

Residential Accommodation Policy SCA5

Equality Impact Assessment: Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

1. INTRODUCTION

- 1.1 As a Further Education College offering accommodation to students (including those under 18) Askham Bryan College is governed by a set of national minimum standards published by the Secretary of State for Education under section 87C(1) of the Children Act 1989 as amended by the Care Standards Act 2000. The standards contain arrangements to safeguard and promote the welfare of under 18s for whom accommodation is provided by colleges. These standards apply to institutions within the further education sector, i.e. further education colleges, sixth form colleges, institutions designated as being within the further education sector, and 16-19 academies, all of whom are subject to the duty under section 87(1) of the Children Act 1989 to safeguard and promote the welfare of children accommodated by them
- 1.2 Residential accommodation for students is provided by Askham Bryan College at the York and Newton Rigg campuses. The accommodation is intended to ease the travel burden on students whose home address is beyond a reasonable daily commute from the College and thus support them in their studies.
- 1.3 The College seeks to make accommodation available to a broad range of students and financial support may be available through government funded means-tested bursaries. Information on financial assistance is available on the College website or through Student Services.
- 1.4 The process of application for accommodation is separate from the application for a course, therefore an offer of a place on a course does not guarantee a place in accommodation.
- 1.5 Please be aware this policy applies to **all** students including apprentices and students who need accommodation to carry out their vocational duties.

2. ALLOCATION OF ACCOMMODATION

- 2.1 Accommodation is allocated on a first come, first served basis, however if accommodation becomes full, priority will be given to students whose home address is most distant from the College.
- 2.2 All College accommodation is allocated according to gender and age.

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2.3 Accommodation is offered for students in the following age categories:

- those aged 18 on 31 August of the year in which they enrol at College.
- those aged 16 or 17 on 31 August of the year in which they enrol at College. Students in this group are housed separately to those 18+ and are subject to the Social Care Common Inspection Framework (SCCIF) 2017 which gives operational guidance for their management. The College's compliance with this act is regularly inspected by OFSTED. Students in this group must be accommodated in designated accommodation which is registered with OFSTED.

3. THE OFFER OF ACCOMMODATION IN COLLEGE RESIDENCES

3.1 Accommodation is only available to students who meet the specific criteria set out in this policy.

3.2 No student can be guaranteed accommodation for the duration of their course. The College reserves the right to require a student at any time to move to similar alternative accommodation where, for instance, alterations or building works need to be carried out at the accommodation or as a result of damage to the accommodation that we deem makes the accommodation unfit for occupation.

3.3 If the accommodation is rendered uninhabitable, for example by fire, the College shall endeavour to provide alternative accommodation. If alternative accommodation is not available within the College, a portion of the Accommodation Fee paid corresponding to the period of time during which the accommodation was uninhabitable will be refunded to the student.

3.4 The offer of a place on a course does not represent an offer of accommodation.

3.5 Accommodation or the offer of accommodation may be withdrawn with immediate effect should a student fail to comply with the Student Code of Conduct and/or residential rules (see Appendix A). See also SCA2 Disciplinary Policy, SCA2A Disciplinary Procedures SCA36 Fitness to Study Policy and SCA36A Fitness to Study Procedure.

3.6 Accommodation or the offer of accommodation may be withdrawn with immediate effect should a student fail to disclose any information which is pertinent to their application OR if circumstances change during study at the College.

3.7 Accommodation or the offer of accommodation may also be withdrawn with immediate effect in circumstances where:

- the College's campus or any part of the campus closes;
- and/or where the College is no longer able to provide your course and its services to you.

3.8 Accommodation is only available to students enrolled on a course at the College. Should a student complete their course OR fails to enrol for their course OR is

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withdrawn from their course they are required to vacate their accommodation immediately in line with the terms and conditions within the accommodation contract.

- 3.9 In exceptional circumstances, once an offer of accommodation has been made and accepted for a particular room, the College reserves the right to re-allocate the room in question if it is required (and suitable) for a student who has diagnosed medical or other disabilities, or for safeguarding purposes.

4. RESPONSIBILITIES FOR RESIDENTIAL STUDENTS AND COLLEGE ACCOMMODATION

- 4.1 Care and management of residential students is the responsibility of the Student Services Manager and the Residential Wardens who are managed by the Director of Student Services.
- 4.2 All prospective and current residential students should ensure their compliance with College policies and procedures, particularly SCA2 Disciplinary Policy, SCA2b Disciplinary Procedures, SCA13 Policy on Drugs, Alcohol and Other Intoxicating Substances, and SSS16 Allocation of Student Finance.
- 4.3 Management of residential accommodation is the responsibility of the Head of Accommodation, Conferencing and Transport. Maintenance of residential accommodation is the responsibility of the Head of Estates & Facilities. All these staff members are managed by the Chief Operating Officer.

5. ACCEPTANCE OF STUDENTS INTO COLLEGE RESIDENCES

- 5.1 Residence in College accommodation is conditional on a student meeting the following criteria:
- 5.1.1 The student is studying a full level L2 technical qualification or above.
- 5.1.2 **AND** the student's home address is sufficiently distant from the place of study (usually at least 1 hour by public or College transport) **OR** there are extenuating circumstances relating to the student's application which permit admission to College accommodation. In such cases the student's application will be referred to the Admissions Panel for consideration.
- 5.1.3 **AND** for students under 18 on 31 August in the year of enrolment the student must provide details of a responsible adult (normally the parent or guardian) who is contactable at all times a student is resident at the College. This adult must agree to be available at all times to remove (within 4 hours) the student from site should the student be ill, be found to be under the influence of drugs or alcohol or be in breach of any elements of the Student Code of Conduct or residential rules. **This adult agrees to be contacted at any time and the student gives authority for the College to contact this adult.**
- 5.1.4 **AND** the student is not considered to pose a risk to the College community, ie the student has no criminal record **AND** the student has not been previously excluded from

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any educational institution because of their behaviour **OR** been placed in specialist behaviour management units (e.g. a Pupil Referral Unit) within the last 3 years.

5.1.4.1 In all cases a student with **any unspent convictions** or who has been made subject to any type of Order, including (but not limited to) Guardianship Order, Referral Order, Youth Rehabilitation Order or similar, will be referred to the Admissions Panel.

5.1.4.2 A student with any unspent criminal convictions for which they received a custodial sentence of any length is strictly prohibited from accommodation.

5.1.4.3 A student with an unspent conviction relating to any of the following will not be permitted accommodation at the College: physical violence, stalking/harassment, offences leading to being placed on the Sex Offenders Register, and any supply or conspiracy to supply or trafficking of drugs.

5.1.6 **AND** the student has the ability to live independently including:

5.1.6.1 An ability and willingness to self-medicate with prescribed drugs (including those prescribed for mental health reasons). A risk assessment will be undertaken where any student has disclosed a medical condition in order to establish our capacity (including the need for any reasonable adjustments) to meet their accommodation needs

5.1.6.2 An ability and willingness to engage in satisfactory levels of personal hygiene and personal care.

5.1.6.3 An ability to demonstrate understanding of and willingness to comply with the College rules, code of conduct, accommodation rules and personal safety.

5.1.6.4 An ability to integrate into the College community and not to behave in an anti-social way.

5.1.6.5 To show respect for College facilities, equipment and livestock, to avoid vandalism and ensure their accommodation is maintained at an acceptable level of tidiness and cleanliness.

5.1.6.6 A student who has previously damaged College facilities or accommodation will be referred to the Admissions Panel.

5.1.7 **AND** the student has the ability to self-manage and the capability to comply with the Student Code of Conduct and residential rules.

5.1.7.1 Students with a previous history of poor behaviour resulting in a stage 3 or stage 4 disciplinary at the College will be referred to the Admissions Panel and are unlikely to be granted accommodation. If permitted accommodation such students will be placed on Behaviour Contracts (under SCA2).

5.1.8 **AND** the student can demonstrate an ability to fund their accommodation:

5.1.8.1 The student completes a booking form and returns it to the

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Accommodation Team and the required deposit to the College Finance Department.

5.1.9 AND no outstanding debt to the College exists.

5.1.10 AND acceptable arrangements for the payment for accommodation are in place with the College Finance department prior to the start of the academic year.

5.2 Students who do not meet the above criteria may appeal to the Director of Student Services in writing.

6. OVERVIEW OF THE TERMS AND CONDITIONS OF RESIDENTIAL ACCOMMODATION

6.1 Non-payment of fees may result in the student losing access to College facilities and resources and could result in the student being removed from the course until the outstanding debts are settled. If in accommodation, you may also be requested to vacate your room until payment is received.

6.2 Direct Debit agreements cancelled by the student without prior notice will result in all outstanding fees becoming payable immediately.

6.3 The College reserves the right to charge a fee for failed Direct Debits and returned/dishonored cheques.

6.4 Any damage will be charged to the individual responsible, or to a group of individuals in the case of damage to communal areas. The College has recourse to the Security Deposit at the end of the academic year in cases where individuals fail to pay for damage for which they have been invoiced.

6.5 The rules for residential students are additional to the Student Code of Conduct and form part of the terms and conditions of occupation. The rules will be reviewed on an annual basis as part of the policy review process. (See Appendix A)

6.6 The College will maintain a policy on discipline for students (SCA2). If a student is suspended or excluded as the result of any disciplinary action, then they may still be liable to pay the balance of any accommodation fees in accordance with the Terms and Conditions of Accommodation Occupancy (Licence Agreement).

6.7 All students are required to make a declaration of any criminal convictions or proceedings before they can be offered a place in College residential accommodation. Students will be required to vacate their accommodation if any declarations are found to be incorrect and the welfare or safety of the student or others may be at risk.

6.8 Any request regarding a change of accommodation must be expressly agreed with the Accommodation Department consulting with the Student Services Manager and a decision made at their discretion. Where a change of accommodation is agreed a full inventory of the room will take place.

6.9 The College will provide such catering provision as required to meet the minimum

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standards required by the SCCIF. Students under 18 are offered accommodation on a half board basis only. **Where catering is provided, as an integral part of the accommodation package, no refund will be payable to students where catering packages are not fully utilised.** The catering element and accommodation element are not separate elements and form part of one single package, ie the Accommodation Package.

- 6.10 The College will maintain a Safeguarding Policy (SCA6). All staff who have unsupervised access to students under the age of eighteen or to their accommodation will be checked in accordance with the requirements of the standards established by the SCCIF in conjunction with the Disclosure and Barring Service. As part of our Safeguarding Policy, the College incorporates the Prevent Duty ('to stop individuals being drawn into terrorism. This includes violent and non-violent extremism which in turn can create an atmosphere conducive to terrorism and can popularise views which terrorism may seek to exploit.').
- 6.11 The College will maintain a policy on bullying and harassment (SCA9). This will include measures both for identifying any bullying that may be taking place and for countering its effects.
- 6.12 The College will maintain a policy on drugs, alcohol and intoxicating substances (SCA13).
- 6.13 The College will employ the necessary staff in order to meet the minimum requirements of the SCCIF. There will be sufficient residential staff on the premises to ensure the welfare and safety of resident students and the security of the premises. The Student Services Manager will determine appropriate levels of staffing in conjunction with the Director of Student Services and the Principal and Chief Executive.
- 6.14 Student Services and Accommodation staff who are responsible for residential students may enter a student's room if they have reasonable cause for concern. If they do have cause to enter a student's room they must act in accordance with the guidelines on entering students' rooms as detailed in the Residential Services Operating Manual.
- 6.15 Student Services staff responsible for residential students and any other staff are, with the express permission of the Student Services Manager, permitted to carry out a search of a student's room if they have reasonable suspicion that stolen property, illegal substances or materials are being stored or consumed contrary to the law or College procedures. The student should be present at the time of the search although in exceptional circumstances a search may be undertaken in the student's absence. Two members of staff must be present. Any material that may be discovered will be removed and stored by the Student Services Manager. The student will be issued with a receipt (SCA13). Room searches of a speculative nature are not authorised.
- 6.16 Designated College staff including the Accommodation staff are permitted to undertake routine checks of students' rooms for the purpose of monitoring damage and any necessary repairs as well as general hygiene.
- 6.17 The College will provide a programme of recreational and sporting activities for

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students.

- 6.18 Care plans, Personal Emergency Evacuation Plans and Risk Assessments will be undertaken in accordance with the requirements of the Health and Safety Policy and the needs of the student.
- 6.19 Full terms and conditions of allocation of accommodation can be found within the Terms and Conditions of Accommodation Occupancy (Licence Agreement) (also available on the College website).
- 6.20 For a full list of res rules see appendix A.

7. BOOKING AND ALLOCATION OF RESIDENTIAL ACCOMMODATION FOR APPRENTICES AND DUTY STUDENTS

7.1 General principles

- the booking and payment of accommodation is the responsibility of the student, the employer or their parents/guardian.
- the Accommodation Team are responsible for the appropriate allocation of accommodation.
- priority will be given to full-time students and then to apprenticeship learners and duty students.
- where less than three weeks' notice is given for a request for accommodation rooms cannot be guaranteed.
- it may be necessary for students to be placed in off-site accommodation if there are no rooms available on site. This accommodation is inspected by the Accommodation Manager prior to booking to ensure compliance with the SCCIF.

8. COMMERCIAL USE OF ACCOMMODATION

- 8.1 Commercial/Training Partners may book clients into accommodation outside term time only. Accommodation Teams will give priority to apprentices during half-terms and Easter breaks. A minimum of six weeks' notice is normally required. The relevant documentation must be completed. Note: The SCCIF imposes stringent requirements on Further Education Colleges in relation to the accommodation of young people under 18. It is for this reason that other individuals may not be accommodated on the College campus at the same time.
- 8.2 For reasons of safety, and to ensure compliance with the Care Standards legislation, accommodation bookings for non-enrolled persons taken through conference reservations or any other external bookings must be out of term time only.

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9. REFUNDS

- 9.1 If you wish to move out of accommodation in the first two weeks of the academic year, you must advise the Accommodation Office in writing (letter or email) of your intention to do so. You will only be charged for the calendar days (including incomplete days) you have occupied the room including the period of any notice given by you.
- 9.2 Where you choose to leave accommodation after the first 2 weeks of the academic year, but before the end of the first term, you will be charged up to and including the end of the first term.
- 9.3 If you choose to leave accommodation after the start of the second term, you will be charged for the terms 2 and 3.
- 9.4 A refund of the Security Deposit will be made (usually within 8 weeks from departure date) less any deductions for damage to your room, communal areas, etc.

Please refer to your accommodation agreement for further details.

10. EXCEPTIONAL CIRCUMSTANCES

- 10.1 In exceptional circumstances, the College reserves the right to terminate its Accommodation Agreement with you with immediate effect and without notice to you, and at any point during the academic year, if as a result of disciplinary action taken against you, you are excluded or suspended from the College and or from accommodation, or for safeguarding reasons. If you are suspended you must return your keys to Accommodation. In the event the suspension is lifted, you will not be allowed to return to accommodation if any part of your Accommodation Fee is outstanding, until such time as you are no longer in arrears.
- 10.2 Either you or the College may terminate the Accommodation Agreement with immediate effect and without notice to the other following a Fitness to Study hearing and unsuccessful appeal.
- 10.3 If any of the above apply and you are asked to leave accommodation (exclusion, suspension, for safeguarding reasons and or following an unsuccessful appeal against a Fitness to Study decision), you will be charged for any balance of the Accommodation Fee, unless the College, at its absolute discretion, considers it inappropriate to do so in the circumstances.
- 10.4 A refund of the Security Deposit will still be made (usually within 8 weeks from departure date) less any deductions for damage to your room, communal areas, etc.

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11. RELATED POLICIES AND PROCEDURES

This policy should be read in conjunction with

SCA2 Disciplinary Policy

SCA2A Student Disciplinary Procedures

SCA6 Safeguarding Policy

SCA9 Peer on Peer Abuse Policy

SCA13 Drugs, Alcohol and other intoxicating substances

SSS16 Allocation of Student Finance

SCA36 Fitness to Study Policy

SCA36A Fitness to Study Procedure

Student Charter and Code of Conduct

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RESIDENTIAL RULES

Any breach of Residential Rules will result in disciplinary action under the College's disciplinary procedure (a copy of which can be obtained upon request) and will also be a breach of the terms and conditions of occupation.

For the purposes of these rules, reference to students over 18 means students who were 18 or over on 31st August of the year in which they enrolled for the current year of their course eg 18 or over on 31st August 2020 when enrolling onto a course for 2020-2021.

- . All resident students are required to comply with College general regulations.
- . No firearms of any description including ammunition and cartridges, air rifles, BB guns or knives or anything that could be defined as an offensive weapon is permitted in College accommodation. If any of these items are found, they will be confiscated and disciplinary action will be taken. Knives required to be used in the subject you are learning will be provided by curriculum staff. Any guns brought to site by students permitted to do so must be registered with the department and stored appropriately, in accordance with the College Firearms Policy.
- . All students are **FULLY** responsible for the condition and security of their own room. Doors must be locked when leaving and keys **MUST** be kept with the occupant and not given to others. Window restrictors must **NOT** be removed and windows must **NOT** be used as a means of entry or exit to a room. Failure to comply with these rules and any damage caused to rooms will be the responsibility of the occupant and disciplinary action will be taken as necessary.
- . To protect the safety of all, residential students must comply with current health and safety regulations, fire regulations and regulations on the use of electrical appliances in rooms, in addition to any other College regulations that may be notified from time to time.
- . For your own safety fan heaters, electric fires, cookers, fridges, microwaves, toasters, kettles, irons and lava lamps are not permitted in student rooms. To avoid the danger of fire you must not use adapters in plug sockets. A four-gang plug extension is acceptable. You must not use or possess any appliance with an open flame (including candles). You must not interfere with any electrical or heating controls.
- . Interfering with fire equipment, for example fire alarms, fire exit doors, extinguishers, fire hoses and smoke and heat sensors puts the safety of others at risk. You must not wedge fire doors open under any circumstances. Failure to comply with the above may result in prosecution for a criminal offence and is regarded as extreme misconduct under the student disciplinary procedure. As such, this may lead to your removal from accommodation.
- . **ONE** guest is allowed to stay one night per week per student in the student accommodation during the day or evening. This is only with the prior agreement of the Student Services Manager or their representative. This applies even if the student attends Askham Bryan College.

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- Students aged under 18 must not enter accommodation that is for students aged over 18 and vice versa. Students aged under 18 who have been allocated room in a female block must not enter a male designated block; students aged under 18 who have been allocated room in a male block must not enter a female designated block.
- Students must make staff aware that they are leaving the campus during the evening or weekends. This can be via text or phone call to the Safeguarding Phone, an email to the Safeguarding team or by signing out on the fire sheet. You will be provided with the contact details for your site upon arrival at college.
- Students must not on any account change rooms without the express prior written consent of the Accommodation Manager or their representative.
- Students must not disturb their neighbours with an unreasonable level of noise at any time. Please refer to the Accommodation Handbook for campus specific curfew times.
- Students are responsible for any damage that is caused to the communal areas in the accommodation.
- To avoid damage to furniture and decoration, bicycles must not be kept in living accommodation.
- Pets must not be kept in your room. This includes hamsters, guinea pigs, mice, fish, reptiles and birds (this list is not exhaustive).
- Students must not engage in any form of trading activity or other commercial business from their room, or permit others to do so, or do so on behalf of others.
- The television licensing authority requires that television sets must be licensed and a current licence is produced on demand, even if you watch the television programmes on your computer.
- To maintain reasonable standards of hygiene in residential accommodation students must keep their study bedroom clean and tidy. Students must not move the bed from the position in which they found it on occupation. They must not replace the curtains provided with any others. Students are also responsible for ensuring that communal areas in the hostel are kept clean and tidy. Students must allow cleaning staff access to their room to carry out their normal schedule of cleaning duties.
- Students must not alter the decor of the room or any communal areas.
- Smoking is not permitted in any student accommodation or building on campus. The smoking areas around site must be used.
- Alcohol may not be consumed, produced or stored anywhere within residential accommodation for under 18 students. Students over 18 (and in our over 18 only accommodation) are permitted to consume and store a reasonable amount of alcohol for personal consumption in their own room. All under 18 hostels are alcohol free and alcohol must not be supplied to students aged under 18. Students aged under 18 found to be under the influence of alcohol may not be allowed to reside on site and their parents / guardians or other named responsible person will be called to collect the

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student if appropriate. Students found to be supplying under 18 students with alcohol will face disciplinary action and may be removed from accommodation as a result. Any student found to be in attendance at timetabled sessions under the influence of alcohol or other substances will face disciplinary action.

- . The College operates a zero tolerance to supply, possession and use of drugs. Any student supplying, possessing or using drugs will face disciplinary action and may be excluded from the college.
- . Interference with the operation of any security equipment, for example Salto access systems, puts at risk the security of residents and is a breach of this agreement.
- . Students must vacate their rooms when directed to do so at the end of term and not return until the time and date communicated to them. These will be provided upon arrival at College.

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