Dear Paul,

I am writing to clarify the Government’s position on students’ mental health which you raised in Committee on 11 October.

The Government does expect that higher education institutions provide appropriate support services for all their students, including those with mental health issues, and effective signposting to additional sources of expert help. This is in line with the long established principle that institutions have an interest in the well-being of their students.

A mental illness or condition can be classified as a disability - when it has a substantial and long-term adverse effect on a person’s ability to carry out normal day to day activities. In such cases, institutions will have legal responsibilities under the 2010 Equality Act. The Act prohibits various forms of discrimination and often requires institutions to take reasonable steps – which may include the provision of an auxiliary aid or service – to avoid the situation where students with a disability experience a substantial disadvantage in the provision of their education. Where applicable, the public sector equality duty (section 149 of the act), requires bodies to have regard to the need to:

a) Eliminate discrimination that is prohibited by or under the Equality Act;

b) Advance equality of opportunity between persons who share a relevant protected characteristic (including disability) and persons who do not share it; and

c) Foster good relations between persons who share a relevant protected characteristic (again including disability) and persons who do not share it.

We agree that this is a serious issue and in our recent guidance to the Director of Fair Access we encouraged him to focus access agreements on a range of areas, including providing support to students with specific learning disabilities, autistic spectrum disorder and other mental health issues.
Within higher education institutions, there is increasing awareness of the need to offer support services as part of wider student services. Most institutions offer counselling services to help with health and welfare issues. Institutions also have local systems to help identify students who may be finding it hard to cope, using information such as course attendance or referral systems from personal tutors and lecturers to appropriate support services in the institution. Universities UK (UUK) are also leading some excellent work in this area, to help providers review and tailor their support services to students. In 2015 UUK worked with expert practitioners in the sector and the NUS to produce the 'student mental wellbeing in higher education' good practice guide. It is a practical resource for senior higher education leaders and managers, and aims to support institutions in building and improving their provision for students with mental health problems.

Since then, UUK have also established a programme of work 'Wellbeing in Higher Education' to ensure that wellbeing and mental health is a strategic priority for universities. It will focus on the need for a whole university approach, support the spread of good practice and agree guidelines for co-commissioning and provision of university services. It will work in partnership with Public Health England, the Higher Education Funding Council for England, expert voices from student services and activist charities such as Student Minds.

I hope that this clarifies the Government’s position and emphasises the importance we attach to excellent support services for all students, including those with mental health issues. We want all students to make the most of their higher education experience and to achieve high quality outcomes.

I am copying this letter to members of the Public Bill Committee and Clive Lewis, Shadow Secretary of State for Business, Energy & Industrial Strategy.

Yours ever,

[Signature]

JO JOHNSON MP