Windows and Window Restrictors – Maintenance and Prevention Policy

1. Introduction

1.1 Our goal is to provide excellent customer service and we recognise that timely and high-quality repairs are a priority for all residents.

1.2 We have a duty of care to our residents, staff, contractors, and other third parties to minimise risk to their health and wellbeing. As a landlord that duty of care extends to servicing and maintaining our homes to an appropriate standard.

1.3 There is currently no specific statutory legal framework governing the installation of window restrictors in dwellings. Part K of the Building Regulations 2010 relates to windows and safety devices designed to prevent opening which could cause danger to others. While these regulations relate to the fastening of windows and safe opening and closing of such windows, it is important to note dwellings are specifically exempt from Building Regulations 2010.

1.4 However, we recognise the need to reduce the risk to communal areas as well as the importance of offering to install window restrictors where tenants and leaseholders have concerns or may be vulnerable.

2. Policy aims and objectives

2.1 This policy outlines the City Council's approach to ensuring window safety. The policy sets out how we will manage our response to reports of broken window restrictors and the service levels that tenants can expect to receive.

3. Scope

3.1 This policy covers the risks associated with windows and window restrictors in dwellings, specifically their maintenance and repair if damaged or defective.

3.2 The policy only covers homes owned and managed by Westminster City Council.

3.3 The policy is restricted to the Council's tenants and leaseholders (residents). People who are not council tenants or leaseholders are outside of the scope of this policy.

3.4 The active maintenance element of the policy is only relevant to buildings in scope. The reactive repair element of the policy is relevant to all buildings under Council management.

4. Definitions

- **Landlord (or social landlord)** for the purpose of this policy the landlord is Westminster City Council
- **Residents** for the purpose of this policy are Westminster City Council tenants and leaseholders only.
- **Vulnerable (or vulnerability)** a resident who has characteristics that mean they are less able to cope with a situation which may impact on their health, safety, or wellbeing, and have an increased need for support.
- **Window restricting devices** prevent a window from opening more than a fixed distance. This is usually set at 100mm. The restrictor stops anyone from getting in or out of the window. All retrospectively installed window restricting devices will conform to BS EN 14351-1:2006 +A2:2016 (windows and doors – product standard, performance, and characteristics).

5. Window restrictor policy commitments and principles

5.1 All Westminster City Council (WCC) residents should live in a safe, warm and secure home that is well maintained. Residents should be kept at the centre of everything we do and be treated with empathy and respect by all staff. This must be a core value in the way the repairs service is delivered.

5.2 **Effective delivery**

We are committed to:

- Planning improvements in data and new KPI's
- New Equality impact assessments
- Improving communication, both internally and with our residents
- Improvements in staff training

5.3.1 There is no specific Building Regulations requirement to ensure that, in using the window restricting device, the window should only be allowed to open 100mm. However, this requirement, is implied in other publications which indirectly suggests there is scope for compliance:

- Building Regulations - Approved Document K2, Section 3.3a – *'To prevent children being held fast by the guarding, ensure that 100mm sphere cannot pass through any openings in the guarding'*
- Housing Health and Safety Rating System, Hazard no.22, Falling between levels – *'Includes falls between two levels within and outside a dwelling or*

building. Includes falls from/out of dwelling, for example windows/balconies/accessible roofs/over landing balustrades.'

5.3.2 Where we identify windows that do not have a restrictor fitted these will be programmed for installation.

6. Active Window Maintenance

6.1 We will carry out preventative maintenance to dwelling windows located within our highest risk properties - blocks 6+ storeys high, on a 5-year rolling basis.

6.2 We will carry out annual preventative maintenance by visual inspection, to all windows located in communal areas of our properties. In this way we will make sure that the window is working. damage and failures will be scheduled for repair and replacement as part of the inspection process.

7. Reactive Window Repairs

7.1 When we are made aware of a defective window, including any window restricting device within an individual property or communal area, it will receive highest priority (within 24 hours of being reported) for the repair to be completed or made safe.

7.2 Where the window cannot be repaired, the operative will ensure it is made safe and inoperable. For example, boarding up the window until a new window/part can be fitted.

7.3 Window restrictors will be installed to all residents who want a device. Where installed the operative will advise the resident on the window restricting device and leave a copy of the manufacturer's user guidance.

7.4 This offer will be regularly publicised through our usual resident communication channels.

7.5 Where we are made aware of a particular issue or vulnerability that may increase the risk of a person falling from a window, we will look to install window restricting devices.

8. Void properties

8.1 As part of our voids management processes we will ensure window restrictors are fitted before reletting.

9. Young Children and Children with Disabilities

9.1 Young children and children with disabilities can have additional needs and vulnerabilities which places them at increased risk if windows are not safely secured or

do not have appropriate working window restrictors. We will liaise with the Housing Adaptations team to assess any specific adaptations that may be required.

9.2 Other council staff visiting homes including from Children's and Adult Care will also be asked to report any such issues back to Housing, and advise if tenants have vulnerabilities, disabilities and health conditions.

10. Leaseholders

10.1 Leaseholders will be offered the opportunity to have window restricting devices fitted within their properties on a recharge basis.

10.2 The cost of fitting window restrictors to communal areas will be recovered as part of the leasehold service charge process.

11. Equality, Diversity & Inclusion

11.1 We have carried out an Equality Impact Assessment to consider the positive and negative impacts this Policy may have on people with protected characteristics under the Equality Act 2010 and have concluded that implementation of this policy presents no barriers to accessing the service/process or unintentionally disadvantages for "any protected group".

11.2 The aim of treating all residents equally and including discretion to assess the impacts of a service failure or loss are built into the policy so that we do not have to have to apply a one size fit all solution.

11.3 When required, Council Officers will assist residents, by, for example, helping to complete paperwork or offering translation services.

12. Communication

12.1 We will provide information on this policy using various methods such as on our website, leaflets, plain English summary guides, and via resident newsletter.

13. Data Protection

13.1 Where information needs to be shared with our officers and partners to resolve an incidence of damp and mould this will be in line with data protection requirements:

- Data is processed lawfully, fairly and in a transparent manner.
- Data is collected for a specific and legitimate purpose and not used for anything other than this stated purpose.
- Data is relevant and limited to whatever the requirements are for which the data is

processed.

13.2 Further information on the Councils responsibilities for data protection can be found here: https://www.westminster.gov.uk/data-protection

14. Training

14.1 We will provide all staff responsible for implementing this policy with comprehensive training and ensure that the repairs process is sufficiently robust to ensure compliance with this policy. In addition, staff guidance and training on lessons learnt from previous failings will form part of our commitment to ongoing service improvements.

15. Monitoring and learning

15.1 To ensure the policy is being rigorously implemented we will monitor performance against the following indicators:

- Number of dwellings inspected
- Number of repairs completed
- Number of communal areas inspected
- Number of buildings to have restrictors fitted

15.1.1 The aim of the monitoring framework is to:

- Reduce ad hoc repairs relating to window restrictors
- Reduce recall visits for window restrictors
- Reduce disrepair cases linked to window restrictors

15.2 We will use the learning from previous cases and complaints to seek information about service failures to continuously improve our service to our residents. As part of this policy, we are keen to understand any inequalities linked to access, experience and/or support and we will introduce processes to identify such issues.

15.3 In addition, an annual review of this policy will be undertaken by the Housing Innovation and Improvement Team to incorporate legislative and regulatory requirements and best practice developments.