

Petitions Committee: a statutory duty of care for students in higher education

Introduction

The Petitions Committee ran an online survey to inform a debate on Monday 5 June 2023 on a proposed statutory duty of care for higher education students. The survey asked petitioners about their experiences of mental health support at university and their views on introducing a statutory duty of care for higher education students.

The survey was shared with signatories of the following petition, which triggered the debate:

- [Create statutory legal duty of care for students in Higher Education](#)

The contents of this brief are to be read as reflective only of the experiences of those who responded to the survey.

Response

1,535 survey responses.

About the respondents

- **35%** were a parent or guardian of a university student
- **21%** were a parent or guardian of a former university student
- **15%** were former university students
- **10%** were current university students
- **9%** were a friend or relative of a university student
- **2%** worked at a university

Statutory duty of care for students in higher education

Respondents gave a range of reasons why they would like a statutory duty of care introduced for higher education students.

Quotes

- Parent: "Duty of care is about taking student's mental and physical health into account at crucial points of their journey through university (assessments, exams, dismissal, etc) and not acting in careless and cruel manner - a privilege afforded to academics but not to the fee-paying young adults. Duty of care exists in all areas of work and apprenticeships but not for vulnerable young adults. Lack of duty of care in Higher Education is a serious omission in the UK legislation that needs to be rectified. We need a level playing field. Students should have the same right to duty of care as everyone else."
- Parent: "It is not enough for universities to be advised on what they should do. A statutory duty of care is a bare minimum for such large businesses. There are more regulations in place for shelf stackers than there are for students at university. An-opt in Suicide prevention scheme where a trusted person's number should be part of the enrolment process. A

triangle of care should be in place between the student, the university and the parents. Parents are part of the university experience and they should be contacted if any university has any concerns over a student. Too many universities are letting their students down. Time for universities to stand up and be counted!"

- Parent: "The importance is the quality of the support. My daughter's University could tick every box but a text message from her mentor once a term asking if all is okay is not good enough. There should be a duty to know students who are at risk, who are known to [Child and Adolescent Mental Health Services] CAMHS services at their home address and to make reasonable adjustments as per schools. Students are managing their mental health for the first time independently and the University must have a duty of care."
- Parent: "Currently I feel the university ethos does not recognise or have robust policies to trigger contacting parents when there are red flags. Having a statutory duty of care will protect the student but also the university who will have the ability to contact a registered and agreed contact. This consent should be agreed on application for university. Currently student support is woeful due to large amounts of study being virtual. Little face to face contact with tutor. Again, one to one contact

should have a mandatory minimum."

- Parent: "I am concerned that there is no duty of care to inform parents if my child is struggling. There are too many stories of kids who self-harm or take their lives without parents being fully in the picture."

Student mental health support

Students who had experienced poor mental health at university said that they received varying degrees of support from their institutions.

- **86%** of current students said they had suffered with poor mental health at university.
- **1%** said their university was 'very supportive' of their mental health.
- **26%** said their university was 'supportive' of their mental health.
- **40%** said that their university was 'unsupportive' or 'very unsupportive' of their mental health.
- **67%** said they would feel 'uncomfortable' or 'very uncomfortable' discussing their mental health with their academic supervisor or tutor.

Many current and former students said that they lacked mental health support at university

- **63%** of current and **85%** of former students said their university did not offer – or they weren't sure if it offered – a mentoring scheme.
- **47%** of current and **75%** of former students said their university did not have – or they weren't sure if it had – a welfare officer.
- **38%** of current and **87%** of former students said their university did not offer – or they weren't sure if it offered – study skills training (such as courses in coping with stress or planning work).
- **35%** of current and **80%** of former students said their university did not offer – or they weren't sure if it offered – arrangements to accommodate the needs of students with poor mental health (e.g. deadline extensions).
- **22%** of current and **36%** of former students said their university did not offer – or they weren't sure if it offered – a student advice service.
- **20%** of current and **64%** of former students said their university did not offer – or they weren't sure if it offered – a disability support service.

Quotes

- University staff member: "The university I work at has implemented some measures,

but they are not 'joined up' and most staff don't know what they are. There is no clear guidance on who should do what."

A large majority of respondents said that universities should be required to provide the following:

- Counselling.
- An opportunity to provide details of a 'trusted contact'.
- A welfare officer.
- A student advice service.
- A disability support service.
- Study skills training (such as courses on coping with stress or planning work).
- Arrangements to accommodate the needs of students with poor mental health (e.g. extensions to assessment deadlines).

Respondents also made the following suggestions to improve mental health support at universities:

- Mental health training for all student-facing staff, including training on neurodivergent students.
- Offering students the option to give details of a 'trusted contact' during their university induction.
- Regular pastoral meetings with each student to check on their wellbeing and mental health.

- Safe spaces on campus that are open 24 hours a day.
- Accessible 24-hour mental health helplines for students.
- A 24-48 hour grace period for assessment deadlines.
- A student mentor in each hall of residence.
- An opt-in welfare check service for students with poor mental health.
- Exit interviews if students leave university.
- Drug and alcohol awareness programmes.
- Parent: "Mental health first aid training [should be provided] for every student. Mental health support needs more investment and all services provided should be scrutinised and inspected by [the Care Quality Commission] or other governing body. Suicide rates should be published by institutions as part of the university statistics."
- Student: "There should be a comprehensive list of the support available to students and an effective way to get in touch if help is needed."

Quotes

- Former student: "A lot could be done as prevention rather than cure, in terms of providing regular structure and support: 1 on 1 pastoral support sessions and academic coaching, to help students manage workload and prioritise, support independent learning and refer on to more specialised counselling services as needed. In my experience, no pastoral support was given as academic tutors were very variable in their willingness/ability to coach effectively or offer pastoral support. Every student needs access to regular support to help maintain positive mental health and a net of support (which is adequate and not oversubscribed) to help effectively with any issues in mental health."

University counselling

Respondents expressed concern that waiting times for university counselling can be too long and the number of sessions offered too limited:

- Former student: "I was told that there was a 12-week waiting list [for university counselling]. Only by having a friend push me to recontact them did I get bumped up the list and seen. Without that friend, I may not have been there after the 12 weeks to rescue."
- Student: "The counselling service at my university only allows students to access 6 sessions during their whole time at the university. Given that students are typically at university for 3+ years I feel that students should be able to access it more than once."
- Student: "A lot of students feel discouraged to opt into the current

university services because the waiting lists are so long and most universities only provide a maximum of 5 counselling sessions a year. This simply isn't enough and many of the staff who work in the student support departments also believe that this should change [...] I still am on a 6+ month waiting list for the 5 counselling sessions my university offers."

- Respondent who works at a university: "Students can wait a whole academic year to be seen and supported and the burden of care is often left with personal tutors in the department."

Consistency of mental health support

A number of respondents expressed concern that the level of support for students' mental health varies significantly across institutions.

- Parent: "I have 3 children either at, or just finished at university. The variance in overall care between those that see students as important and those that do not care is significant."
- Parent: "There seems to be a lot of variation between universities. My son's experience was good but I know others may have got little or no support."

Support for disabled students and students with special educational needs

Respondents said that neurodivergent and disabled students often cannot access the extra support they need at university.

- Parent: "My son is autistic and this was on his UCAS application and details were provided to his University. But no support was put in place. Instead, he was expected to fill in more forms and register with the disability service. Things that he was not capable of doing because of his autism. His mental health deteriorated to the point that he stopped going to lectures and tutorials. We did not know this. No-one from the University checked up on him. He had no appointments with a personal tutor. We did not know anything was a problem until he sent us a message indicating that he did not want to live."
- Parent: "My son's experience was very poor, despite a history of mental health struggles and a [special educational needs and disability] SEND diagnosis, he was not supported sufficiently. No attempt was ever made to reach out to him."
- Student: "As a student with [autism spectrum disorder] ASD, starting university has been the most overwhelmed I have ever felt. New part of the country, living in accommodation with so many people, none of whom I knew, the nonstop noise, a huge university where I constantly got lost and then would panic [...] The systems for accessing mental health support

are complex and not fit for purpose for those in crisis or suffering poor mental health. Please make it easy – a 24-hour support line. Don't fob us off with text lines and the Samaritans line."

Parents and guardians

Parents and guardians were concerned by the level of support for students' mental health at university. Some expressed concern that they would not be informed if their child was struggling with their mental health at university. Others said that when they contacted their child's university with concerns, these had not been escalated.

- **79%** of parents or guardians of a current or former student said they 'disagree' or 'strongly disagree' that the current mental health support for university students is adequate.
- **67%** of parents or guardians of a current student said that their child had not felt supported by their university with their mental health.
- **88%** of parents or guardians of a current student said they would expect to be contacted if their child was suffering with poor mental health at university.
- **77%** of parents or guardians of a current student said that their child was suffering or had suffered with poor mental health whilst at university. Of those, **91%** had not been contacted by the university about their child's mental health.

- **59%** of current and **79%** of former students said they had not been given the option to provide details of a 'trusted contact' when they began studying.

Quotes

- Parent: "I contacted the university to say my son was struggling and they said they could only address the situation if he contacted them. When a person is in a bad or low place they are not likely to contact someone [...] It would make far more sense that the default position is that parents can discuss their children and there should be an opt out by the student if they do not wish this to be the situation."
- Parent: "Although University has various contacts, like student support, counselling, there is no way to actually speak to someone as a parent when you have concerns about a student. There are online forms to complete but they are not seen immediately. In an urgent situation as a parent you need to know there is a way of escalating your concerns. Students with mental health issues are not necessarily going to seek help for themselves."
- University student: "with the 'trusted contact', I have had the opportunity to put someone down which I did when I started at university. However, when I

experienced a mental health crisis and told the student wellbeing team I was suicidal, they did not contact my 'trusted contact' or ask if they could. They also did not offer me any support other than telling me to go to A&E if I hurt myself. So while it's good for a university to have the 'trusted contact' option it's also important that they use it."

Student absences

A large number of parents and guardians were concerned that no action is taken when students are absent from lectures for a prolonged period.

Quotes

- Parent: "Missing lectures is not picked up on as an issue, which in a lot of cases is due to mental health."
- Parent: "At school if work is not submitted or attendance is poor, there is accountability, and they are offered support. If in a work place the level of work or attendance is unsatisfactory, then a line manager would have meetings to establish what the problem is. At university, all students should automatically be enrolled to have parents/guardians/specific named person contacted in cases of concern – exact levels to be worked out, but constantly needing extensions for submitting work should raise alarms, likewise not attending lectures or seminars."
- Parent: "My son did not attend lectures for a whole term due to mental health issues and no one noticed or cared. It was a fellow student who encouraged him to tell us what was going on and to contact student welfare."

Have you been affected by this issue?

Access urgent help for your mental health:

<https://www.nhs.uk/nhs-services/mental-health-services/where-to-get-urgent-help-for-mental-health/>

Methodology

Committee staff manually reviewed hundreds of individual comments and answers, using both subject searches and randomised selection. They also analysed survey questions which produced statistical results.