



Guide Student Wellbeing in Purpose-Built Student Accommodation Real Estate:UK



Working Group

This Guide is the product of the hard work and dedication of individuals and organisations from across the student accommodation sector and we thank them profusely for their contributions.

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Introduction



Foreword

– Rosie Tressler, CEO of Student Minds

It is a real honour to introduce Real Estate:UK's timely, updated wellbeing guidance for the PBSA sector. Since the inaugural version in 2019, it's been a tough few years for the PBSA and Higher Education sectors to say the least. Everyone reading this will have worked incredibly hard during the Covid-19 pandemic and subsequent years, so I'd understand if you feel a little worried about more guidance landing on your desk!

Things do feel more complex in many ways. Since 2019 demand for support for students has only been increasing. More students than ever are having to work alongside their studies to make ends meet. Tragically too many preventable deaths have occurred. And many students from marginalised communities face increasing discrimination whilst barriers to accessible healthcare for all students when they need it, remain.

Thankfully though, we have a couple of million reasons to replace any worry we may feel with hope; our extraordinary students and staff. Despite all of the barriers most students face today, students continue to show up, to learn, to grow, to build communities, to challenge themselves - and us - and to commit themselves to creating a better world. And staff too continue to be committed to the highest quality of care. We've worked with a wide range of PBSA organisations since publishing our own 'Student Living' guidance and training programme a decade ago, and time and time again we are inspired by thoughtful accommodation staff – a cleaner, the night porter, security staff or hall manager – picking up on the most complex challenges and helping students find the right intervention in their time of need.

This RE:UK guidance has been updated with all of this complexity in mind and made digestible and actionable, whilst spanning both the reactive and proactive actions needed. This focus on more strategic, preventative approaches recognises that

every decision a PBSA provider is already making has an effect on the wellbeing of its inhabitants - good or bad - but armed with this knowledge we have an opportunity to make lasting positive change.

Of course, this guidance is just one aspect of a larger landscape of projects to create thriving university communities and cities. Back when the inaugural BPF wellbeing guidance was released, our team at Student Minds had recently announced our intention to develop quality standards for universities in relation to mental health - called the University Mental Health Charter. Following a research roadshow, a lot of committees, testing, piloting and much hard work, over 100 universities are now working with us to implement a strategic, whole-university approach to mental health. We're supporting them to review everything they do - from how they teach, the role of accommodation, the support services they offer, to the ways their leaders and community work together. And almost 30 of them have since received the prestigious Award to recognise their improvement journey. We'll work to keep the Charter and PBSA guidance joined up on our side, all we ask of you is that you keep reading, listening, evaluating your interventions and sharing your learning. Little by little we can share our best practice and our failures, and keep improving together.

So, once you've read this guidance, my advice is to get into listening mode with colleagues across your business and your local university ecosystem, and especially your students. It is by listening to understand that we can truly start to confront the most difficult stuff. None of us have the answers alone, but together we can build caring, healthy communities and ensure that students - our future colleagues, teachers, nurses, parents, leaders and more - are not just surviving, but thriving, and are prepared for the next challenges of their generation.

Rosie Tressler OBE, CEO, Student Minds,
www.studentminds.org.uk

Introduction

- Joe Lister, Chair of the RE:UK PBSA Board and Ollie Humphries, Chair of the RE:UK Student Accommodation Committee

When the British Property Federation (now Real Estate:UK) published its Student Wellbeing Guide back in 2019, our sector was already changing, shifting from simply providing places to sleep to creating communities where students could genuinely thrive. What none of us could have known then was just how much the world – and the student experience – was about to change.

The years since have been extraordinary ones. A global pandemic completely upended the student university experience and brought conversations about mental health, loneliness and support into sharp focus. Cost-of-living pressures have created further challenges for students and operators alike. And the student population itself has continued to evolve, with an ever more diverse range of backgrounds and experiences coming through our doors. We have all had to adapt – and, by and large, our sector has risen to the challenge.

It felt like the right moment then for the sector to take stock, and to update our guidance accordingly. The truth is, the PBSA sector looks quite different today from how it did in 2019. Operators have developed stronger wellbeing frameworks, built deeper partnerships with universities and support organisations, and invested in the people on the ground who make the real difference day to day. Best practice has been shared across the industry, and the level of professionalism we see has grown considerably.

With that in mind, this updated guidance takes a deliberately lighter touch. Rather than working prescriptively, it focuses on the issues that matter most right now, shares examples of what good looks like, and points towards the right resources and partners.

It is designed to be a helpful reference guide, not a compliance exercise – and to reflect the trust we have in the skilled, committed professionals working across our sector.

But while the format has evolved, the underlying message has not – and should not. Supporting students should be a priority for every operator. When a student moves into one of our properties, often for the first time away from home, they are placing real trust in us. Our teams can be the first people a student turns to when something is wrong – the friendly face at reception, the community manager who notices someone seems to be struggling, the colleague who takes the time to check in. Those moments matter enormously, and the people who handle them well are the best advertisement our sector has.

We should be genuinely proud of how far PBSA has come, and of RE:UK's PBSA Board and Student Accommodation Committee's ongoing work to share knowledge and raise standards across the industry. We hope this updated guidance is a useful tool for operators at every stage of their wellbeing journey – whether you are building a framework from scratch or looking to strengthen what you already have in place.

Most of all, we hope it serves as a reminder of why this work matters. The students living in our buildings deserve the very best we can offer – and we know our sector is committed to delivering just that.

How to Use This Guide

The purpose-built student accommodation (PBSA) sector has greatly evolved since the first iteration of this **Guidance** in 2019, responding to the Covid-19 pandemic, worsening cost of living pressures, and increased awareness of mental health and neurodivergence. Many providers now have their own established policies and procedures in place, and are incorporating a growing pool of resources from a number of sources into these.

In recognition of this evolution, Real Estate:UK's updated Student Wellbeing Guidance 2026 (Guidance) takes a 'lighter touch' approach, signposting those key issues providers should be aware of, and providing an illustration of 'best practice' examples in these areas. It is not intended to be a 'how to' instruction manual, but rather a reference point for those refining and updating their existing policies and procedures.

We have written the Guidance to assist providers in supporting good wellbeing, which looks like:

- Students feel happy, healthy and supported.
- Staff are trained and confident to notice signs of distress and respond appropriately.
- Providers measuring wellbeing (surveys, feedback data) and acting on it.
- A living environment where people thrive socially, emotionally, physically and academically.

This Guidance is structured so that users need not read it cover to cover, but can draw upon the parts of most relevance to them. It is split into three main sections:

- **Responding to Student Wellbeing Issues** – the reactive wellbeing policy measures that providers should consider putting in place so that wellbeing concerns can be addressed.
- **Supporting Student Wellbeing** – the proactive measures providers can take and outlines where the Guide's Working Group believes support should be focused.
- **Providers' Legal Responsibilities** – the legal environment providers operate in regarding student wellbeing.

Several useful tools for providers, including a self-assessment checklist, are provided in the Appendix.

Section 1:

Responding to Student Wellbeing Issues



Introduction

Effectively responding to student wellbeing helps providers not only respond to students experiencing distress, but supports prevention of issues developing by creating a safe and supportive environment.

While it is not a provider's responsibility to provide therapeutic care or go above its legal responsibilities, in an increasingly challenging environment for students it is important that providers can effectively signpost to the appropriate sources of support, collaborate with partners, and have the correct operating protocols in place. In accommodation with full or part nomination agreements in place with universities, there may be prescribed policy and procedures for the provider to follow.

In this section we explore key themes in providers' policies and strategies around responding to wellbeing issues, and highlight the best practices used across the sector by providers, universities, and third parties.

These should be seen within the wider context of the availability of statutory mental health and wellbeing services for students at the point of need.

1. Policies and Procedures

Good policies and procedures are only effective if they are well known and understood across the organisation, as part of an overarching wellbeing strategy.

Effective policies and procedures can cover:

- Awareness of wellbeing issues, including recognising the signs of mental distress and ensuring staff understand the support pathways available to students.
- Confidentiality, disclosure and data protection to ensure compliance with GDPR and data protection responsibilities.
- Boundary management to ensure that the limit of support the organisation can provide is clearly understood across the business.
- Mental health first aid training.
- Inclusivity and equality training, including those that align with the Equality Act and which recognise the needs of students with neurodivergence or physical disabilities.

The Higher Education Mental Health Implementation Taskforce's [Competency Framework](#) also enables non-specialist, student-facing staff to build knowledge and skills in responding to students in distress. It can be used as a guide for providers in refining their learning and development programmes for student-facing staff, ensuring that students receive a safe and helpful response from whoever they interact with.



2. Student Management

A student management approach ensures that students in distress receive a co-ordinated and joined-up response from their accommodation provider. Without it, students may find themselves receiving a disjointed and even contradictory response from different staff members, which could exacerbate their primary issue.

Student management may include:

- Accurate, timely, objective and confidential recording of concerns about a student's wellbeing.
- Appropriate and timely practical actions to mitigate distress, including signposting.
- Consistent internal escalation to more senior management based on the severity of the concern, with access to expert advice for staff either internally or externally.
- Referral to the relevant specialist service, if appropriate. This may also include making the university aware, within the constraints of data protection legislation.
- Agreed approaches with universities on managing cases in partnerships, where appropriate.
- An overview of historical cases within the organisation, to spot trends and patterns. This should be used to evolve policy, procedures and staff training.

3. Partnerships and relationships

Each provider-stakeholder relationship is individual, and there is no blueprint as to what this should look like. However, these relationships can cover:

- What wellbeing services are available at the relevant university.
- How students can access services.
- The likely waiting times for accessing services.
- Membership of a student welfare or case management group, where a nominations agreement is in place. Providers should be conscious of duty of care boundaries here.
- Proactive action to be taken in serious cases of student need.
- Information-sharing arrangements, ensuring that all parties are compliant with GDPR and data protection responsibilities. A helpful resource here is Nottingham Trent University, CUBO, and Unipol's [Sharing Information to Support Student Wellbeing and Safety](#) framework, which considers the sharing of information from PBSA to universities when there are concerns for a student's wellbeing or safety.
- Where relevant, participation in a 'Whole University' approach, as advocated by Healthy Universities and Universities UK via their [StepChange](#) report.
- Relationships with other stakeholders such as Student Unions or local authorities, where appropriate – in particular, local authority relationships may be valuable in situations of antisocial behaviour issues or safety/security risks.
- Resident Assistants, Welfare Coordinators, Wardens and other similar resident staff or student roles, which may be deployed by the university as part of a nomination or lease agreement.



4. Crisis Management

These procedures can be crucial when handling a student welfare related crisis, and could be set out proactively in accordance with a providers' overarching wellbeing strategy. In a crisis, the emergency services will usually be the first port of call, but university staff members may also provide support if this has been agreed in advance.

When reacting to an event, providers may want to ensure procedures establish:

- Who needs to be communicated with about the incident.
- How will that communication be conducted.
- Whether support is being provided by appropriately trained and experienced people.

We recommend that providers' refer to Universities UK's guidance for universities on [preventing student suicide](#), and AMOSSHE's guidance on [restricting access to means of student suicide](#) (which includes sections on accommodation services) to ensure that operators are better informed as to how university partners are working to prevent suicide and how that may impact upon provider protocol.

After the initial incident has been stabilised, de-escalation and after-incident follow-up are equally important. In the cases of suicide, police and universities will usually take the lead, however, providers may wish to refer to Universities UK's guidance on [Suicide-Safer Universities](#).

Case Study – #BehindEveryDoor Campaign

Student Roost developed the #BehindEveryDoor campaign in partnership with Chasing the Stigma to make mental health support more visible, accessible, and immediate for students living in purpose-built student accommodation.

As part of the initiative, every bedroom door across every Student Roost property displays a poster featuring a QR code linking directly to Hub of Hope, the UK's largest mental health support directory. The platform provides access to local and national services covering mental health support, financial wellbeing, and crisis intervention, ensuring students can quickly find appropriate support whenever they need it.

The campaign was designed to reduce barriers to help-seeking and provide a simple, discreet route to support. By placing information directly where students live, Student Roost ensures that access to help is available at any time, without the need to approach staff or actively search for services elsewhere.

In March 2025, Student Roost expanded the initiative by launching the #BehindEveryDoor Pledge on University Mental Health Day, calling on fellow PBSA providers to adopt the Hub of Hope within their own operations. To date, 14 providers have joined the pledge, extending free and instant access to mental health support to more than 84,000 students across the sector.

The campaign has also led to the creation of a Wellbeing Forum, bringing together providers and partners with a shared ambition to improve student mental health. The forum focuses on sector best practice, policy development, education, capability building, and evidence-led decision-making, helping to drive continuous improvement across the PBSA sector.

Through #BehindEveryDoor, Student Roost has moved beyond supporting its own residents to helping establish a collaborative, sector-wide approach to student wellbeing.



Section 2:

Supporting Student Wellbeing



Introduction

It is well-understood that our environment has a central impact on our wellbeing. As the place that students call 'home' during their studies, and where they spend a large amount of their time during the academic year, PBSA can play an important role in promoting and supporting positive wellbeing.

To utilise this opportunity, many providers have in place wellbeing strategies that look not only at reactive wellbeing procedures, but proactive supportive measures too. These could take into account the provider's reactive wellbeing procedures, and their legal responsibilities, to ensure alignment.

1. Supportive Wellbeing Services

Universities are primarily responsible for therapeutic services, and providers should be careful to avoid encroaching on these; this will create confusion and a lower quality of service, while also likely impacting a provider's legal responsibilities.

However, there are a number of supportive services or initiatives that operators provide to support the wellbeing. These are often cost-effective, can have a real impact on students and support relationships with other stakeholders, such as universities and student groups.

Supportive wellbeing initiatives encompass events and social activities programmes, health and wellbeing campaigns and resources, and resident assistant teams, among others. These can be self-led or through support of existing university initiatives, and dialogue with the university is important here.

Events Programmes & Social Activities

With online learning now much more common, and with increasing levels of social isolation, events programmes are excellent ways of encouraging socialising and alleviating the negative effects of loneliness. Events also provide opportunities to deliver key messaging around wellbeing, including destigmatising mental health, and can be cost-effective where delivered on-site.

Events and activities could centre on:

- Community building and socialising.
- Wellbeing issues.
- Exams and study.
- External trips to places of interest.
- Holiday celebrations and cultural awareness.
- Social responsibility.
- Life skills and networking (this may be especially important for students during times of transition, for example starting or leaving university).

Case Study – Partnership with The Zen Project

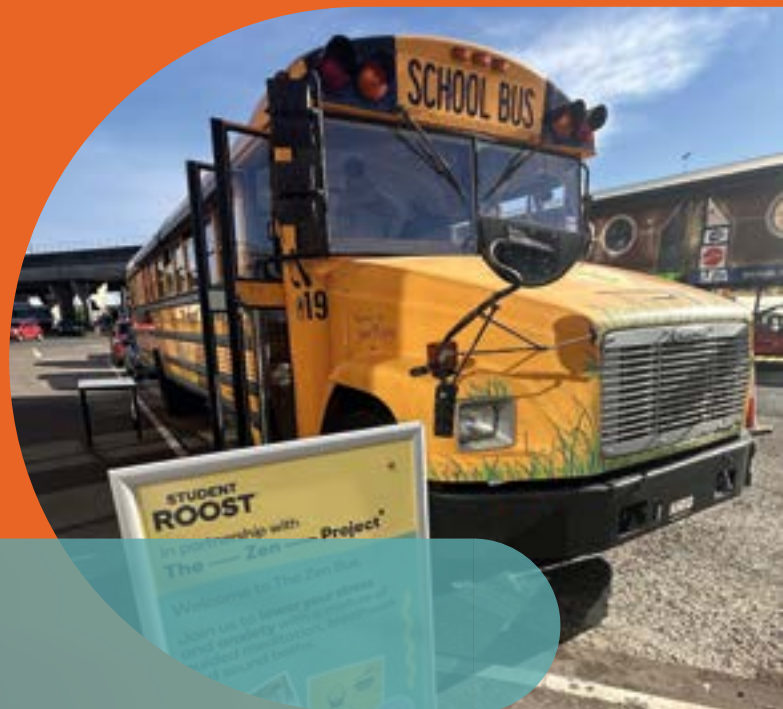
For the past four years, Student Roost has partnered with The Zen Project, a social enterprise that delivers wellbeing events and services, to provide preventative wellbeing support for residents across its portfolio.

The partnership was developed to help students build practical skills to manage the pressures and challenges that can arise during university life, particularly during key academic periods. Through the programme, students have access to a range of wellbeing-focused sessions, including exam stress workshops, breathing and relaxation techniques, mindfulness sessions, and practical tools to help manage pressure and build resilience.

Sessions are delivered throughout the year, with particular focus during Mental Health Awareness Week and University Mental Health Day, helping to increase awareness of wellbeing resources while encouraging students to prioritise their mental health. The workshops are designed to be accessible, practical, and preventative in nature, providing students with techniques they can use in everyday life.

The partnership complements Student Roost's wider wellbeing strategy, which combines trained team members, dedicated wellbeing support, and structured engagement programmes. While Student Roost is not a provider of clinical mental health services, the collaboration with specialist organisations such as The Zen Project enables residents to access expert-led wellbeing support within a familiar and trusted environment.

By focusing on prevention and early intervention, the partnership helps students develop healthy coping strategies before challenges escalate. It also creates opportunities for open conversations around wellbeing, helping to normalise help-seeking behaviours and reduce stigma. Through this long-standing collaboration, Student Roost continues to strengthen the support available to residents and promote positive wellbeing outcomes across its communities.





Health and Wellbeing Campaigns

Health and wellbeing campaigns can share information about healthy lifestyles, mental health, and general wellbeing, and can be shared throughout accommodation blocks in the form of posters, leaflets or direct interaction.

Such campaigns can also link in with a provider's event programme, thereby creating a joined-up and effective approach. Many universities, students' unions and local authorities run such campaigns and therefore this is a good opportunity for collaborative working and developing these relationships.

Possible campaigns could centre on:

- Healthy eating.
- Fitness and physical exercise.
- Mental and physical health.
- Security and violence.
- Alcohol or drugs.
- Loneliness.
- Assessments exams and stress.
- Sex and consent.
- Transitions.

Utilising University Wellbeing Initiatives

As with campaigns, providers can support and/or partner with universities on wider wellbeing initiatives. This can include sharing details of what non-therapeutic care and wellbeing services are available to students at their university.

For example:

- Student societies.
- Sports clubs.
- Facilities such as social spaces, contemplation rooms, and cycle racks.
- Wellbeing events or initiatives, such as university provision of yoga classes or therapy pets

Resident Assistants, Residence Life Teams, Welfare Coordinators and Wardens

As well as providing a role in helping respond to wellbeing concerns, Resident Assistant, Residence Life Teams, Welfare Coordinators or Warden teams also offer a great means through which to proactively promote healthy living.

Some Resident Assistant and Residence Life teams live within accommodation blocks, can be current or former students, and are therefore already an integral part of student communities and able to draw on their own or others' actual experiences. They can reach out to students in a way in which regular staff are not able to.

The Higher Education Mental Health Implementation Taskforce's [Compassionate Communication in Higher Education](#) sets out how organisations can communicate and interact with students in a compassionate and sensitive manner as to not exacerbate any challenges a student may be facing.

Case Study – Unite Students Resident Ambassador Programme

Originally launched in 2016, the programme is now the cornerstone of how Unite Students creates thriving communities. It's a powerful platform that keeps the student voice front and centre and is delivered by a diverse network of student residents across the UK. In 2025-26 the programme hit a record number of ambassadors, with over 500 applications and 108 appointed (including some returning to the role for a consecutive year). In collaboration with property teams, the Resident Ambassadors deliver brilliant events and activities during the six-week welcome period, throughout 'wobble week' and into the winter dip – providing important moments of connection throughout the peaks and troughs of the student journey.

Over the years, Unite Students has refined its delivery around four key pillars which guide the programme, with targets to achieve:

- **Communities (12 per year)** – Opportunities that help residents to connect with each other, share common interests and feel a part of their community. Book clubs, quizzes, gaming and movie nights help to build connection.
- **Wellbeing (5 per year)** – Moments that focus on self-care; residents get involved in run clubs, yoga, arts & crafts – activities that help to maintain balance alongside the demands of student life.
- **Life skills (5 per year)** – Opportunities to grow and learn, such as cooking, budgeting and job fayres, these activities support independence and set students up for success.
- **Sustainability (2 per year)** – Events that promote sustainable living, like swap shops, volunteering and scavenger hunts to achieve shared sustainability goals.

The results of the programme speak for themselves, with feedback through GSLI on Care & Support and Sense of Community improving year-on-year. It isn't just the community who benefits from a well-established programme. The Resident Ambassadors gain real employment right where they live, earning above the National Living Wage. They also say the role helps shape them, with growth in confidence and skills. It's a unique way to build a CV, give back, and find a sense of purpose alongside studies.

Amelia, a Unite Students Resident Ambassador for the 25/26 academic year, said:

"I applied for this role because I liked the idea of being able to work flexible hours along with having no commute time. This fits perfectly alongside my studies! I'm really enjoying meeting so many new people! This job is a great way to properly get to know everyone in your property. It's also rewarding to watch residents come together and get closer at events you have organised."



Case Study - Enhancing Student Wellbeing through the PfP Students App

The university experience can be both exciting and challenging, with increasing pressures around academics, finances and social change impacting student wellbeing. For PfP Students, part of the Places for People group, this has prompted a stronger focus on supporting mental health and fostering community across its purpose-built student accommodation portfolio.

In response, PfP Students partnered with Kinetic to develop the PfP Students App, a digital platform designed to meet students where they are - online. Built on the KXEngage system, the app provides a single, accessible space where residents can connect with peers, join interest-based groups, share events, and access a wide range of wellbeing resources. These include guidance on mental health, financial support, disability, and issues such as loneliness or homesickness, alongside links to local and national services.

The app aims to reduce isolation and encourage early help-seeking by making support easy to find and part of everyday student life. It also complements on-site services, creating a more joined-up and proactive approach to wellbeing. Early feedback has been positive, with strong uptake and students describing the platform as intuitive, supportive, and community focused. Staff have also reported improved engagement and clearer communication with residents.

Aligned with wider sector priorities around prevention and inclusion, the app helps remove barriers to support, particularly for students who may be less likely to engage through traditional channels. As PfP Students continues to roll out and refine the platform, its ambition is to create an evolving digital community that strengthens connection, resilience, and the overall student experience.





2. Times when students may need support

Though students in all circumstances may need wellbeing support at some stage, below we set out the specific times that students might need additional support, and case studies of how this has been provided.

Arriving at and leaving university

The transition to university is a vulnerable time, with many students concerned about the move. Some students arrive at university with pre-existing mental health conditions, and others may develop these while adjusting to university life. Student Minds has an excellent [resource](#) for students on starting university, and providers can support through campaigns and events, as we note above – including pre-arrival support to prepare for the transition and provide an opportunity to disclose any additional needs.

Similarly, leaving university and starting their career can be stressful for students. Providers can help ease this transition by collaborating with universities and local employers to connect students with career services and networking opportunities. Hosting events and sharing resources on independent living skills can also provide valuable support.

Loneliness and isolation

University, as a pivotal time in many young adults' lives, provides an unparalleled opportunity to grow their independence, make new friends and develop long-term connections. However, the university experience can be affected by periods of isolation, difficulty adjusting to new routines and responsibilities, and loneliness. Loneliness can be especially prevalent upon arrival and departure at university, but can occur anytime, particularly with the increase in online learning.

Providers can support here by providing their own social events and highlighting clubs, societies, and events hosted by universities.

Case Study –

iQ Feel Good

From its own research conducted with relationship charity, Relate, iQ Student Accommodation (iQ) found that 1 in 4 students felt sometimes or often lonely. The correlation between loneliness and wellbeing is well-known and so iQ has set out to make connection its mission – helping students connect with each other, with site teams, and with expert partners when they need more specific support, for example in times of crisis.

iQ has called its programme of wellbeing support Feel Good, recognising that putting proactive measures in place can help students build these relationships, feel better connected, and in turn help them get the most out of their time at university.

Underpinning this idea is not only a programme of events and virtual and in person clubs created around shared interests, but a passionate group of iQ employees, the Feel Good Forum, whose mission it is to create opportunities for students to connect, to share ideas and best practice with colleagues, and run iQ's annual Wellbeing Week across its more than 84 properties throughout the UK.

This group also has an operational responsibility to champion iQ's operating procedures around student wellbeing and mental health, aimed at ensuring that residents receive a consistent approach when it comes to support. An annual event is held to upskill this group and the wider General Manager population, inspire them with new ideas and share the latest good practice around student wellbeing. Having such passionate advocates means that the wellbeing of residents is high on the agenda when it comes to the experience iQ provides.





Assessments, Exams and Stress

Despite being an integral part of the university experience, these can take a significant toll on students, increasing stress levels.

Providers can work with universities to support students during exam and revision times, for example by sharing university and student group resources (such as this Student Minds [guidance](#)), providing dedicated study spaces, stricter rules around noise at night time, and signposting statutory services where appropriate.

Financial Stress

Worsening cost of living pressures are increasingly impacting students; recent [research](#) found that a third of students are living on less than £50 a month after rent and bills, with 90% reporting an impact on their mental health.

Providers can assist with budgeting by sharing university and student group resources (see [this one](#) by Student Space) and facilitating or supporting budgeting or financial literacy events. For students suffering from financial distress, providers may consider providing targeted support and/or payment plans on a case-by-case basis.

Neurodivergence

Neurodiversity provides students with many strengths, and is increasingly recognised and supported in higher education. However, in a neurotypical world, neurodiverse students face many challenges and can be at a disadvantage. Those with ADHD and autism are more likely to experience anxiety and depression, and one Unite [survey](#) found that neurodivergent students were less likely to agree they had good relationships, and more likely to be anxious about fitting in at university.

As part of other policies and initiatives, providers should consider how they can support neurodivergent students – Unite's [Meeting the Needs of Neurodivergent Students](#) report has recommendations for this.

LGBTQ+ students

2021 UCAS [research](#) found that over 1 in 13 university applicants identify as LGBTQ+, with around a third seeking specific LGBTQ+ services when applying for university or college. LGBTQ+ students experience higher levels of depression and anxiety, and are disadvantaged in a heteronormative society.

Many universities offer targeted LGBTQ+ support to students, along with Student Unions and clubs/societies. There is also a wealth of resources available online, including from [Student Minds](#). Providers may want to highlight this support available to students, alongside their own events and campaigns to support LGBTQ+ residents.

Minority and international students

It is well understood that international students can struggle with language barriers and adjusting to a new culture, being more likely to experience loneliness and isolation. However, the UK is a multicultural country, and domestic students also come from a variety of cultural and religious backgrounds. Where students are from a minority culture, they may experience similar cultural and isolation barriers.

Providers can support here by ensuring a level of 'cultural competence', and being aware of support and clubs/groups provided by the university that students may wish to take engage with.

Case Study – Operationalising Living Black at University at Unite Students

In 2022, Unite Students commissioned Living Black at University, the first UK-wide research report exploring Black students' experiences of student accommodation. The research revealed significant disparities in belonging, safety, and wellbeing, with Black students reporting higher levels of isolation, racial bias, and poorer mental health outcomes than their White peers.

Central to the findings was the importance of culturally relevant support, visible representation, and proactive community-building within accommodation settings.

In response, Unite Students focused on operationalising key recommendations identified in the report, which were intrinsically linked to PBSA, deliverable at scale (c.67,000 residents) and with meaningful impact:

- **Recommendation 2** – Integration activities for all new students:
 - Created 6-week welcome plans, curated with student influence.
 - Developed Unite Students' award-winning app and community platform, to promote connection before arrival and setting the foundations for belonging.
- **Recommendation 4** – Tackling racism in our Code of Conduct:
 - Integrated conduct into the 'Support to Stay' framework and systemised to ensure consistent and transparent conduct processes, balanced with proactive support.
- **Recommendation 7** – Health & Wellbeing support:
 - Launched and integrated a 24/7 wellbeing helpline so residents could speak with a counsellor in 240+ languages.
 - Improved reporting and bespoke case management procedures, including signposting to appropriate services specifically for Black students.
 - Created the Black Services Directory, developed by Black student interns, to connect students to culturally relevant local services such as haircare, food, and mental health support.
- **Recommendation 8** – Clear and accessible policies and procedures:
 - Improved the app to allow students to report incidents easily and directly to their property team, view policies, and understand Support to Stay.
- **Recommendation 9** – Reporting and investigation of complaints: Launched 'ResX360' (CRM) giving a 360° view of the resident experience from maintenance and wellbeing, to complaints or concerns. Resulting in reporting and investigation of complaints being easier with fewer barriers, quicker resolutions and integrated support.
- **Recommendation 10** – Relationship of trust with Black students:
 - Employed student interns from 10,000 Black Interns, with roles across the business.
 - Welcome plans, Quick Start Guides, HE engagement, the app and Support to Stay have all been influenced by the interns in the programme.
 - Greater collaboration between interns and a diverse network of Resident Ambassadors to shape the social programme, ensuring integration and inclusivity is at the heart of community.
 - Initiatives are student-led, authentic and informed by lived experience.

Section 3:

Providers' Legal Responsibilities



Pinsent Masons LLP

– Legal Note on Duty of Care to Students

Students in higher education today face significant mental health risks, especially when staying in student accommodation. These risks have been exacerbated by factors like the COVID-19 pandemic and the cost-of-living crisis.

According to the National Institute for Health and Care Excellence (NICE), the upheaval of leaving home, academic and financial pressures, and the loss of familiar support networks are key contributors to poor student mental health¹. Recent surveys show rising pressures for example, as the cost-of-living crisis deepened in 2022/23, more undergraduates reported mental health difficulties increasing from around 6% a few years prior to roughly one in six students². By 2024, almost one fifth (18%) of students reported a mental health difficulty, which is an estimated 300,000 UK undergraduates. This represents a tripling of reported mental health concerns over the past seven years³. A parliamentary briefing published in April 2025 reported that 57% of respondents self-reported a mental health issue and 27% disclosed an existing diagnosed condition⁴. In 2023/2024, 122,500 students disclosed they had a mental health condition, which represents 5.6% of all home students. This figure almost quadrupled in the decade prior to 2023/2024⁵.

The most common mental health difficulties among students include depression, anxiety and related disorders (such as eating disorders). These difficulties often manifest in the academic environment for example, through a lack of engagement or concentration on studies. They can also manifest themselves in accommodation settings through anti-social or disruptive behaviour in halls, or by showing signs of withdrawal, distress, or other symptoms of ill-health. In a 2025 survey of 6,685

students, 29% reported experiencing mental health difficulties at the time of the survey and 55% reported experiencing such difficulties either currently or in the past⁶. However, a large proportion of students do not formally disclose these difficulties to their university or accommodation provider, meaning the true extent of mental ill-health in student accommodation is unknown.

When developing mental health support strategies, accommodation providers must keep these risk factors in mind. They should also remember their legal duties to student tenants. In addition to any evolving common law duty of care (discussed below), providers have binding contractual and statutory duties - in particular, to avoid unlawful discrimination and to meet applicable obligations under the Equality Act 2010.

An accommodation provider's delivery of pastoral support, and the steps it takes to protect a student's health, safety and wellbeing, will be judged against any duty owed to that student. In practical terms, if an accommodation provider's failings (for example, not acting on warning signs or not following its own procedures) contribute to a student tenant suffering harm, the provider could be found liable.

Importantly, protecting student mental health is not a responsibility accommodation providers can shoulder alone, and it requires a joined-up approach with universities and other support services. Accommodation providers should work closely with their partner institutions to coordinate support and share relevant information (while respecting privacy laws and obtaining student consent as appropriate) to ensure that students do not 'slip through the gaps' between campus and residence.

1. <https://cks.nice.org.uk/topics/mental-health-in-students/background-information/risk-factors/>

2. https://cdn.taso.org.uk/wp-content/uploads/2023-09-18_Student-mental-health-in-2023_TASO.pdf

3. [2025-02-20_Student-mental-health-in-2024-How-the-situation-is-changing-for-LGBTQ-students_TASO.pdf](#)

4. CBP-8593.pdf

5. CBP-8593.pdf

6. [Cibyl_Accenture_Student_Mental_Health_2025_Report.pdf](#)



From a legal and best-practice perspective, supporting student mental health should become a strategic aim of any partnership between accommodation providers and universities. This commitment needs to be reflected in the design of policies, procedures and training, and in the consistent implementation of good practice across the sector.

This note covers the following areas:

1. Contract

2. Duty of Care

3. Equality Law

1. Contract

The relationship between an accommodation provider and students is governed by contract.

Student accommodation contracts are governed by consumer protection law. The Competition and Markets Authority (CMA), which oversees consumer rights, requires contract terms to be easily accessible, clear, and transparent about each party's rights and obligations.

If an accommodation provider breaches its student accommodation contract - for example, by failing to deliver promised services or falling below reasonable standards - it risks a student complaint. If the issue isn't resolved internally, the student could take it further, potentially to court, claiming breach of contract, misrepresentation, or a breach of the Consumer Rights Act 2015.

The contractual position will impact on any consideration of an accommodation provider's obligations to students who require mental health support. All promotional and other material, such as the accommodation provider's website, advertising materials, rules of occupation etc. may be regarded as forming part of the contract and therefore must give an accurate account of the services offered and any other support provided in practice.

Continued overleaf.

Accommodation providers are increasingly expected to engage proactively with prospective students who disclose mental health conditions at the pre-contractual stage. This includes identifying potential support needs and ensuring that the terms of the contract and the services delivered under it are aligned with the provider's obligations under the Equality Act 2010. Providers should also work closely with university partners to ensure that student contracts are clear around support available, and that implementation meets the standards required by law.

When describing wellbeing and mental health support in the contract, it is crucial to also state the limits of that support, specify clearly any conditions or situations where certain services won't be available. Accommodation providers should ensure that they comply with their legal obligations, deliver what students have 'signed up for', and manage the expectations of current and prospective students.

In situations where mental health issues arise, accommodation providers must also be careful to ensure that policies and procedures are not enforced arbitrarily against affected students. In particular, if a student facing disciplinary action has a mental health condition, an alternative, flexible approach may be required to avoid discrimination under the Equality Act 2010. For example, rather than automatically terminating the tenancy for a conduct violation, the provider should consider the student's mental health condition, the circumstances of the incident, and what support was in place, to decide a fair and proportionate response. Providers should ensure that staff are properly trained to identify when this type of discretion might be needed and that policies and procedures allow for flexibility in responding to students who are experiencing mental health difficulties.

2. Duty of Care

Recent case law

The question of whether universities owe a duty of care to students has not been widely tested in the courts. However, recent cases indicate this is an evolving area of law.

In May 2022, the *Abrahart v University of Bristol* case addressed this issue. The County Court Judge in *Abrahart* concluded that there was “no statute or precedent” establishing a duty of care on a university to take reasonable steps to avoid causing injury (including psychiatric harm) to a student. In other words, the court did not recognise a general duty on the university to prevent a student’s mental health deterioration or suicide.

The case concerned a University of Bristol student, Natasha Abrahart, who suffered from chronic social anxiety and died tragically by suicide in April 2018 on the day she was due to give an assessed oral presentation. Her parents sued the university for failing to support her, claiming disability discrimination under the Equality Act 2010 and negligence/breach of duty of care.

The court upheld the Equality Act 2010 claim, finding the university had not made adequate reasonable adjustments for Natasha’s disability (the university was ordered to pay over £50,000 in damages). However, in relation to the negligence claim, the court found that the specific duty of care argued – to take reasonable care for students’ wellbeing and avoid psychiatric injury – was a novel claim not supported by existing law. The Judge noted that unlike a schoolchild or a prisoner (where the institution has a high degree of control), a university student is an independent adult not in the university’s custody or care in all aspects of life. Therefore, the Judge found no general duty of care arose during Natasha’s time at university. The Judge did add that if such a duty had existed, the university’s failures in handling her situation would have breached it.

The High Court appeal was heard in February 2024, and the Judgment upheld the County Court’s decision in favour of Natasha’s family on the Equality Act 2010 issues. However, the High Court did not overturn or definitively rule on the negligence question. The appeal Judge stated it was “not necessary” for him to express a view on whether the university owed a common law duty of care. He noted that the duty of care question had “potentially wide application and significance,” and that in the original trial the arguments on the negligence law were not fully developed. In effect, the appeal left the earlier finding (that no general duty was established) intact, but without endorsing or refuting it. This left the law on this point open.

Policymakers have acknowledged the uncertainty in this area. In January 2025, the Labour government outlined its position, stating that while a duty of care in higher education may arise in certain circumstances, it is a matter for the courts to decide on a case-by-case basis by applying common-law principles to the specific facts.

A separate case in October 2023 *Feder & McCamish v Royal Welsh College of Music and Drama* did establish a duty of care, albeit in a specific context. In that case, two students (Ms Feder and Ms McCamish) sued their college over how it handled their reports of sexual assault by another student. The court found that the college owed a duty of care to properly investigate and respond to the reports. The duty arose because the college had assumed responsibility for student welfare in its policies and communications about handling misconduct.

It was foreseeable that a negligent handling of a serious complaint could cause the students further psychological harm, and the court found it fair and reasonable to impose a duty on the college in that context.

The college was held liable for the psychiatric injury the students suffered due to its failures. While this case dealt with a college's duty in disciplinary and support processes (not an accommodation set-up) it does show that courts will impose duties of care on higher education providers where there is a clear assumption of responsibility and a foreseeable risk to student welfare if the duty is not met. If a student accommodation provider makes specific provisions, for example, promising a welfare check system or emergency support and a student is harmed because those provisions were not fulfilled with due care, a court might similarly find a duty and breach on those specific facts.

When a duty may arise

In England and Wales, the courts have applied a three-stage test to establish whether a legal duty of care exists. The test is as follows:

1. On the facts, the harm suffered by the claiming party would have been reasonably foreseeable to the defendant;
2. There was a relationship of proximity between the defendant and the claiming party (often called the assumption of responsibility); and
3. On the facts of the case it is fair, just and reasonable for the court to impose a duty of care on the defendant party in favour of the claimant.

All three elements are required. For accommodation providers, the first two elements - foreseeability and proximity - are usually key. Harm to a student may be foreseeable (for instance, if staff ignore clear signs of a student's severe distress, further harm might be foreseeable). However, foreseeability alone is not enough; the relationship must also be proximate to justify obliging the provider to take action. In many cases, the proximity of the relationship will depend on the type of accommodation provider. University-owned accommodation is more likely to give rise to a duty of care, as universities often provide broader support. Private providers typically have a more limited role, unless they take on specific responsibilities.

Where a student is being accommodated by an independent private provider (for example, in a private hall of residence) the duty owed is likely to be more limited in its scope and will be defined by the contractual relationship with the student (more like a standard landlord-tenant relationship), the extent of the pastoral support offered, and any agreements reached between the provider and a student's university regarding the allocation of roles and responsibilities. If the provider's role is essentially providing safe and clean accommodation, with no undertaking of pastoral care, then it is less proximate to the student's personal wellbeing than a university would be. In these circumstances, it is critical that a private accommodation provider has agreed the responsibilities reserved to a student's institution. A student must also be clearly signposted to the available wellbeing and support services which can be accessed by that student under the terms of their student contract, as well as any additional support the accommodation provider is able to offer onsite.

Providers must train staff to follow referral procedures. They should also work with universities to ensure student contracts clearly explain available support and how it is delivered. Part of that work may involve positively engaging with potential students who disclose mental health issues at pre-contract and contracting stages to better plan support for needs. Providers should also encourage their university partners to have in place student contracts which provide clarity around support available and endeavour to ensure that implementation meets the standards required by law.

In situations where a provider has not entered into any arrangements with institutions which address the pastoral needs of students, the extent of the duty will depend on the level of support stated to be provided in any accommodation agreement. In these cases, the duty of care will be increased as the levels of support are increased.

Practical steps for providers

In the majority of situations, the standard of care expected of an accommodation provider will be that of ‘an ordinary and competent accommodation provider’, and those working with students with mental health difficulties (such as receptionists, wardens, cleaners, security staff and support teams) may be judged against the skills of an ordinary skilled individual exercising that skill. In practice, this will involve an accommodation provider training staff to be able to act appropriately in situations where a student’s behaviour reasonably suggests that they are in difficulty.

Best practice would include as a minimum:

- Guidance on mental health issues and recognising the signs of students in likely mental distress.
- Guidance on how to assess potential student issues such as self-harm, anorexia and suicide risk.
- Guidance on how to communicate with and support students in distress including use of non-discriminatory, non-stigmatising and positive language.
- Guidance on how to encourage students to self-refer or how to refer students to professional support (including any procedures or protocols set up by the provider or agreed with institutions).
- Guidance on how to deal with a crisis involving student mental health and how to assess and contain urgent situations and the details of how to refer cases to networks of appropriately trained professionals including NHS mental health services.
- Guidance on the need for staff not to place themselves at risk of harm or to take any action that would exceed their expertise.

All levels of staff should be considered for training, in particular front-line staff such as reception, wardens, cleaners and out of hours security. This training should be reviewed regularly to maintain effectiveness and should be underpinned by appropriate policies and procedures which ensure that students are supported and referred to specialist services.

Accommodation providers should ensure that any pastoral support they offer is delivered reliably and to the standard promised. Where support extends beyond basic training such as providing mental health services, access to healthcare professionals, or staff trained to respond in a crisis, the level of expectation and corresponding duty of care will increase. If a provider fails to deliver the support it has committed to in a crisis, it is more likely to be found liable for breaching that duty. Providers should therefore make commitments they can confidently fulfil, ensuring that the support offered is both appropriate and dependable.

In most cases, providers with students who have disclosed mental health issues will have enhanced duties and will therefore need to ensure that all staff (not just those who provide pastoral care) properly understand their roles and their responsibilities towards these students.

In urgent or high-risk cases, it is also important that trained ‘case conference’ teams can be quickly mobilised and that these teams comprise a range of key multi-disciplinary stakeholders. This will require a degree of investment in advance training and strategic planning for these key stakeholders.



In practice, this can be achieved by the accommodation provider ensuring that the work of its staff is supported by the guidance and training noted above as well as accessible and transparent policies and procedures which deal with the prospect of referrals. This is particularly true in cases where crisis situations arise (where a student has attempted self-harm, suicide or is judged to pose a risk of harm to themselves or others) as well as situations where there is evidence of a student becoming withdrawn from any engagement with the institution. Where possible, consent from the student to share information with the university should be obtained first, recognising that this may not always be feasible.

Providers should also be especially mindful of situations where a student without diagnosed or disclosed health issues engages in behaviour which may indicate significant issues relating to their mental wellbeing. This can be achieved by a provider either communicating to staff and students a university's mental health policy or the provider's own.

In particular, a claim could arise when staff intervene in an incident where a student occupant of a residence operated by a provider has either self-harmed or attempted to take their own life. If a staff member volunteers assistance to a student in crisis, they may assume a duty of care towards that student. Once responsibility has been assumed, the law requires that the staff member exercises reasonable care and skill appropriate to their role and training. The duty is not simply to avoid making the student's condition worse, but rather to act non-negligently in the circumstances. The provider may be vicariously liable for negligent acts or omissions by staff members acting in the course of their employment. In this case if the staff member does not urgently escalate the incident to the appropriate authorities but recklessly or negligently attempts to resolve matters themselves then they place themselves and their employer at significant risk should the student suffer harm as a result. At the same time, staff should not make the opposite mistake of failing to provide any immediate, practical assistance that any bystander might be reasonably expected to offer.

Even if the student put themselves in danger (for example, an overdose), staff must still respond appropriately. Failing to act reasonably could breach the duty of care. In cases where, due to intoxication or overdose, a student could no longer be said to be responsible for their actions, unless a provider can show that its employees gave clear thought to the care of the student and sought adequate medical intervention then a finding that there has been a breach of a duty of care to the student is likely. While the fact that the student may have been responsible for their initial injuries or mental state may reduce any award of damages based on contributory negligence, it is not a defence to a provider for the apparent failure of its staff to provide an adequate and reasonable response or intervention in a case of student harm or suicide.

3. Equality Law

Under the Equality Act 2010, it is unlawful for service providers, including student accommodation providers, to discriminate against, harass, or victimise prospective or current student tenants on grounds of a protected characteristic. Disability is a protected characteristic under the Act, and this can include mental health conditions that have a substantial, long-term adverse effect on a student's day-to-day activities. Providers must pay careful attention to their duties towards students with mental health difficulties when delivering pastoral and accommodation services.

Accommodation providers are under a proactive duty to anticipate and make reasonable adjustments for disabled students, to ensure they are not placed at a substantial disadvantage or treated less favourably compared to others. This means thinking ahead about the needs of prospective or current student tenants who have disabilities. Recent case law has clarified that this proactive duty requires staff to act when a disability is apparent, even if a student has not formally disclosed it. This means staff must act when a student's mental health condition is obvious, even if the student hasn't formally disclosed it. In *Abrahart v University of Bristol*, the court confirmed that the anticipatory nature of the duty means it arises as soon as a student's disability becomes apparent, through what they say, do (or fail to do) and this can occur before the student engages with the university's disability services.

If a staff member knows or should reasonably notice a student is struggling, the provider must treat this as knowledge of a disability and act quickly.

Reasonable adjustments may include changes to policies or procedures, providing additional support, or altering the physical environment. In the context of student accommodation, examples of reasonable adjustments include relocating a student to a quieter residence, altering the terms of a tenancy agreement, or allowing an emotional support animal, where such steps would alleviate a mental health-related disadvantage. These should be tailored to the individual student's needs and circumstances.

The duty is to make adjustments that are 'reasonable'. Whether an adjustment is reasonable depends on all the circumstances of the case, including practicability of making the adjustment; financial and other costs involved; extent of the provider's resources; the interests of other students; and health and safety requirements. These are potentially relevant considerations in determining whether a particular adjustment is reasonable or not. If an adjustment would not be reasonable, there is no duty to make it. However, caution should be exercised before reaching the conclusion that an adjustment is not reasonable, as the threshold is typically high and cost or inconvenience alone will rarely be sufficient for failing to put in place adjustments.

As "reasonable" isn't defined in law, if there's a dispute, the courts will decide based on the specific facts of the case. Providers should therefore adopt a cautious approach, erring on the side of making adjustments where there is doubt as any certainty (if a dispute arises) can only be achieved through litigation.

Providers are expected to proactively support students with mental health disabilities, such as training staff to recognise signs of mental ill-health and to put in place adjustments quickly. Waiting for a student to ask for help or provide medical evidence, particularly in a crisis, is not going to be acceptable and may risk breaching the Equality Act 2010. The only way to be certain whether an adjustment is reasonable (if it is challenged) is through litigation, so it is much better to take a cautious approach.

4. Data Protection

This section of the guide is focussed on the legal considerations around sharing personal data in the context of concerns about a student's mental health or wellbeing.

Data protection law is not intended to prevent organisations taking action involving the processing of personal data where those actions are necessary in the circumstances. Data protection law relies on a number of common-sense principles, and it is not generally intended to prevent organisations from using data in a fair and reasonable way, but rather to make organisations ask themselves some straightforward questions to make sure that what they are doing is, in fact, fair and reasonable. One of the most important principles is that personal data is (self-evidently) personal, and that accessing it and using it should not be taken for granted and should be kept to the minimum required for the particular purposes. There is a requirement for data minimisation.

Organisations need to ask what personal data they process, who does it belong to, why do they have it, why are they allowed to have it, why do they have so much of it, what are they going to do with it, do they intend to share it, if so, with whom and why. They also need to ask whether the person that the personal data is about, the data subject, knows the answers to all of these questions (because the organisation has told them) and/or would reasonably expect the organisation to be doing what they are doing with their data. There is a requirement for transparency with data subjects.

An organisation which has asked these questions, and which has clear answers to them, is likely to be giving the right levels of protection to the individuals whose personal data they are processing.

A private student accommodation provider is likely to be a data controller in relation to the personal data of students resident in the accommodation it provides. Providers will decide the purposes for which, and the manner in which, student personal data is processed. This means that in general terms the provider will need to have asked, and continue to ask, the questions above. More specifically, in the context of students who are experiencing, or who appear to be experiencing, mental health issues, providers will need to know what information can be shared, with whom, and in what circumstances.

The circumstances are important. Before addressing the legal requirements around sharing personal data, it should be considered why providers might want to share personal data in the first place, because this informs so much else. Context is everything. If a provider is going to share student mental health information, this has to be broadly for the purpose of enabling a student experiencing mental health issues to get the support needed. The information has to be shared with the intention of improving things for that student, and so the information has to be shared with someone who can help. Sharing information will not always be the right thing to do, it needs to be shared with the right person, at the right time and for the right purpose. From a data protection point of view, if you are sharing personal data in circumstances where common sense tells you that it is the right thing to do, that you are sharing the information with the right person, at the right time, because that person is likely to be able to help, then this is unlikely to be an issue in data protection terms as explained further overleaf.

In this section, we have focussed on the data protection compliance aspects of information sharing in two distinct scenarios:

- **Scenario 1 – Mental Health Concern:** There are concerns about a student's mental health or wellbeing, but there is no imminent risk to the student's life or safety (for example, the student is withdrawn or depressed, but not in crisis).
- **Scenario 2 – Mental Health Crisis:** The student is in a mental health emergency with an immediate risk of serious harm or life-threatening action (for example, expressing an immediate intent to end their life, or engaging in otherwise dangerous behaviour).

Below, we outline the lawful bases for processing personal data under UK GDPR and the applicable special category data conditions under UK GDPR/Data Protection Act 2018 (the "Act").

Lawful basis

Before sharing any personal data, including information about mental health, an accommodation provider must have:

- a lawful basis for processing under Article 6 UK GDPR; and
- because mental health data is special category data, an additional condition under Article 9 UK GDPR (as supplemented by Schedule 1 of the Act).

Relevant Lawful Bases (Article 6 UK GDPR):

- **Consent:** This may be the ideal basis if the student freely and explicitly agrees to the sharing. In a non-emergency situation, consent is likely to be the simplest, and potentially the fairest, way to ensure that accommodation providers can lawfully disclose personal data relating to the mental health of students. However, consent must be truly voluntary and can be withdrawn at any time. Often, in serious mental health cases, the student might be unwilling or unable to consent, or asking for consent might not be appropriate (e.g., if doing so could aggravate the situation). The student must also be informed of their right at any time to withdraw their consent. This creates the very real possibility that the consent to inform an emergency contact, or university mental health services, or a healthcare professional might well be withdrawn at precisely the moment a provider would want to take one of these steps. Consent is not required if another lawful basis applies, but it may well be the most appropriate basis to use in **Scenario 1 (Mental Health Concern)**.
- **Legitimate Interests:** This is commonly the appropriate lawful basis for a private accommodation provider in mental health contexts, especially in **Scenario 1 (Mental Health Concern)**. Under Article 6(1)(f), a provider can share data if it is necessary for its legitimate interests (or those of a third party) except where overridden by the individual's interests or rights. Here, the provider's **legitimate** interest might be protecting the student's welfare and maintaining a safe environment, and the mental health service has an interest in preventing harm to the student.

Providers must conduct a **Legitimate Interests Assessment (LIA)** – essentially a balancing test – to confirm that:

- The purpose is **legitimate** (e.g. preventing harm, fulfilling a duty of care).
- The data sharing is **necessary** for that purpose (e.g. the information is needed to get the student appropriate help).
- The student's privacy rights do not **outweigh** those interests. This involves considering the student's reasonable expectations and the impact on them. For instance, if the student hasn't disclosed their issues to you, sharing their data might be unexpected – so you need a strong justification.

If the balance tips in favour of sharing for reasons of safety, it is more likely that legitimate interests can be relied on. It is important to document the balancing test carried out and the decision process in relation to legitimate interests as part of your accountability obligations.

- **Vital Interests:** Article 6(1)(d) allows processing of personal data when it is “necessary to protect the vital interests of the data subject or another natural person.” This basis is narrowly interpreted – essentially for matters of life or death. It **only applies where the person's life (or someone else's) is in immediate danger and the person is incapable of giving consent**. This is typically more likely to be relevant in **Scenario 2 (Mental Health Crisis)**. For example, if a student is unconscious or acutely incapacitated, information can be shared with doctors or paramedics on the basis of vital interests.

If the student is conscious and able to consent, vital interests may technically not apply (because it is possible to ask for consent). However, in practice, where there is an ongoing crisis providers will often proceed on the basis of vital interests due to the urgency of the situation. ICO guidance makes clear that data protection law is not intended to prevent vital information being shared in an emergency. We have discussed below how to handle a scenario where a student in crisis refuses help as there are alternative justifications so that you can still act.

- **Legal Obligation:** If a specific law or regulation compels a provider to share information, Article 6(1)(c) may be relevant. In general, there is no overarching law requiring a private accommodation provider to report mental health issues. However, certain situations might create legal duties, for example if statutory safeguarding duties arise, or a court order requires information to be shared. There is also a general duty under health and safety legislation to avoid foreseeable harm, and arguably, to the extent a duty of care exists, this too could form the basis of a legal obligation under data protection law. Typically, though, consent, legitimate or vital interests are likely to be more appropriate lawful bases for processing.

Relevant Special Category Data Conditions (Article 9 UK GDPR & Schedule 1 of the Act)

Because mental health details comprise health data, they are “special category personal data” for the purposes of data protection law. Therefore, in addition to an Article 6 basis, you need one of the exceptions in Article 9(2) lawfully to process (in this case, share) this sensitive information. We have set out below the conditions that are most likely to be appropriate:

- **Explicit Consent (Art 9(2)(a)):** If you are using consent as your lawful basis under Article 6, it must be “explicit” for the processing of health data. That means the student should give a very clear, specific agreement (ideally in writing or some recorded form) that their mental health information can be shared with certain parties. Note that even explicit consent can be withdrawn, so it is only reliable if the student’s agreement remains in place.
- **Vital Interests (Art 9(2)(c)):** This mirrors the Article 6 vital interests basis but specifically for special category data. It permits the processing of health data to save someone’s life where they are physically or legally incapable of giving consent. It is intended for emergencies – for example, when an unconscious person’s medical data must be shared with an A&E doctor. In practice it is used sparingly, because mental health crises often involve conscious individuals. However, if a student were truly incapacitated (or perhaps a danger to others and not in a state to consent), this could apply. If the person can actually consent (even if they choose not to), this condition technically does not apply (but the next lawful basis may be appropriate).
- **Substantial Public Interest (Art 9(2)(g)), Safeguarding condition:** Schedule 1 of the Act provides specific conditions deemed “in the substantial public interest,”. One key condition is “**Safeguarding of children and individuals at risk.**” This condition (Schedule 1, Part 2, paragraph 18) allows organisations to process special category data without consent if:
 - the processing (sharing) is necessary to protect an individual from “physical, mental or emotional harm” (or to protect the well-being of a child or at-risk adult);
 - the individual is either under 18 or at risk (due to e.g. mental health, age, illness, or other vulnerability);
 - you are **not able to obtain consent** from the person, or obtaining consent would prejudice the safeguarding purpose.

This is highly relevant for both Scenario 1 and Scenario 2 when a student will not or cannot consent. It effectively enables providers to share a student's health information for safeguarding purposes (preventing harm), as long as this is necessary and proportionate. It covers situations that might not be immediately life-or-death but still urgent in terms of welfare (e.g. a serious mental health episode). In Scenario 1 (Mental Health Concern), if a student refuses to give consent but a provider judges intervention is needed to prevent harm, it could rely on this condition (paired with the Article 6 legitimate interests basis). **In Scenario 2 (Mental Health Crisis)**, if vital interests does not clearly apply (for example, a student is refusing help despite being at risk), this safeguard condition paired with another basis such as legitimate interests could justify the information being shared.

It should also be noted that when using a substantial public interest condition from Schedule 1, the Act **requires an "appropriate policy document"** to be in place. This is an internal document outlining how an organisation handles and protects this type of sensitive data and ensures compliance with data protection principles. An accommodation provider should have a short policy that says, for example, "We may process special category data for safeguarding purposes under Schedule 1, and we will treat that data securely, retain it only as necessary, etc." This document should be retained and updated as appropriate and made available to the ICO on request. Having this policy document in place is a requirement for compliance if you rely on the safeguarding condition.

Summary

In summary, in appropriate circumstances the UK GDPR and DPA 2018 provide a number of avenues lawfully to share student health data when necessary to avert harm, such as consent, legitimate interests, vital interests, and the safeguarding condition.



ANUK/Unipol National Codes

Members of the ANUK/Unipol National Codes for both educational and non-educational establishments are required to:

- provide occupants with information on student support and sources of help relating to wellbeing and mental health issues;
- provide occupants with information on how they can register with a local GP practice or other appropriate medical service;
- put in place procedures to ensure that relevant organisations can be contacted in instances where Members have formed legitimate concerns that a student may either be at immediate risk of harm or pose such a risk;
- ensure managers have appropriate training to act appropriately in situations where an occupant's behaviour gives reasonable cause for concern.

Where a nominations agreement is in place, both educational and non-educational establishments are required to put in place an appropriate information sharing agreement to underpin the sharing of occupants' personal information. This agreement should outline clearly what personal information the Member wants to share and why, and members must seek to secure the consent of each occupant for such sharing as part of the overall contractual arrangements with them.

The National Codes, and more information on Unipol, can be found [here](#).

Appendix





Consent to disclose

As outlined earlier in this Guide, it is important that providers proactively ensure they are capable of sharing information about their student tenants' health with their university partners. They may wish to use the below consent to disclose form for this; however, this is not the only method for achieving consent to disclose, and providers should use the method most suited to their needs and which complies with any legal obligations.

There is [comprehensive guidance](#) on information sharing available through the Department for Education that providers may familiarise themselves with.

We think it would be helpful if we could share some information about you with another person or organisation.

This form explains who we want to share information with, what we want to tell them, and why. Please sign at the bottom if you agree that it's OK for us to do this.

Person or organisation to which we intend to disclose information

Person /
Organisation

Name of person or organisation to which we will disclose information

Student details

First name

Student's first name

Last name

Student's last name

Residence &
flat number

Residence & flat number

Information to be disclosed

What
information
will be
disclosed
about the
student?

What information will you share about the student?

Why is this
disclosure
necessary?

Why do you wish to disclose this information?

Student Services team member making this disclosure

Your name

Student's consent to disclosure

If not signed by the student, why not?

Student's signature

Reason student did not sign form

Date: / /

Information Sharing Agreement

An Information Sharing Agreement is a useful tool through which providers can establish the boundaries of information sharing with partners.

These agreements allow both parties to quickly and clearly assess both their legal requirements and the partners expectations. They are particularly beneficial in cases where there is an emergency but contact between the university and provider is infrequent.

[Affordable Accommodation for Students](#), a charity accommodation provider operating in east London, frequently use these agreements with their university partners. As part of this publication, they have kindly shared the below template for such an agreement, which providers should not copy directly but should adapt to their own individual circumstances.

Example Information Sharing Agreement

Dated:

Between:

Affordable Accommodation for Students (AA4S)

And

University X

Each a party and together the parties

1. PURPOSE OF THIS AGREEMENT

This agreement has been developed to enable the compliant sharing of personal information between AA4S and University X

The data is shared within the existing legal framework of the General Data Protection Regulation and associated legislation, where parties act as 'controller to controller' rather than 'joint controllers'.

2. BACKGROUND

AA4S is a cooperative and community benefit society that has the primary object of providing affordable accommodation, associated facilities and amenities and assistance to house people, with such provision being primarily directed to students. AA4S operates Well Street Hall and has 132 student bedrooms to offer to undergraduates studying in London. It operates Claredale House and has 247 student bedrooms rooms to offer to undergraduate and post graduate students studying in London.

In these contexts there is often a requirement for the AA4S to share data about its residents and tenants with LIS. In this agreement, a "resident" refers to a student who has entered into a licence agreement for a AA4S halls of residence accommodation.

3. CATEGORIES OF DATA SUBJECT

The data subjects concerned in this agreement are students of University X

4. RECIPIENTS AND THEIR RESPONSIBILITIES

This data sharing agreement will cover the following parties and responsibilities:	
Institution name	Responsibility
AA4S	Liaising with customers where required about the management of resident and tenancy agreements, payment of rent and other financial obligations, management of complaints/issues and welfare and health issues.
University X	Liaising with AA4S where required about their students in relation to the management of resident and tenancy agreements, payment of rent and other financial obligations, management of complaints/issues and welfare and health issues.

5. PURPOSES OF THE DATA SHARING

The parties will share information sharing data for the following purposes, as required:

1. Managing applications for accommodation.
2. Managing appropriate adjustments for declared physical or mental disability issues.
3. Managing stages of the contract, residency or tenancy.
4. Managing complaints and other related issues.
5. Responding to serious welfare issues or medical emergencies.
6. Providing summary reporting of service usage to assist assessment or planning around service delivery.
7. Assisting in specific case work where sharing between the two parties is required.

6. DATA TO BE SHARED

The data to be shared will be in the following scenarios:

Scenario	Data to be shared
Application process.	Liaising with customers where required about the management of resident and tenancy agreements, payment of rent and other financial obligations, management of complaints/issues and welfare and health issues.
Managing appropriate adjustments for declared physical or mental disability issues.	Name, institution, course, date of birth, student ID, contact details, property/room number, nature of the disability declared, student ID, any history relevant to their time at their college or institution.
Managing a complaint and other related issue.	Name, institution, course, date of birth, student ID, contact details, details of complaint, complainant name, AA4S action taken, any correspondence or notes relating to the complaint.
Responding to a serious welfare issue or medical emergency.	Name, institution, course, date of birth, student ID, contact details, situation (welfare or emergency), AA4S action, any applicable correspondence or minutes taken from meetings.
Providing summary reporting of service usage to assist assessment or planning around service delivery.	Name, institution, course, date of birth, student ID, property name, room types, year of study, nationality.
Assisting in specific case work where sharing between the two parties is required.	Name, institution, course, date of birth, student ID, contact details, case details, AA4S action, any applicable correspondence or minutes taken from meetings.

7. LEGAL BASIS OF THE SHARING

The General Data Protection Regulation and UK Data Protection Act 2018 requires that both laws set a number of conditions that need to be met in order to process personal data.

The legal basis for this sharing will be as follows: Purpose	Article 6 grounds for processing personal data	Legal grounds for processing special category data (Article 9, GDPR) if applicable
Application process.	(b) necessary for the performance of a contract.	Liaising with customers where required about the management of resident and tenancy agreements, payment of rent and other financial obligations, management of complaints/ issues and welfare and health issues.
(b) necessary for the performance of a contract.	(b) necessary for the performance of a contract.	(b) necessary for the purposes of carrying out the obligations and exercising rights of the data controller or subject in the field of social protection law.
Managing a complaint and other related issue.	(b) necessary for the performance of a contract.	(b) necessary for the purposes of carrying out the obligations and exercising rights of the data controller or subject in the field of social protection law.
Responding to a serious welfare issue or medical emergency.	(d) necessary in order to protect the vital interests of the data subject.	(c) necessary in order to protect the vital interests of the data subject.

8. DATA STORAGE

Each party commits to ensuring appropriate technical measures are in place to ensure the security of the data to prevent loss, misuse or unauthorised access. This will include, but not be limited to:

1. Access restricted to named staff.
2. Staff training and awareness.
3. Appropriate to the risk around the data, password protected files (both in storage and in transfer).
4. No storage on unencrypted removable media.
5. Retention of shared data.

9. DATA BREACHES

Each party will notify the relevant parties without undue delay any incident which leads to a personal data breach. Each party will give the other party reasonable assistance in meeting GDPR Articles 33 and 34 around breach notification.

10. DATA QUALITY

Each party commits to ensuring the accuracy, relevance and usability of the data it transfers to the other party.

11. RETENTION OF DATA

The data will be retained in accordance with the 'Storage Limitation' principle in Article 5 GDPR and subject to the retention schedules of each party.

12. THE RIGHTS OF INDIVIDUALS

Individuals (data subjects) have a number of rights under the GDPR. Each party acknowledges its responsibilities regarding the rights of individuals and will provide reasonable assistance to each other to meet these obligations. Each party is responsible for reflecting the data sharing defined in this agreement in their privacy notices, subject to their obligations under Article 13 and 14 of the GDPR.

13. FREEDOM OF INFORMATION

Where a party is a public authority subject to the Freedom of Information Act 2000, the other party will provide reasonable assistance to such party in meeting its obligations.

14. REVIEW OF THIS AGREEMENT

Each party may request a review of this agreement as necessary. This agreement shall only be varied by a written agreement signed by the duly authorised representatives of each party.

15. NO PARTNERSHIP OR AGENCY

Nothing in this agreement is intended to, or shall be deemed to, establish any partnership or joint venture between any of the parties, constitute any party the agent of another party, or authorise any party to make or enter into any commitments for or on behalf of any other party.

16. ENTIRE AGREEMENT

This agreement constitutes the entire agreement between the parties and supersedes and extinguishes all previous agreements, promises, assurances, warranties, representations and understandings between them, whether written or oral, relating to its subject matter.

17. RIGHTS OF THIRD PARTIES

No one other than a party to this agreement shall have the right to enforce any of its terms.

18. GOVERNING LAW AND JURISDICTION

This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with English law and the parties submit to the exclusive jurisdiction of the English courts.

Signed _____

Date _____

Name Position

For and on behalf of University X

Signed _____

Date _____

Name Position

For and on behalf of Affordable Accommodation for Students

Self-assessment

The below self-assessment tool allows providers to review their existing approach to student wellbeing and consider areas for improvement. It reflects those policies and areas we have discussed in the Guide, and is aligned with the Unipol Codes.

How to use this tool

Rate each statement from 1-4 as it applies to your organisation:

- 1 – We do not do this at all.
- 2 – There is an intention to act but little action yet.
- 3 – We have activity in this area but it is not yet consistent.
- 4 – We have consistent activity in this area leading to consistent outcomes.

To obtain a more comprehensive view, you could ask senior colleagues from different parts of the business to carry out the assessment, then share and discuss your answers.

When you have completed the review, look at your areas of strength and weakness. Think about your level of ambition: where do you want to get to, and how fast? What resource are you prepared to commit to it?

Where are you going to focus your efforts first – reducing risk from weaker areas, or building out from strong areas? What are your short, medium and long-term actions?

Think about what you might to address before you begin: Are all senior leaders supportive? Is the organisational culture a help or a hindrance? Do other policies or KPIs work against student wellbeing good practice?

Proactive wellbeing

	1	2	3	4
We offer a programme of events and social activities that are appealing to a diverse range of students, including those with neurodivergence and from the LGBTQ+ community.				
Our communications and activities pre-arrival, during arrival and post-arrival actively support first year students to make a good transition to university.				
We actively share information about social activities, clubs, and societies that are run by the university and students' union.				
We actively share information on student support and sources of help relating to wellbeing and mental health issues, including how students can register with a local GP practice or other appropriate medical service.				
We actively publicise university and students' union wellbeing campaigns within our accommodation and/or run our own wellbeing campaigns, including those for neurodivergent, LGBTQ+, and minority students.				
During exam times we take active measures to support students to study, sleep and manage their stress.				

Policies and procedures

	1	2	3	4
We have comprehensive and up to date student wellbeing policies and procedures.				
Policies and procedures are actively followed by all employees.				
All student-facing staff and their managers are introduced to student wellbeing policies and procedures as part of their induction.				
Policies and procedures are updated regularly with expert input.				
Policies and procedures are signed off by a business-wide executive board.				
Policies and procedures average				

Student Management

	1	2	3	4
Student-facing staff can record concerns about the welfare of students in a structured way.				
Teams consistently take appropriate practical actions to mitigate student welfare issues (e.g. room moves).				
There is consensus across the organisation about the most appropriate actions to take in common welfare scenarios.				
Someone takes a central overview of student wellbeing cases.				
There are mitigation plans in place to cover high risk student welfare scenarios.				
Procedures are in place to ensure relevant organisations are contacted in instances where staff have legitimate concerns that a student may either be at immediate risk of harm or pose an immediate risk.				
Wellbeing cases are reviewed regularly and learnings are captured and implemented.				
Student management average				

Employee awareness and development

	1	2	3	4
There is a structured programme of awareness raising and staff development to support staff to manage student wellbeing issues.				
Staff development on student wellbeing issues is tailored to different job roles.				
Staff development on student wellbeing issues is included in staff inductions.				
Staff development is regularly updated to include emerging trends.				
Student wellbeing is regularly discussed at team meetings and 1-1s.				
Staff who have high contact with student wellbeing issues have appropriate supervision and debrief.				
Employee awareness and development average				

Relationships

	1	2	3	4
Relationships with student wellbeing teams at each of our partner universities are strong, up to date and active.				
Protocols for making referrals to university services and for sharing data are clear and well understood for each university partner.				
We know how best to work with each of our university partners in a crisis situation.				
Where residential assistant (or equivalent) teams are in place we are clear about their roles, boundaries and ways of working when it comes to student wellbeing issues.				
Relationships average				

Employee awareness and development

	1	2	3	4
There is a structured programme of awareness raising and staff development to support staff to manage student wellbeing issues.				
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Staff development on student wellbeing issues is included in staff inductions.				
Staff development is regularly updated to include emerging trends.				
Student wellbeing is regularly discussed at team meetings and 1-1s.				
Staff who have high contact with student wellbeing issues have appropriate supervision and debrief.				
Employee awareness and development average				

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Relationships with student wellbeing teams at each of our partner universities are strong, up to date and active.				
Protocols for making referrals to university services and for sharing data are clear and well understood for each university partner.				
We know how best to work with each of our university partners in a crisis situation.				
Where residential assistant (or equivalent) teams are in place we are clear about their roles, boundaries and ways of working when it comes to student wellbeing issues.				
Relationships average				

Crisis management

	1	2	3	4
We have comprehensive and active general crisis management procedures.				
Crisis management procedures explicitly include student wellbeing, both as a potential trigger and in relation to the management of any crisis affecting the wellbeing of students.				
We have a standard de-escalation process that is routinely followed after a student wellbeing crisis.				
Relevant staff in communications and accommodation management have an awareness of suicide postvention guidance.				
We know how to effectively interface with the university student management processes while respecting students' data protection rights.				
Crisis management average				



The Collective Voice of UK Real Estate

Get in touch

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www.realestateuk.org

in Real Estate:UK