



Summary 6 december 2021

University Forum

The University's Duty of Care

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Should the UvA limit itself as much as possible to providing education and research, or is it also responsible for the health of its students and staff? If so, to what extent? And should we also take care of housing? Where should the limit be, as far as we are concerned, and why there? Where does the university's responsibility end and that of the individual student begin? These are questions that go to the heart of our understanding of what a university is. The future of the UvA's policy in the field of student health care, student psychologists, mental health education, the provision of housing and much more depends on the answers to these underlying questions.

The meeting started as usual with a guest speaker: Peter Vonk. Peter is director of the General Practitioners Practice and told those present about the history and future of student health care at the UvA. This care has been offered since the 1930s, but has become increasingly rare at Dutch universities in recent years. The UvA is an exception to this, but here too there are voices wondering whether a university should be involved in health care. What does the University Forum think?

The participants discussed the following sub-questions:

1

Does the university have a duty of care regarding the health of its students? Does it also apply to staff ?

2

How lenient should the UvA be in making exceptions for students in difficult situations?

3

Is the UvA responsible for the housing of its students?

4

Statement: the UvA's duty of care concerns only the prevention of health issues, not curing them.

Does the university have a duty of care regarding the health of its students? Does it also apply to staff ?

Students have the right to good health, but that does not make the UvA directly responsible. That does not mean, however, that there are no good reasons to take up that role regardless. Students are often not yet familiar with how health care is organized and why it is important to register with a general practitioner. This applies to most students, but especially to non-Dutch students. They are not familiar with the Dutch GP system and often experience a major barrier to seeking medical care. The university is the most suitable party to offer low-threshold healthcare and to familiarize students with the Dutch healthcare system (and to refer them to other healthcare institutions when necessary). The UvA's responsibility to make an effort for the health of students increases as the relationship between these health complaints and education becomes closer. If a student ends up with a burnout due to study stress, the UvA should be ready to help. In most cases, however, this relationship cannot be established with certainty, especially with mental problems such as depression, it can be difficult to point to one clear cause. If the cause lies with the university, the effort responsibility is greater, but the UvA should also do its best without a clear connection. The corona crisis has forced the university to think more about this caring role. Where the government is sometimes fickle, the university should be clearer. We see this happening in practice. All in all, we can be proud that as the UvA we have been offering healthcare to our students for so long and that more and more attention is now being paid to mental health at the university.

How lenient should the UvA be in making exceptions for students in difficult situations?

The policy of the UvA is aimed at granting students exceptions to certain education-related rules, such as time limits and compulsory attendance, in a number of different situations. The student still has to show that the learning outcomes have been met, and it is not the Forum's wish to add exceptions to this. The question is therefore not so much whether the scope of the exceptions should be increased or reduced, but who exactly should be entitled to those exceptions and on what grounds.

This touches on a larger underlying question: where does the responsibility of the university end and that of the individual student begin? If the university is not only responsible for providing education, but also for the student's study success, it can be argued that the university should accommodate much more individual situations. For example, some of the students have to work in addition to their studies, should the UvA offer them exceptions to, for example, attendance requirement? That would fundamentally shift the current policy, which currently focuses only on exceptional individual situations, towards exceptions based on more general problems. Members disagreed on the desirability of such a fundamental shift.

What they did agree on is that the university should also be pragmatic in this regard. Even if customization is theoretically the most desirable way, it can be agreed that it would be unwise to ask too much of teachers and study advisors. Certainly with large-scale courses it is (unfortunately) practically necessary to draw hard boundaries. Due to corona, many more students are entitled to extra facilities. Without standardization, this could lead to enormous workloads everywhere. An exception to this is the group of students with a disability. Customization is necessary for them and in principle also feasible given the size of this group. Let's prevent them from getting into trouble because of the standardization mentioned.

Finally, it was noted that it is very difficult for teachers to estimate the weight of a particular situation and what a student is entitled to. It is nice that this responsibility can be placed with the study advisor. In practice, however, it appears that some coordination between study advisers and lecturers can be useful. The study advisor has more insight into the student's situation, but the lecturer has more insight into the subject and what exactly is or is not necessary to achieve the learning outcomes.

Is the UvA responsible for the housing of its students?

The university is not by definition responsible for the housing of its students. As with healthcare, however, there are good reasons to take up that role. Student accommodation is important for Dutch students and even an absolute precondition for international students. There is an ever-growing shortage of student housing in Amsterdam and given the general shortage of housing for almost all target groups, there is not much reason for optimism for the near future. The UvA cannot afford to (and does not) close itself off from these problems. The university can shape its role in this in two ways. First of all, the university should make a case for more housing with the municipality. In addition, the UvA (together with the other large educational institutions) is in a good position to play a role in the allocation of housing. The university has better insight than the housing associations into where the need is and where it could become a problem in the future. If there was more interaction between housing associations and educational institutions, it would be easier to coordinate choices. Currently, homes are distributed on the basis of waiting time, but fairer methods are conceivable. Drawing lots and quotas for specific target groups is something we should think about. The offer of social housing in the municipality is endlessly tailored to different target groups to ensure that the people who need it most get the homes. Wouldn't it be wise to look at the scarce student housing in that way, preferably with an intersectional view? Need is generally independent of waiting time.

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As with sub-question 1, it was concluded that the responsibility of the UvA is greatest when the complaints are directly related to the UvA, but that this is very difficult to determine in practice. The university plays a major role in the life of every student, but especially for international students. It is therefore plausible that the university is always related in some way (directly or indirectly) to the (mental) health problems of the student. It is up to the UvA to prevent the negative impact on mental health as much as possible. The role of the UvA diminishes when it comes to healing rather than prevention, but efforts in the field of cure are also important. This is mainly due to the lack of accessible care in Amsterdam for (international) students. In this respect, this break-out is in line with group 1. However, the focus should primarily be on prevention, awareness and information. Think of initiatives such as the 'Mental Health Week'. If the health problems cannot be prevented and the students cannot easily turn to other healthcare providers, it is up to the university to offer treatment. That situation currently exists. It is a good thing that the UvA has student psychologists and student doctors in house. This also has the advantage that students can be referred very easily when signals require this (for example, picked up by the study advisor or a teacher). Problems are not always visible to the outside world, so it is especially important that the student knows how to find the right people. We need to improve the visibility of the healthcare offer within the UvA for that purpose.



Vragen? Neem dan contact op met secretaris
Roeland Voorbergen
universiteitsforum-bb@uva.nl