



Western Australia

Youth Mental Health De-stigmatisation Bill 2017

Explanatory Memorandum

In Australia mental health is one of the most prevalent issues facing youth. One in four young Australians currently has a mental health condition and one in seven youths aged (4-17) were diagnosed with mental illnesses in the year 2015 alone. This is clearly an issue that affects a large number of Australians, and one that demands proper legislation in order to respond to the growing numbers that are affected. Despite this, current legislation is focused on prevention, and is unable to provide for the needs of the Australian public. The stigmatisation of Mental Health has caused those with mental health issues to be shunned by society, constructing the mindset that mental illness is something to be ashamed of. This is illogical as it isolates the people suffering from mental illnesses, further separating them from society and often feeding mental illnesses that thrive off beliefs of social isolation and loneliness.

Nearly half of all mental health problems begin before the age of 14, which means that it is critical for prevention programs to be aimed at youth. However, because only four out of every ten (42.9%) youths who seek out help for their mental illnesses have their needs fully met, with 27.3% only having their needs partially met, clearly the processes already in place are not sufficiently meeting the needs of these youths. There is a clear need for more effective preventative measures in order to stem the growth of mental health illnesses.

This Bill aims to reduce the stigma surrounding mental illness. It is a common belief that the acknowledgement of mental illness and the open public discussion of mental health works to diminish the stigma that surrounds mental health and its sufferers in schools. By creating a committee, there will be the creation of a standardised baseline of staff and resources for each school. The committee will aim to effectively address the needs of youths suffering with mental illnesses. The committee will be in charge of maintaining and improving upon this baseline, as well as assessing the effectiveness of resources and making proactive changes in school communities to reduce the rising levels of mental illness in Australian youths.



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Western Australia

Youth Mental Health De-stigmatisation Bill

A Bill for —

An Act to combat the stigma around mental illnesses in school through the sourcing, creation, standardisation and allocation of mental health resources in schools and related matters

The YMCA Youth Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This Bill may be cited as the *Youth Mental Health De-stigmatisation Bill 2017*.

2. Commencement

This Bill commences on the day on which this Act receives Royal Assent.

3. Interpretation

In this Bill, unless the contrary intention appears —

“*School-trained* ” means a professional who has formally completed a degree relevant to their field, and has completed all or part of their training in an educational environment (e.g. in primary schools, secondary schools, tertiary level education); or who has worked in the educational sector post-graduation

s. 3

“School Trained Psychologist ” means a person who has attained a degree in Psychology recognised by the Australian Psychology Accreditation Council, and has previous relevant experience in using their work and skills in an educational environment (e.g. in primary schools, secondary schools, tertiary level education) whilst doing their degree; or in post-graduation work.

“School Trained Psychiatrist ” means a person who must have completed a medical degree and, optionally, a conjunctive psychology degree; and has worked in the educational sector (e.g. in primary schools, secondary schools, tertiary level education) during their medical degree; or has worked for more than 5 years in an education related institution specialising in the diagnosis and treatment of youths..

“School Trained Counsellor” means a person who has had substantial relevant experience in working with primary and secondary schools to provide academic, career, personal/social support to students and staff

“External representatives” include any persons that are working in the area of mental health including but not limited to Youth Worker, Health Promotion Officers, Community Engagement Officer, Social Workers, and support staff.

“SMHC” means the Schools Mental Health Committee as outlined in Part 2 Section 4.

“President” means the Mental Health Commissioner; a role in the SMHC..

“Evidence-based Resources” means resources in which the foundation for their creation was in clinical research trials or other trials completed scientifically allowing for the outcome of the implementation of these resources to be assumed.

“Active Resources ” means resources that were created/used by the committee and its staff and are currently being used and/or implemented in schools.

“Inactive Resources” means resources that have not yet been passed by the committee for circulation in schools; these resources are either in the testing stage or the deliberation stage.

Part 2 — Committee and Staff

Division 1 — Establishment of the Schools Mental Health Committee:

4. Schools Mental Health Committee (SMHC)

A Schools Mental Health Committee (SMHC) is to be established to improve the psychological services and standardise resources provided at schools.

5. Membership of the SMHC

The SMHC shall comprise of nine (9) members that will include:

- (a) the Minister of Education;
- (b) the Minister of Mental Health;
- (c) the Mental Health Commissioner;
- (d) one (1) school trained psychologist;
- (e) one (1) school trained psychiatrist;
- (f) three (3) representatives from well-established external mental health programs; and
- (g) one (1) school trained counsellor.

6. Selection of Committee Members

- (1) Subject to clause 5(d), psychologists will be selected based on their respective applications to the Minister for Health, the Minister for Education and the President of the Committee. They must have had five or more years experience practicing in a school environment.
- (2) Subject to clause 5(e), psychiatrists will be selected based on their respective applications to the Minister for Health, the Minister for Education and the President of the Committee. They must have had five or more years experience practicing in a school.
- (3) Subject to clause 5(f), the representatives will be selected based on their respective application of their organisations to the Minister for Health, the Minister for Education and the President of the Committee. This organisation must be deemed one of the leading organisations in the field of school based mental health.

7. Membership of the YAEC

The President of the Committee will be the Mental Health Commissioner.

8. Quorum

A quorum shall be called when five (5) members of the committee, inclusive of the President, are present.

9. Absence of Members

Subject to clause 5(a) and (b), the Ministers for Health and Education may send a representative on their behalf to all meetings they cannot attend.

10. Tenure of Committee Members

- (1) Each elected member (psychologist, psychiatrist, school counsellor and external representatives) shall hold office for three (3) years.
- (2) The Minister for Health and the Minister for Education, as well as the Mental Health Commissioner, will serve on the committee for the entirety of the time they hold those positions.

Division 2 — Staff of the committee

11. Funding of the Committee

The Committee and Staff will be funded by the State Government.

12. Employment of Staff within the Committee

- (1) Members of the committee will employ staff at their discretion, if necessary, to enable the committee to exercise its functions.
- (2) The staff must have a background in health and education.

- (3) Staff will be able to assist members of the committee in their investigations and other work that will help members exercise the functions of the committee.

13. Staff Roles

- (1) The roles of staff of the Committee include the following –
- (a) the development of resources to give to schools;
 - (b) the testing of resources before distribution as set out in clause 22 (1), (2), and (3);
 - (c) ensuring all schools have a standardised level of these resources as set out in clause 24; and
 - (d) promotion and distribution of the resources to all schools.
- (2) With respect to subclause (1)(d) –
- (a) all staff will work towards promoting resources to schools; and
 - (b) staff will aim to distribute allocated resources appropriately where needed.

14. Dismissal of staff

When appropriate, the Mental Health Commissioner will have the right to dismiss staff when:

- (a) they violate the terms of their employment; that is, a prescribed document with expectations of the staff's conduct, behaviour and responsibilities in the committee;
- (b) they are not performing in the workplace as per expectations of them as a paid and full time employee; or;
- (c) their mental or physical health is being impacted, and poses a threat to themselves or others, as a result of working in the mental health industry.

15. Approval of Work

- (1) All decisions made by staff must be approved by obtaining the signatures of two committee members, one of which must be the President of the committee.
- (2) All resources created by the staff must be approved by a majority of committee members before distribution (5 committee members)

Division 3 — The Principles and Responsibilities of the Committee

16. Responsibilities of the Schools Mental Health Committee

The Schools Mental Health Committee will be responsible for –

- (a) the promotion of already accessible mental health facilities;
- (b) increasing the quality of mental health services;
- (c) increasing the quantity of mental health services; and
- (d) reducing the stigma of mental illness through the discussion and education of people.

17. Principles of the Schools Mental Health Committee

The principles and values that will be expected of, and upheld and endorsed by all members and staff of the Schools Mental Health Committee, are as follows:

- (1) All staff and members are expected to act with, and are expected to uphold, professionalism, especially in a committee that requires responsibility and maturity.
- (2) All staff and members reserve the right to, and are expected to uphold confidentiality, regarding, but not limited to information about their roles in the committee and their responsibilities.
- (3) As is common with all professionals and staff working in mental health organisations, staff members have the right to voluntarily take leave and terminate employment, or any other employment decisions deemed necessary and appropriate, should their work with mental health become overwhelming or for any other reason.
- (4) All staff members are expected to be emotionally acute, sensitive and aware of the people they work with and/or for, and the issues they will be working on; This will be ensured by screening processes for interviews that measure the aptitude of their emotional intelligence and stances on mental health issues.
- (5) The Committee will also aim to develop existing, or create new, relationships with, and between mental health services.

Part 3 — Distribution and Use of Resources

Division 1 - Resources Available

18. Online Resources

Upon the creation of this program and committee, they are charged with sourcing or themselves creating online resources, which include but are not limited to –

- (a) an online website, which provides resources for parents, teachers and students, in dealing with mental health and seeking support; and
- (b) online campaigns, social media accounts, videos and forums designed to support the educational purpose of this committee and program.

19. Physical Resources

Upon the creation of this program and committee, they are charged with sourcing or themselves creating physical resources, which include but are not limited to –

- (a) pamphlets and posters, which will be distributed to schools, organisations and relevant public spaces, that either direct audiences to these resources, or serve as resources for support and mental health education themselves; and
- (b) handbooks, for affiliates, and school representatives, to use, that work in conjunction with the committee’s programs and goals, and provide mental health initiatives to implement in schools.

20. School Presentations and Workshops

- (1) Upon the creation of this program and committee, they are charged with sourcing or themselves creating presentations and workshops, which can –
 - (a) be easily presented at schools and relevant organisation spaces, by representatives of the committee, or by staff members at the school;
 - (b) help to educate staff members and parents on how to support their students and children’s mental health, and where to find relevant support; and

(c) take form as an annual development day for school representatives, staff and parents, who want to involve themselves in the program and meet like-minded community members.

(2) These workshops will be specific to students, with proactive mental health initiatives that aim to educate, raise awareness and construct support networks for kids with mental health issues.

21. Collaborations with External Organisations

The Committee, at their discretion, can work with external organisations, such as those selected as part of the committee, to either create the resources aforementioned, or help adapt existing resources from these organisations into the committee, and build off them, or modify them.

Division 2 — Resource Development

22. Development of Resources

(1) The staff will be charged with the task of developing resources.

(2) The committee will oversee and approve the created resources through the process as set out in clause 15.

(3) All resources constructed by the staff must be evidence based.

23. Testing of Resources

(1) Resources will be tested over the course of a year, through testing every three months.

(2) The resources will be tested in a random selection of 5 regional and metropolitan schools for the length of a year, as per subclause (1).

(3) The testing will occur during the course of a year to construct a report of how effective the resource was in the different school environments as per Clause 27.

24. Inter-Organisation Resource Pooling

- (1) The staff and committee will collaborate with other programs and organisations to acquire and aid in the development of further resources.
- (2) The Committee will work to fund organisations in the creation of resources.

Division 3 - Distribution of Resources

25. Creation of a Baseline of Resources

- (1) The committee and staff will establish a baseline of school staff and necessary resources.
- (2) The baseline of resources will include –
 - (a) the allocation and employment of one school psychologist and one school counsellor per school; and
 - (b) an equal allocation of resources constructed or sourced as set out in clauses 18, 19, and 20.

26. Application for Additional Resources

- (1) There will be an opportunity for schools that are defined as high risk by the committee to apply for extra resource allocation and support. An application must include –
 - (a) a written application from the school counsellor and/or psychologist detailing the needs of the school;
 - (b) a written application from the school's principal detailing the needs of the students and the school community; and
 - (c) a report on the needs of the schools in surrounding areas
- (2) The application set out in clause (1) will be submitted for review to the committee.

Part 4 — Review and Report

27. Inactive Resource Review

- (1) The committee will meet and review the results of inactive resource testing and vote on whether it is an effective resource. The report given to the committee must contain the following—
 - (a) a detailed written analytical report from a psychologist about the effects of the resource;
 - (b) a letter from the trial school’s counsellor outlining the effects they believe it had on school and whether these effects are positive or negative; and
 - (c) a detailed analysis of the students reactions and interactions with the resources being trialled.
- (2) Using this report, the Committee will decide whether to adopt these resources or not.

28. Active Resource Review

The Committee will review the active resources created/obtained in Clause 18, Clause 19 and Clause 20, every three (3) years, and remove, alter or create resources in order to ensure the contemporary relevance and effectiveness of the Committee’s work.

29. Yearly Program Review

The success of this Act will be assessed in a yearly program review written by the committee. The report will be made public and easily accessible. The report should include, but is not limited to –

- (a) an outline of the effectiveness and progress of the committee in the last year;
- (b) an outline of the effectiveness and progress of the staff in the last year; and
- (c) the successes of the committee and staff at achieving the responsibilities set out in clause 16;
- (d) the success of the committee and staff at adhering to the principles set out in clause 17; and
- (e) any recommendations for changes.