

MOUNTVIEW

Under 18s Admissions Policy

INTRODUCTION

Mountview will admit students to Higher Education courses who are under 18 at time of entry, provided they are due to turn 18 within their first term of study. Such students are minors in the eyes of the law and thus Mountview has an enhanced duty of care towards them until the date at which they attain their majority (their 18th birthday), even if this period is relatively brief.

The policy of Mountview is to treat students who are under 18 years of age as much as possible in the same way that it treats all other students. Such students will be subject to Mountview's normal [rules, regulations and policies](#) and will be able to access the majority of Mountview's facilities and opportunities offered in the same way as all other students. However, Mountview will vary its normal procedures, or restrict access to some of its facilities and opportunities whenever it is deemed to be in the best interests of those who are minors, or when it is required to do so by the law.

GENERAL PRINCIPLES

1. The Mountview community and campus is predominantly an adult environment.
2. It is important that individuals under the age of 18 and their parents/ guardians understand principle 1.
3. Students 18 years and older are responsible for their own well-being, supported within the safeguards set by Mountview.
4. Mountview does not take on the rights and responsibilities of parents/guardians, or act *in loco parentis*, in relation to under 18s.
5. Regardless of age, Mountview expects all students to assume adult levels of responsibility.
6. Regardless of age, Mountview expects all students to have the necessary skills to study and live independently, without supervision, and to always conduct themselves as responsible members of the Mountview community, to comply with Mountview's rules and to respect the rights of others.
7. Whilst Mountview provides academic and pastoral support for students, it does not normally provide any special support or supervision for students under the age of 18.
8. Students under 18 will be assigned a named Mountview contact (personal tutor or Course Leader) and Mountview undertakes to ensure that this contact and any other staff members who have personal tutor or other pastoral responsibilities for students under 18 are checked for their suitability to undertake such roles.

APPLYING TO MOUNTVIEW IF YOU ARE UNDER 18

1. If an applicant will be under the age of 18 at the point of starting their studies, Mountview will write to the applicant to seek a response from their parent or guardian before a decision on the application can be finalised.
2. Where such applicants are domiciled internationally, Mountview will ask for written confirmation that someone over the age of 18 is willing to act as their UK based guardian. We refer to this nominated individual as having responsibility *in loco parentis*.
3. A *loco parentis* should be somebody responsible, who can act promptly and effectively on any relevant situation that could impact on a student's well-being.
4. Mountview is not responsible for vetting the suitability of a *loco parentis*.

5. If the applicant is unable to provide a UK based *loco parentis*, we are unable to allow the student to progress in their application and an offer will not be made.
6. No applicant under the age of 18 will be admitted by Mountview unless the parent/guardian has co-signed the Terms & Conditions of Acceptance and completed the Parental Consent Form and returned these to the Admissions Office.

LEGAL FRAMEWORK

There are a number of particular and general pieces of legislation that have relevance for HEIs in respect of their responsibilities to students under 18 years of age. A brief summary of the implications of this legislation is provided below.

Contractual Capacity

Those under 18 years of age are not able to enter into binding contractual relationships in all circumstances. The law is complex in this area but contracts for tuition fees, accommodation and Student Loans are likely to be enforceable for those under 18 as these are likely to be defined as 'necessaries'. However, it is possible that some contracts may fall outside this definition and thus might not be enforceable.

A parent/guardian must co-sign the Terms & Conditions of Acceptance when a place is offered to study at Mountview.

Data Protection

Minors over 16 have the same rights under the Data Protection legislation as those over 18. This means that Mountview will not disclose any information about such students without their specific consent. However, if the student fails to pay any sums agreed on contract then it might be necessary to disclose this to any guarantor and possibly to a debt collection agency.

Staff-student relationships

Section 16-19 of the Sexual Offences Act 2003 provides a new criminal offence of abuse of trust which relates to what might before have been perceived as consensual behaviour when it occurs within certain relationships of trust. Within the Mountview context, such relationships of trust will include relationships between a student under 18 and a member of University staff such as an Adviser or lecturer, or a Senior Resident.

Sale of alcohol and other restricted goods and services

It is an offence for a person under 18 to purchase alcohol and for anyone to sell alcohol to such a person. It is also an offence to purchase alcohol on behalf of someone under 18, whether this is for consumption in licensed premises or publicly elsewhere. There are also age restrictions for a number of other goods including:

- Solvents
- Gas lighter refills
- Fireworks
- Knives, blades and axes
- Some videos and DVDs
- Video and computer games
- Services, including entrance to venues in which films with an 18 certificate are being shown

An up-to-date list can be found on the [PASS website](#).

Student visa

Under the current guidance produced by the Home Office applicants can apply for a Student visa to study in the UK if they are 16 years old or older.

If you are under 18 when you make your Student visa application, you must include a letter from your parent(s) or legal guardian(s) to show that they support your application. Their letter must confirm all of the following:

- their relationship to you
- that they consent to your Student Visa application
- that they consent to your living arrangements in the UK
- that they consent to your independent travel to the UK

This letter of consent must be accompanied by scanned copies of your parents' or legal guardian's passport(s) and your birth certificate which shows your name and your parents' names. If the letter of consent and/or your birth certificate are not in English, they need to have a certified English translation that meets the translation requirements stated below. If your consent letter is coming from legal guardian(s), who are not your parent(s), you will need to provide a legal document which demonstrates their responsibility for you as legal guardian(s), such as a Court Order document. Please note, affidavits are not appropriate for this purpose. If one parent or legal guardian has legal custody or sole responsibility for you, the letter must confirm this and be signed by that parent or legal guardian. If not, then both parents or legal guardians must give their consent and the letter must be signed by both of them.

A copy of this letter must also be brought with you when you register at Mountview.

Translation requirements

If any of your documents are not in English, you must also include an English translation of each document. Each translation must contain:

- Confirmation from the translator or translation company that it is an accurate translation of the original document
- Date of the translation
- Full name and signature of the translator
- Contact details of the translator or translation company

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MOUNTVIEW

Parental Consent Form – students under the age of 18

This form should be completed by the parent or home country legal guardian of an applicant to Mountview who will be under the age of 18 at the time they commence their studies. While Mountview can accept students under the age of 18, it requires the consent of parents before it can do so. You need to understand that Mountview is an adult environment and the curriculum and services provided are designed for this. Mountview's Under 18s Admission Policy can be found [here](#). We also require confirmation of an emergency contact.

Mountview also requires that, where the parents of a student under the age of 18 live outside the UK, that the parents appoint a UK based Guardian for their child. This could be another family member, a friend of the family, or you can hire the service from a Guardianship Agency.

The expectations of Parents and Guardians will cease on the student's 18th birthday, as will any specific support for students under the age of 18.

This form needs to be completed when the applicant has accepted an offer from Mountview. For students who need a Student Visa in order to study at Mountview, it must be completed before a Confirmation of Acceptance for Studies (CAS) can be issued.

Please read the guidance provided carefully before completing.

Applicant Details:	
Applicant's first / given name	
Applicant's surname / family name	
Applicant's date of birth	
Parent or Legal Guardian:	
Parent/Guardian's first / given name	
Parent's surname / family name	
Relationship to applicant	
Full postal address incl. postcode	
Country of residence	
Telephone number	
Email address	
Emergency Contact:	
If you are nominating another person as the emergency contact please set out the details below:	
Emergency contact's first / given name	
Parent's surname / family name	
Relationship to applicant	
Full postal address incl. postcode	

Country of residence	
Telephone number	
Email address	
UK Guardian:	
If you do not reside in the UK please confirm the UK Guardian below. If you are using a Guardian Agency, you will also need to attach a letter of confirmation.	
UK Guardian's full name (and name of Guardianship Agency if appropriate)	
UK Guardian's relationship to the Applicant	
UK Guardian's date of birth	
UK Guardian's postal address and postcode	
UK Guardian's telephone number	
UK Guardian's email address	

Declaration

I have read and acknowledge the contents of Mountview's Under 18s Admissions Policy.

I acknowledge that Mountview does not accept parental responsibility for my child and will not act in loco parentis.

I acknowledge that Mountview is an adult environment and that my son/daughter/ward will generally be treated as an adult.

I acknowledge that my son/daughter has the capacity to enter into contracts for education and necessary accommodation but until their 18th birthday will not be legally competent to enter into all legal contracts. In circumstances where a person must be aged 18 or over to be legally competent to enter into a contract, I will guarantee all such obligations under any contracts with Mountview that my son/daughter enters into prior to his or her 18th birthday.

I acknowledge that while studying at the Mountview my son or daughter will be subject to UK law and the rules of Mountview.

I acknowledge that the Mountview cannot release information relating to my son or daughter, either academic or personal, without my son or daughter giving Mountview express consent for this or as otherwise permitted by the Data Protection Act.

If I live overseas, I have ensured an appropriate UK based guardian who understands the requirements and expectations of UK guardians.

Signed:

Date:

Please return this form to admissions@mountview.org.uk