

**National Association for Safety and Health in Care Services.  
Safety Information Portal (SIP).  
Briefing Note.**

**Falls from windows in Relation to Care - What do I have to do?**

**Summary.**

Serious injuries and deaths have occurred when people have fallen from windows. This **Briefing Note** is aimed at particularly residential social care but can apply to all buildings (schools for example) where the fall height could cause an injury.

**Background.**

There are three broad categories of falls. These are:

- **Accidental** – these are a minority, but occur where people unintentionally fall through or from windows. This can happen where people are able to sit on and fall from sills, or where windows are positioned such that people could easily fall through them.
- Falls arising out of a **confused mental state** – a significant number of reports refer to the mental state of individuals. In particular, senility, dementia, reduced mental capacity, mental health disorder and the effect of drink and drugs (both prescribed and illegal) can all cause anxiety and confusion. In these cases, people have often tried to escape or used a window, believing it to be an exit.
- **Deliberate** self-harm or suicide – a recognised risk for people with certain health conditions, particularly those with a history of self-harm or mental disorder.

**Legal considerations.**

**Health and Safety at Work Etc Act 1974 Section 3, (HSW s.3)** Covers the general requirements for the health and safety of people who use care services.

**Management of Health and Safety at Work Regulations (Reg 3) (MHSWR reg.3).** Covers the Risk Assessment requirement.

**Workplace (Health, Safety and Welfare) Regulations 1992** introduce more specific requirements on windows. However, the **Workplace Regulations** are intended to protect people using premises as a place of work, and Regulation 15 should not be used to achieve the higher standard of protection required for vulnerable patients or other members of the public, i.e. that of preventing them climbing out of a window.

**The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)** requires that where a person not at work suffers a major injury or fatal injury must be reported to the relevant enforcing authority. Accidents involving people who use care services and falls from windows will generally be classed as '*arising out of or in connection with work*' and will be reportable if they meet the above criteria. For the reasons outlined above, investigation may be justified even when self-harm is suspected.

The application of **RIDDOR** and **HSW Act s.3** need to be considered separately.

## Managing the risks.

It is fundamental that the responsible person undertakes a suitable and sufficient assessment of the risk of injury from falling from a window.

This is **irrespective** of their height from the ground.

The risk assessment will need to consider:-

1. The building and environment, type of window, age and suitability of glazing;
2. The individual likelihood that people may want to egress through a window;
3. The nature of the organisations business with known inherent risks, e.g. young children, older people with a reduced mental capacity, people with mental health difficulties, there are many other risk groups;
4. The frequency of different risk groups using or sleeping in the building e.g. short breaks unit;
5. The internal security of building, e.g. a key locked store room with a risk window may not need restricting;
6. Peoples deteriorating health conditions;
7. Visitors and their children;
8. The risk of intruders gaining access through a bedroom window and the duty to protect venerable people;
9. Protecting people and their best interests.

## The outcome of the risk assessment.

If your assessment has identified a risk you will need to introduce suitable control measure to remove or minimise the risk.

## Restrictors.

Restrictors must Comply with **BS EN 14351-1:2006** and restrict the window to a maximum opening of 100mm. They must be fitted by a competent person as per the manufacturer's instructions. A monthly check of the fittings is recommended along with a simple recording system (tick box).

You may need to consider 2 window locks in specific cases.



An example of a modern window restrictor

## Windows.

There are many types of windows and frames opening in a variety of different angles. Almost all windows including aluminium can be retro fitted with a restrictor. As well as the falling from height risk, it is important you assess the risk of someone falling through the glass pane.

This may be found at the following:-

<http://www.hse.gov.uk/healthservices/falls-windows.htm>

Falls from windows or balconies in health and social care.

<http://www.hse.gov.uk/pubns/hsis5.htm>

Reporting injuries, diseases and dangerous occurrences in health and social care

<http://www.hse.gov.uk/healthservices/riddor.htm>



This information sheet was reviewed and agreed by the National Executive in August 2015. Changes may have occurred since then so please double check with our sources.