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**We are calling for a change in legislation that would rebalance the education system so that schools have the resource they need to promote wellbeing and tackle poor mental health.**

**There is an escalating mental health crisis in our classrooms:**

* Three children in every class have a diagnosable mental health problem[[1]](#footnote-1);
* One in twelve young people deliberately self-harms[[2]](#footnote-2);
* Rates of depression and anxiety in teenagers have increased by 70% in the past 25 years[[3]](#footnote-3);
* School leaders have reported a dramatic increase in the number of students suffering from mental health and wellbeing issues[[4]](#footnote-4); and
* 55% of teachers suggest there has been a large increase in anxiety and stress amongst students.[[5]](#footnote-5)

**We need your help to tackle this crisis head on.**

A clear statutory duty on all schools to promote good mental health will drive transformative change and create the right balance between academic achievement and wellbeing for all students in our education system.

**Schools must play a crucial role in promoting wellbeing.**

The social and emotional skills, knowledge and behaviours that young people learn in the classroom can help them to build resilience and set the pattern for how they will manage their mental health throughout their lives.

Recent surveys conducted by YoungMinds found that:

* More than 90% of parents think schools have a duty to support the wellbeing and mental health of students;
* 82% of teachers said that the focus on exams has become disproportionate to the overall wellbeing of their students; and
* 90% of the young people surveyed said that they would like mental health to be more important to their school or college.[[6]](#footnote-6)

There is cross-party recognition that schools play a central role in promoting wellbeing and good mental health. However, faced with growing pressures, schools often lack the expertise, training and resource they need to make this a reality.

**According to the Education and Health Select Committees:**

*“The promotion of well-being cannot be confined to the provision of PSHE classes. To achieve the whole school approach, senior leadership must embed well-being throughout their provision and culture. Doing so will have implications for staffing and training and the balance of provision and delivery of subjects across the curriculum to allow more time to focus on well-being and building resilience. We believe that this would be in the best interests of children and young people.”* **Children and young people’s mental health —the role of education.[[7]](#footnote-7)**

**Legislation needs updating.**

The proposed Bill clarifies the existing duty on schools to promote wellbeing and good mental health among their pupils.  It also extends the application of this duty to academies as well as maintained schools. The Bill would require the Government to produce statutory guidance based on key principles which all schools must follow.

**There is currently no statutory guidance for schools to inform how they discharge this duty. We know that as a result, not all children benefit from effective provision at school to promote their wellbeing and good mental health.**

**What could the Bill achieve?**

* Rebalance the education system to enable schools to direct resource towards promoting wellbeing, preventing poor mental health, implementing effective early intervention, and working with specialist health services to support young people with significant needs.
* Establish a set of core principles to create parity between wellbeing and academic progress.
* Drive systemic change to national and local policy.
* Prioritise wellbeing in school inspections.
* Establish wellbeing and mental health as a core component of initial teacher training and ongoing professional development.
* Establish mental health and wellbeing as a central part of school improvement and development plans.
* Provide clear guidance to schools on how to deliver a whole school approach to wellbeing and mental health based on effective and recognised interventions.

The new duties will have clear cost implications which would be met by national Government.

**The time is now**

There will be no Education Bill in the 2017 – 2019 parliamentary session. Therefore a Private Members Bill that directly addresses the mental health crisis in our schools is the only route to achieve the legislative change our children and young people need.

**We are here to help**

Specialist teams at YoungMinds and the National Children’s Bureau will work with you to help bring about a successful Private Member’s Bill. We can help with:

* Drafting the legislation;
* Policy briefings and evidence;
* Generating media coverage;
* Building cross-party support in Parliament;
* Raising awareness amongst the public; and
* Developing support across the sector.

**Please do get in touch for more information.**

**Proposed Private Member’s Bill**

**Short title:** Wellbeing in Schools Bill 2017

**Long title:** A Bill to rebalance the education system and to promote good mental health and wellbeing of pupils in schools alongside academic attainment.

**Proposed contents of the Bill**

Part 1 Principles for promoting wellbeing in schools

After Section 21(9) of the Education Act 2002 (as amended by the Education and Inspections Act 2006), insert -

*“21(10) The Secretary of State must issue guidance to proprietors of schools in relation to the promotion of well-being and to review the guidance from time to time.*

*21(11) Guidance given by the Secretary of State under 21(10) must include provision -*

1. *requiring proprietors of schools to take a whole school approach to promoting well-being and good mental health in schools;*
2. *requiring proprietors of schools to make statements of policy in relation to their promotion of well-being and good mental health;*
3. *about effective programmes and interventions for promoting and measuring well-being in schools;*
4. *about training and information for school staff;*
5. *about multi-agency working between schools colleges and academies, NHS commissioners, NHS services, and local authorities;*
6. *requiring proprietors of schools to have regard to the guidance.”*

Part 2 (academies)

After Section 1(6)(d) of the Academies Act 2010, insert –

*e) the school promotes the well-being of pupils meeting the requirements set out in S. 21the Education Act 2002 and any regulations made under that section.*

**Explanatory note**

Part 1

***Current legislation***

Section 21 of the Education Act 2002, as amended by the Education and Inspections Act 2006 (Section 38(1) places a duty on schools to promote wellbeing.[[8]](#footnote-8)

Section 21(5) of the Education Act 2002 states:

*‘The governing body of a maintained school shall, in discharging their functions relating to the conduct of the school—*

*(a) promote the well-being of pupils at the school, and (b) in the case of a school in England, promote community cohesion…’*

Under S. 21(8) well-being is defined as relating to matters mentioned in S. 10(2) of the Children Act 2004: **(a) physical and mental health and emotional well-being;** (b) protection from harm and neglect; (c) education, training and recreation; (d) the contribution made by them to society; (e) social and economic well-being.

***The draft bill***

New subsection 10 would place a duty on the Secretary of State to issue statutory guidance to all schools (including academies and free schools) about how they discharge their duty to promote wellbeing.

21(11) sets out a number of core principles to be set out in the guidance, which schools would have to follow. Duties would cover:

* A whole school approach to wellbeing and mental health
* Public statements about a school’s approach
* Implementing effective programmes and interventions
* Training and information for staff
* Multi-agency working

S. 21(11)(f) would place a duty on all school proprietors (including academies and free schools) to act in accordance with the statutory guidance issued under subsection 10.

Part 2

Currently academies are not governed by duties relating to the promotion of well-being in the Education Act 2002. The Bill would amend academy arrangements under Section 1(6) of the Academies Act 2010 so that funding for an academy from the Secretary of State would only be provided on the basis of an undertaking (amongst other things) to promote well-being.

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4. National Children’s Bureau and ASCL (2016) Keeping young people in mind https://www.ncb.org.uk/sites/default/files/field/attachment/news/ascl\_and\_ncb\_findings\_from\_survey\_briefing\_final\_footnotes.pdf [↑](#footnote-ref-4)
5. *Ibid.* [↑](#footnote-ref-5)
6. Young Minds and NCB (2017) Wise Up https://youngminds.org.uk/media/1428/wise-up-prioritising-wellbeing-in-schools.pdf [↑](#footnote-ref-6)
7. <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmhealth/849/849.pdf> [↑](#footnote-ref-7)
8. See explanatory notes: <http://www.legislation.gov.uk/ukpga/2006/40/notes/division/6/3/7> [↑](#footnote-ref-8)