The procedure ceases to apply once students residing in King's Residences reach their 18th birthday.

Parental/Guardian sign-off is a requirement for acceptance of the online contractual agreement, along with on arrival.

Legally, persons under the age of 18 do not have capacity to hold legal estate; however, they may enter into contracts for 'necessaries', such as accommodation and education.

- For applicants who will be under 18 when accepting a King's Residence Agreement, the Agreement will be held on trust until the applicant reaches the age of 18. During that time, the resident will enjoy all the rights set out in the Agreement and be subject to all the obligations contained within it. When the resident reaches the age of 18, they will be entitled to terminate the Agreement within two weeks following their 18th birthday provided they give no less than four weeks' written notice to the Reservations Office of their intention to terminate the Agreement. If the resident chooses not to give notice, the Agreement will become legally binding on them.
- Arrangements for applicants who will be under 18 years of age when at a University of London intercollegiate residence: applicants should note that arrangements may differ, and applicants should contact the appropriate residence for the relevant policies and procedures.

King's Residences primarily accommodate persons aged 18 and over, with the following exceptions:

Term-Time Accommodation for Full-time Students: Persons aged under 18 years of age who are enrolled as fulltime students of the College may be offered accommodation in a College residence.

This is to ensure that younger adults are better supported through a wider range of options for safe and secure housing in their transition to adulthood and adult environments. The Allocations Team will offer a place in a suitable residence, based on what is deemed appropriate following the initial risk assessment and interview conducted for and with offer holders aged under 18 years old during the academic year for which accommodation is required.

Welfare Support

All students at King's Residences have access to the College's welfare support network. Within residences, there are Wardens, Community Facilitators and Residence Associates responsible for out-of-hours welfare and community support. Students aged under 18 will be allocated in single rooms with ensuite facilities within suitable residences and housed in close proximity to one or more Residence Associates (RAs), Community Facilitator (CF) or Wardens. These are not trained youth workers and will not provide specialist youth support services but will act as accessible points of contact for minor students living in King's Residences.

Student Services provide ongoing support for students who are aged under 18 years old and the Student Advice Service act as a first point of contact for any students who require personal or practical support. The team can be contacted by email student@kcl.ac.uk or a message left with Student Services on 020 7848 1234.

Access to Rooms Occupied by Minors

All staff in King's Residences are DBS checked. Where possible, staff requiring access to rooms occupied by minors, in the performance of necessary cleaning, works and inspections, will be accompanied by another DBSchecked member of staff. All unaccompanied access to rooms occupied by minors will be subject to emergency audio recording on lone working devices carried by staff.

Expectations:

1. Residence Events and Activities

Participation in Residence Life events and activities in their King's residence or off-site is open to students aged under 18, though students are expected to abide by current laws on the possession, purchase and consumption of alcohol and other controlled substances and the viewing of age-restricted films and other media. King's Residences will take reasonable steps to ensure that UK laws are not broken within its premises. Staff in residences reserve the right to ask students for proof of age when serving alcohol, but cannot undertake to supervise, monitor or control individual students.

2. King's Residences Discipline Policy

Students aged under 18 in breach of the tenancy agreement with King's Residences, including policies surrounding controlled substances and age restricted media, will be subject to disciplinary action in accordance with the [College's Residential Discipline Policy](#). King's Residences may also report suspected and substantiated cases of underage drinking and consumption of illegal substances to law enforcement officers.

3. Visitors

Day and overnight visits by adults to students aged under 18 are normally allowed and will be subject to the same terms and conditions set out in the tenancy agreement. Visits to minors in residences will not be supervised by King's Residences staff. Parents, carers, or legal guardians may, on written request, restrict visitor access to minors

in residences. King's Residences will seek to enforce such restriction as is reasonably possible but may not claim responsibility in cases of unreported visits or illicit entry.

4. Leaving the Residence

Minor students are required to inform the residence in writing to the Residence Manager if they plan to be away from the residence for a period of more than 24 hours. It is the parent, carer or legal guardian's responsibility to ensure that minor students have a safe place to stay when away from the residence for trips or overnight stays.

5. Holding Office

Although all residents are free to join committees, societies and interest groups, residents under 18 are not allowed to hold office, for example, they may not run and be appointed as Hall Leaders in King's residences.

Induction to Residences

1. All students in the Thrive U18 Thrive Living Learning Community (LLC) will attend a Residences induction during Welcome Week to get an overview of living in residences and the Thrive U18 LLC.

2) The induction to Residences will include an overview of the aims of Thrive Living Learning Community, introduce the Thrive team of LLC Leads, the safeguarding responsibilities and monitoring that will be undertaken until they turn 18 and how to access support within residences and the services around the College.

3) All students in the Thrive LLC must attend a series of Life Skills Works during the first 6 weeks. Their attendance will be monitored, and absent students will be contacted by the Thrive team to follow up.

4) Students in the LLC's will receive updates via email regarding ongoing information and details activities. The Thrive LLC email address is: thrivellc@kcl.ac.uk

Summer Accommodation for Guests under the Age of 18: During the summer vacation, King's Residences, in partnership with King's Venues, may accommodate children or groups of children aged 14 years or older who are participating in study programmes or organised school trips with the supervision of group leaders, teachers, carers, or family members. The College reserves the right at its sole discretion to refuse any booking made by or on behalf of minors in circumstances where it believes that the minor/s will not be sufficiently accompanied and supervised.

At the time of booking, King's Venues will establish the ages of any summer guests to ensure they are booked into suitable accommodation, and will confirm at the time of booking that groups with children have designated responsible adults at a ratio of at least 1 adult for every 10 children.

- ✦ Group leaders or co-ordinators will be asked by King's Venues to complete a risk assessment for the accommodation of minors at King's residences.
- ✦ Group organisers will be provided with details of their responsibilities in writing at the time of booking, e.g. levels of supervision required at specified times and details of their responsibilities regarding fire safety etc.
- ✦ A mixed-sex group of children will be accompanied by a corresponding ratio of male and female staff. Staff/teachers will be responsible for escorting children within College premises and providing any necessary supervision e.g. using baths and showers.
- ✦ Separate male and female sleeping and bathroom facilities will be provided.
- ✦ Group leaders will need to organise adequate night time supervision arrangements. If children cause noise or disturbance to other guests, Reception will contact the designated night time supervisor/s who will enter the bedrooms concerned.
- ✦ Unaccompanied Reception and/or Residence staff will not enter bedrooms occupied by children aged under 18, whilst children are present, except in an emergency.
- ✦ Visiting groups should be supported by enough staff who are fluent in both English and the mother tongue of

any under 18's in their care so that they can translate if necessary.

Additional Conditions that Apply to all Students or Guests under 18 Years of Age in King's Residences:

1. Visitors & Guests under the Age of 18:

Visitors/guests under the age of 18 may come to the residences to visit individual residents during the day or overnight, in accordance with the visiting privileges set out in the tenancy terms and conditions. Children may also visit a residence as part of a College Open Day. Local security procedures require visitors to be signed in and out. The presence of visiting minors in the premises will be monitored, as far as is reasonably possible, by the residence staff for their safeguarding. Minor supervision, however, will be the responsibility of College Open Day coordinators or the individual resident accepting the visit.

2. Trespassers:

Children may not trespass into residence grounds or buildings; such unauthorised visitors are covered by the Occupiers' Liability Act. In the event of trespassers who are identified as young persons or children, Residence staff will summon other members of staff and the police to assist.

3. Photographs, videos, websites and cameras:

Photography and filming on College premises and the publication and distribution of images of College facilities may only take place with prior permission from King's College London. King's Residences, other organisations, groups and individuals should obtain a written consent from the minor and his/her parent, carer or legal guardian before taking and using images of minors in any format. When publishing, the minor's full name must not be attached or associated with his/her image.

Risk Assessments: Risk assessments should be based on the potential hazards in the specific residence, flat and room. The Residence Manager will ensure that an assessment of the risks involved in under 18's in the residential premises is undertaken before the period of tenancy commences and updated as soon as new or previously unforeseen hazards are made known or as new residential activities and considerable changes in the environment occurs.

Risk assessments following the template in the Safeguarding Policy should be carried out to cover the following situations:

- ✦ persons under 18 who are offered accommodation in a College residence without a parent or guardian to accompany them;
- ✦ visiting families with children who are accommodated at residences suitable for children;
- ✦ visitors under the age of 18 who visit individual residents during the day or overnight guests or as part of a College Open Day; and
- ✦ unauthorised children who trespass into Residence grounds/buildings.

The completed risk assessment form should be signed by the minor, the parent/carer/legal guardian and the residence manager. If adjustments need to be made, these should be followed up and actioned before the minor student moves in. A copy of the risk assessment is kept at Reception and online in the site Health & Safety SharePoint pages.

Data Protection: Although students aged under 18 are regarded as minors under the law, the Data Protection Act protects their right to privacy. King's Residences owe the duty of confidentiality to the minor and not the parents, carers or legal guardians, and will thus correspond with the former in matters pertaining to their tenancy.

King's Residences staff will obtain consent of the minor before releasing information to a parent or other party (unless information release has been pre-agreed by both minor and parent/guardian in a written agreement), with the exception of situations in which disclosure without consent is deemed necessary to reduce or avoid harm to the minor and to others, as set out in [Kings Residences Welfare Policy](#).

Relevant Policies and Documents

- [Data Protection Policy](#)
- [Accommodation Policy](#)

- [Terms and Conditions of Residence](#)
- [Safeguarding Policy](#)