Accommodation Services Duty of Care Policy

Purpose

1. The University of the Arts London has recently developed a policy statement on the issue of duty of care, which will act as a guideline to all students and staff. Whilst the policy statement covers the issues of Duty of Care within an educational context, there are additional considerations, which are relevant for the Halls of Residence, with particular reference to the accommodation provision for under 18’s.

2. It is the intention of this document to highlight the issues and legal requirements which the University, as accommodation providers, takes into consideration which are over and above the more general issues highlighted in the Duty of Care policy statement.

3. In addition, this paper seeks to identify and clarify the services and facilities in place to meet those legal responsibilities.

The Relevant Legal Requirements Regarding Under 18’s

4. The Children Act 1989  
The Care Standard Act 2000  
The Protection of Children Act 1999

The pertinent point is that parental responsibility is not transferable. Whilst a student is under 18, it is the parents continuing responsibility to safeguard and promote their child’s welfare. The University provides accommodation of reasonable standard as the response to its duty of care for ‘children’ residing in UAL accommodation. This is limited to having in place measures, which are clearly understood, reasonable and based on common sense. These measures are summarised below and further guidance on specific issues can be found through the overarching Duty of Care Statement.

Our Responsibilities

5. In order to adhere to our “duty to safe guard and promote the child’s welfare” Accommodation Services undertake to provide the following:

   • a Duty Manager available 24 hours, 7 days a week  
   • that all residence staff are available to assist students and resolve issues or refer requests to those more able to assist advice and guidance services through Student Services at college sites or at 272 High Holborn
Holborn London WC1V 7EY.

- an active Drugs policy (as per the Tenancy Regulations).
- notification to the parents/guardians of any infringement of Conditions of Occupation or Tenancy Regulations, provided always the student consents thereto (Data Protection Act 1988).
- disciplinary action in accordance with Tenancy Agreement.

6. Accommodation Services cannot ensure/enforce the following:

- request residents to sign in or out of the accommodation
- checking of late night/overnight visitors
- students are placed in single sex accommodation
- checking on activities off premises
- student's health or eating habits are monitored

Student and Parents/Guardians Responsibilities

7. When a formal offer of accommodation is made to a student it is important that you read the Tenancy Regulations and read and sign the Tenancy Agreement and Duty of Care Agreement. It is required that a signed copy of the Duty of Care Agreement is returned to Accommodation Services, which confirms that both the parents and the student have read and understood the information.

Summary

8. The provision of residential accommodation within the educational environment has additional legal requirements, in parallel to the obligation of duty of care to all students.

Accommodation Services have addressed these requirements through putting into place clear and concise practices, services and facilities. These measures intend to create and maintain an environment which caters for student's accommodation needs, at an expected standard, whilst also safeguarding and promoting the student's welfare.