

## UNIPOL STUDENT HOMES

### **Policy on Housing Students Under the Age of 18**

#### **Scope of the policy**

This policy applies to all persons housed by Unipol who are under the age of 18, the persons with parental responsibility for them, guarantors, Unipol staff, Unipol's contractors who come into contact with under-18s, nominations partners and participants in the Homestay scheme.

An explanation of what "parental responsibility" means is given at the end of this policy. In this policy, the "responsible adult" is the person with parental responsibility for the student.

#### **Objective of the policy**

The policy aims to set out what young occupiers and their parents or guardians can expect from Unipol, and what Unipol expects in return. The objective is to help students make an informed decision about whether Unipol Student Homes is the right choice for them.

It sets out Unipol's approach to allocations, welfare, financial arrangements and a number of other important matters.

#### **Responsibility for this policy**

The person with overall responsibility for this policy is the Deputy Chief Executive. All members of Unipol staff are responsible for complying with this policy and will be given training about it.

#### **Applications for accommodation**

Unipol does not accept applications from people who will be under the age of 16 at the start of their chosen letting period.

Applications from people who will be over the age of 16 but under the age of 18 at the start of their chosen letting period will be considered.

Applications for Unipol housing may be made direct to Unipol or through the student's place of study if Unipol has an allocation arrangement with that institution.

Every effort will be made by Unipol to interview the student and responsible adult to complete the required forms prior to the start of the tenancy. Unipol will approach the institutions at the time of allocations being made to identify students who will be under the age of 18 during the tenancy.

Applicants aged under 18 will need to provide a guarantor. This is an adult who is prepared to pay for the accommodation, and any damage or cleaning charges, if the student does not pay them. Applicants will need to nominate a responsible adult. This may be the same person as the guarantor, but it does not have to be.

#### **Allocation of accommodation**

Part of the experience of studying away from home is living independently alongside people from a wide variety of backgrounds. Students are expected to have the necessary level of maturity, skill and responsibility to be able to adapt to living away from home. They must be able to look after themselves in all practical matters.

Unipol accommodation is an adult environment, and all students, irrespective of age, are expected to behave like responsible adults. Unipol does not accept parental responsibility for occupiers under the age of 18. Accommodation is not allocated according to age, gender or religious belief.

Students sharing a flat with a person under the age of 18 are not subjected to DBS checks or any other kind of vetting.

Students under the age of 18 will not share their sleeping accommodation with another person (unless they have a disability and share with their carer). They will share living accommodation and kitchens with other students. Some types of accommodation have en-suite bathrooms solely for the student's use. Other types have shared bathrooms. These may be used by residents of either sex, but they have lockable doors and are for use by one person at a time.

All accommodation is self-catering.

We do not automatically allocate students under the age of 18 to rooms on the upper floors of a building.

### **Contracts for accommodation**

Under English law, a person under the age of 18 is unable to be a tenant. Unipol will therefore not offer accommodation to a person under the age of 18 if they are unable to provide a guarantor.

If Unipol offers accommodation to a young student, Unipol will ask the student to enter into an agreement called a "tenancy agreement". This agreement will operate as a licence for the student to occupy their room until their 18<sup>th</sup> birthday, and it will enable the student to continue in occupation as a tenant from and including their 18<sup>th</sup> birthday.

Unipol will ask the guarantor to enter into a separate agreement. This agreement will commit the guarantor to paying Unipol for losses arising as a result of any breach of the student's obligations in the tenancy agreement, whether they occur before or after the student's 18<sup>th</sup> birthday.

The tenancy agreement will have contractual force, and be legally binding, from the time when it comes into effect until its expiry. Before their 18<sup>th</sup> birthday, the student can terminate the tenancy agreement if it contains any terms that are against that student's interests. After their 18<sup>th</sup> birthday, the student cannot terminate the contract unless Unipol is in breach of a fundamental obligation in the contract. If a student terminates the tenancy agreement before their 18<sup>th</sup> birthday, Unipol will require the student to move out of their room (using due legal process, if necessary) and the guarantor will be liable to Unipol for the proper and reasonable financial losses which Unipol incurs as a result. These could include Unipol's net loss of income.

It is in the guarantor's own interests to make sure that the student understands the terms of the tenancy agreement and themselves that the student is willing to comply. The guarantor must satisfy themselves that they are willing to undertake all the student's financial responsibilities in the tenancy agreement.

Unipol will provide the student and the responsible adult with details of how to complete all formal documentation. It is the responsible adult's responsibility to ensure that the student complies with all applicable deadlines for returning documentation and making payment.

### **Welfare and support**

At Unipol, students under the age of 18 are allocated to a Tenancy Support Officer. The Tenancy Support Officer will be the contact person for students under the age of 18, their guarantor, and (if different) the person with parental responsibility. Unipol will inform the student and their responsible adult of the name of the Tenancy Support Officer and provide their contact details. Unipol will make a note on its housing management database to highlight to other staff that the student has been assigned a Tenancy Support Officer. Unipol staff are instructed not to give their home address, telephone number or other personal details to students under the age of 18.

The Tenancy Support Officer will arrange to meet the student once a month. If the student does not attend the meeting, the Tenancy Support Officer will contact the person with parental responsibility. If the student fails to attend a meeting the Tenancy Support Officer will contact an appropriate person in the student's institution to facilitate a meeting between the tenant and Unipol and, if necessary a representative from the institution.

Students should not hesitate to contact the Tenancy Support Officer if they have any concerns or personal problems. The Tenancy Support Officer may not be able to provide an immediate solution, but they can help to put matters in perspective, give practical guidance, and tell students about specialist services that they might need.

The Tenancy Support Officer and all Unipol's residential staff in buildings housing under 18s will have been subject to a DBS check.

The Tenancy Support Officer reports to the Deputy Chief Executive.

The person with parental responsibility and (if a separate person) the guarantor must provide Unipol with their contact details, including as a minimum their address and telephone number. The responsible adult will be the first point of contact in an emergency, and Unipol must therefore be notified promptly if these details change. Unipol will not accept liability for any problem which arises because the guarantor or person with parental responsibility has failed to provide up-to-date contact information.

Unipol does not accept parental responsibility for students. We encourage students under the age of 18 to remain in contact with the person who has parental responsibility for them, but we cannot force them to do so if this is not what they wish. Unipol respects students' wishes for privacy. This may sometimes mean that we do not contact the person with parental responsibility when they might expect. There is more information about Unipol's approach to this difficult issue in the section of this policy headed "Confidentiality and Data Protection".

Students and parents should make enquiries about what additional welfare and support may be available from their institution of study.

Because Unipol is an adult environment, we will not monitor how the student spends their leisure time or manages their finances. We will not check whether a student is attending their lectures or coping with their course. We will not report routinely to the person with parental responsibility if there are no areas of concern.

Unipol will check on the student from time to time to make sure they are washing their bed linen, have food in their cupboards and generally appear to be taking care of themselves. If this is not the case, we will give appropriate guidance and report our concerns to the person with parental responsibility.

Unipol has a special welcome support session for students aged under 18. At this event, we discuss the involvement of parents, responsible adults and guardians. Students are given information about what to do in case of emergency, and our out-of-hours procedure, in their welcome packs on arrival at Unipol accommodation.

We also pass on useful tips about how to settle in and where to get help and support on a range of issues. Unipol gives students publications on alcohol and other substance abuse, personal safety and how to cope if a student falls out with someone else in their flat. We make sure the students are aware of student services organisations and where to get medical help or counselling.

Where a student has a disability that requires reasonable adjustments, Unipol contacts the student in good time before they arrive to discuss and agree their needs.

As Unipol does not take parental responsibility for people aged 16-18, it cannot consent to medical treatment on a student's behalf. Consent will have to be given by the student themselves, or a person with parental responsibility.

All Unipol accommodation has internet access. Unipol does not regulate or monitor computer use and accepts no responsibility for students viewing inappropriate material.

Members of staff who become concerned that a student is forming an inappropriate attachment to them are instructed to refer their concerns to their line manager.

It is important for families of young students to recognise that abuse or neglect can be difficult to detect. Unipol staff are not trained in the detection of abuse or neglect. However, they are trained in procedures for reporting concerns they may have about a child's welfare. Allegations of abuse should be referred to the Tenancy Support Officer who will take up the matter with a senior member of staff. Unipol may contact the duty social worker if appropriate.

Unipol accepts no liability for any aspect of a student's welfare which Unipol, as the student's landlord, did not actually know about. Where Unipol is aware of issues affecting the student's welfare, Unipol's role is (at its reasonable discretion and as appropriate to the circumstances) to notify appropriate agencies such as medical and social services; to notify the responsible adult; to provide relevant information for the student; and/or to encourage the student to seek help from an appropriate source.

No further liability on Unipol's part is accepted. The primary responsibility for the student's welfare rests with that student and their responsible adult.

### **Rent Collection**

Students under the age of 18 will be subject to the same rent collection procedure as other students except that Unipol will promptly inform the guarantor if we become aware that the student:

- has missed paying one instalment of rent; or
- is in serious or persistent breach of their tenancy agreement.

The student has no discretion in these matters because they personally affect the guarantor, who has agreed to take financial responsibility for the student's obligations to Unipol.

### **Medication and first aid**

Students and (where applicable) their responsible adults are responsible for managing the student's medication and health. Unipol will not administer medication or supervise the taking of medication.

Unipol does not provide medical support or nursing care to students who are unwell. If Unipol becomes aware that a student is unwell in a way that may need treatment, Unipol will provide the student (on request) with details of where to obtain treatment or advice.

If a student is unable to take care of themselves Unipol is likely to contact the responsible adult, but will try and take the student's wishes into account where practicable. It will be for the responsible adult and the student to decide whether the student should live elsewhere until they are better. If the student remains in their accommodation whilst they are unable to take care of themselves, Unipol will not accept responsibility for the student's care.

If a student is seriously ill and is admitted to hospital the hospital will normally contact the next of kin. Unipol will normally contact the responsible adult in these cases, but is not under an obligation to do so.

If Unipol has to invoke its communicable diseases procedure in a property where a student under the age of 18 is living, Unipol will contact the responsible adult.

Unipol's residential staff are trained in emergency first aid procedures. They will contact the ambulance service if further assistance is required.

### **Safety and security**

Unipol carries out DBS checks on Tenancy Support Officers and residential staff in Unipol buildings which house students under the age of 18. Unipol does not carry out DBS checks, or provide training on under-18s, for its other staff, other students, contractors or owners of properties which are managed but not owned by Unipol.

All contractors (eg attending to carry out repairs) and Unipol staff (eg attending to carry out inspections) will carry personal identification and will present it on request. They will only visit during normal working hours, except in an emergency situation. If a student is unsure about whether to allow someone to have access to their room or flat, they should ring Unipol before allowing access.

Unipol's buildings are not open to the public.

Some, but not all, of Unipol's accommodation has CCTV in the shared areas. If the student would feel more secure where there is CCTV, they should check whether it is in operation at their chosen site.

Access to buildings and rooms is by a key or fob system.

Students under the age of 18 may be allocated a ground-floor room.

Intimate relations between Unipol staff and students under the age of 18 are strictly prohibited. Staff found to be guilty of such conduct are likely to be dismissed. If the member of staff holds a position of trust, the matter is likely to be reported to the police.

Unipol has a comprehensive health and safety policy which can be viewed at:

<http://www.unipol.org.uk/footer/governance/corporate-documents-unipol-board/health-and-safety-policy-for-housing>

### **Time spent away from Unipol's accommodation**

Students are free to come and go without needing to sign in or sign out of their accommodation. Unipol will not check up on a student to make sure they return to their accommodation every evening. The student does not need to ask Unipol's permission if they wish to go away for a few days. If a student notifies Unipol that they are going home for the weekend, for example, Unipol would not check with the family to ensure that was where the student was actually going to be.

If a student wishes to take part in a field trip or any social activities, it will be the responsibility of the person or organisation arranging that activity to seek any parental consents that may be required. Unipol does not carry out a risk assessment of an activity that has not been organised by Unipol.

### **Confidentiality and data protection**

Once children reach the age of 16, they are presumed in law to be "competent" and capable of making some important decisions about themselves. For example, they can give consent for their own surgical and medical treatment.

Unipol encourages students between the ages of 16 and 18 to involve their families in important decisions about themselves, unless it would not be in their interests to do so. It is important to realise that, as a housing provider, Unipol may often not become aware of many of these issues. If a student under the age of 18 appears to a member of Unipol staff to be competent to make informed choices about the problems they face, and the student is insistent that their family should not be involved, the student's right to confidentiality will be respected, unless such an approach would put them or someone else at serious risk of harm. Unipol will assess the risk of harm objectively, and the views of our staff may be different from the views of the student's family (which will often be formed with the benefit of hindsight).

If a student requests to speak to a member of Unipol staff in confidence, the member of staff will explain to the student that the student's confidentiality will be maintained unless they consider that failing to disclose information would result in significant harm to the student or to another person. The student can then make an informed choice about whether to continue the conversation.

People under the age of 18 are entitled to protection of their personal data. Unipol will treat the student's, the guarantor's and the responsible adult's personal data in accordance with the General Data Protection Regulation (GDPR). Each of those individuals has a statutory right to see the information which Unipol holds about that individual, but not information about other people.

If you wish to apply for access to your own personal data, you must write to the Company Secretary of Unipol. Unipol will respond within one month of the request or give reasons why the information cannot be provided within the month. In any case the information will be provided within 3 months of the original request.'

There is normally no charge for dealing with a subject access request. However Unipol reserves the right to charge a fee, based on the administrative cost of providing the information, when a request is manifestly unfounded or excessive particularly if it is repetitive or where the request is for further copies of the same information.

Unipol will supply the information by loading it into a secure password protected downloads area of a Unipol hosted service and the data subject will be provided with a password for that area for a period of one month.

Students under the age of 18 will be asked to sign a consent form confirming that they agree to Unipol sharing information about them with their guarantor (and the adult who is responsible for them, if that is a different person). The consent will enable Unipol to disclose information about the student and their tenancy to the responsible adult, but without imposing any obligation on Unipol to do so.

Provided the student has signed the data-sharing consent form, Unipol will notify the responsible adult if Unipol becomes aware that the student:

- is ill and unable to look after themselves
- appears not to be coping with independent living
- is in serious or persistent breach of the terms of the tenancy agreement
- is reported missing
- has been arrested
- is in rent arrears.

If the student is admitted to hospital or arrested, Unipol would expect that the hospital or the police would contact the student's next of kin. However, Unipol is likely to contact the responsible adult if Unipol becomes aware that the student is in hospital or in custody.

Responsible adults should be aware that Unipol does not check up on students on a daily basis and may not necessarily become aware of any of a significant event until some time after it happens. Unipol encourages families to stay in contact with their student on a regular basis, whilst the student adjusts to independent living.

Whether or not the student has signed a data consent form, Unipol will promptly inform the guarantor if we become aware that the student:

- has missed paying one instalment of rent; or
- is in serious or persistent breach of their tenancy agreement.

The student's consent is not required for disclosure of this information, because it directly affects the guarantor.

### **What Unipol expects of students**

Students aged under 18 will be expected to comply with the terms of the tenancy agreement, just as Unipol expects older students to comply. The standard tenancy terms can be viewed at [www.unipol.org.uk](http://www.unipol.org.uk). Unipol will send the tenancy agreement to the student and encourages responsible adults to read the agreement and give guidance to their student.

Students are expected to pay for the use of their room, and for any damage they cause. They are liable to pay for cleaning the room, if cleaning is necessary. The guarantor will be liable for rent and all other charges due under the tenancy agreement if the student does not pay them. This may include a collective charge if damage is caused to shared parts of the flat or building.

Students are expected to behave with consideration for others. If students cause a nuisance or disruption, take things from shared kitchens that do not belong to them, smoke in non-smoking areas or breach the terms of their tenancy agreement in any serious or persistent way, Unipol may ask the student to leave their accommodation. If the student will not agree to leave, Unipol may apply to the court for an order authorising the student's eviction. Unipol would notify the guarantor before things got to that stage.

### **International students**

Students and their families should make sure that the student has the English language skills they will need to live independently, or that they have a contact in the UK who can help them out if required. This may be someone at their place of study.

If the responsible adult is not in the UK the student and the responsible adult will need to agree a plan with Unipol as to who will take responsibility for the student in the event of a serious incident.

Unipol does not have facilities for accommodating a student's household staff.

### **Homestay Scheme (Bradford College Students only)**

Students participating in the Homestay Scheme will be allocated accommodation with a family in the local community. Adult members of the host family must undergo an in depth DBS check before being accepted into the Scheme.

The Homestay Scheme can be a useful stepping stone for young students who may not yet be ready for completely independent living. They will have some support from the host family, but the host family will not act as foster parents. The student is still expected to behave and be treated like an adult.

## **Family housing**

Unipol is able to house families with young children. The primary responsibility for those children is with their parents or legal guardians. However, Unipol recognises that the whole of society has a responsibility towards small children, particularly where they are perceived to be at risk.

Unipol will respect families' privacy and will not tell families how to bring up their children. However, where we reasonably suspect that a child is being neglected or abused, Unipol will notify social services of our concerns. The welfare of the individual child will be Unipol's paramount concern in such circumstances.

## **Visitors**

Unipol does not check who visits the student. If the student receives visitors who are not welcome, the student should contact their Tenancy Support Officer for advice.

Visitors bringing children with them to Unipol buildings remain primarily responsible for those children whilst they are on Unipol's property. Unipol accepts no liability for injury, loss or damage unless it is due to Unipol's negligence or where, by law, the liability cannot be excluded.

## **Employment**

Students under the age of 18 will not normally be offered employment by Unipol.

## **Parental responsibility**

When a student under the age of 18 applies for Unipol accommodation, they will be asked to provide the name and contact details of a responsible adult.

The responsible adult could be the student's parent, guardian or some other responsible person over the age of 18 who will have "parental responsibility" for the student aged under 18. Unipol does not accept parental responsibility or act *in loco parentis*. The Children Act 1989 outlines who has parental responsibility, as follows:

- (a) A mother always has parental responsibility for her child.
- (b) A father only has parental responsibility if he is married to the mother when the child is born or has acquired legal responsibility for his child by:
  - (i) Jointly registering the birth of the child with the mother
  - (ii) A parental responsibility agreement with the mother
  - (iii) A parental responsibility order, made by a court
- (c) The child's legally appointed guardian who has been appointed either by a court or by a parent with parental responsibility in the event of their own death. (This is different from a professional guardian, who does not automatically have parental responsibility, but has the responsibilities set out in the guardianship contract.)
- (d) A person in whose favour a court has made a residence order concerning the child.
- (e) A local authority designated in a care order in respect of the child (but not where the child is being looked after under section 20 of the Children Act, also known as being 'accommodated' or in 'voluntary care').
- (f) A local authority or other authorised person who holds an emergency protection order in respect of the child.

Foster parents and grandparents do not automatically have parental responsibility.

Children who are wards of court will need to have their 'important steps' approved by the court. This may include independent living in an adult environment before they reach the age of 18.

All parents (including adoptive parents) have a legal duty to financially support their child, whether they have parental responsibility or not. The guarantor will have a contractual duty to Unipol to meet the student's financial obligations under the tenancy agreement that arise before the student reaches the age of 18. The guarantor does not have to be someone with parental responsibility.

Reviewed By Unipol's Board 12.4.2018