

27 April 2016

Ms. M Jennifer Leeming  
Senior Coroner  
H M Coroner's Court  
Paderborn House  
Howell Croft North  
Bolton  
BL1 1QY

Our reference  
Your reference MJL/YD/SJMReg28

Dear Madam

**Response to Regulation 28 report relating to the death of Samantha Jane Macdonald**

We write in response to your report dated 5 February 2016 and thank you for the additional time provided in responding.

At Campus Living Villages ("CLV"), we took the death of Ms Macdonald extremely seriously and, having listened to the evidence provided at inquest and noted your comments made in the Regulation 28 report, we have reviewed our risk assessment and the measures in place to protect student, as well as worker, safety relating to opening windows.

Although CLV rents property to students at university (as opposed to adults in a private rental setting), we remain a landlord and are restricted by leases in our ability to enter flats without notice. Additionally, we do not consider ourselves to be in the same risk category, or with the same legal duties (or powers), as the healthcare organisations referenced in your Regulation 28 report. However, we wish to do all we can to prevent a future similar death and to learn from this tragic accident.

**Measures in place prior to this incident to prevent an accidental or deliberate fall from windows**

As was heard at inquest, the window restrictors in place at the time of Samantha Macdonald's death had been upgraded towards the end of 2006 and complied with British Standards (BS EN 14351) which were the relevant standards at the time.

Prior to 25 October 2015, we had recognised, through risk assessment, that risks existed of a fall from windows if window restrictors were removed or broken. To address this risk, we:

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- Included a specific prohibition in 'The Village Rules', which students have to sign up to when renting a property. This states '*The window opening restrictor system is for your safety and must not be interfered with or removed...Violation of this policy may, at the discretion of Village management, result in disciplinary action and a fine.*'
- Carried out checks of the flats each student term and prior to new student intake in September, including specific checks on window restrictors. Where window restrictors had been damaged or tampered with, CLV fixed the restrictors and issued a letter to the student concerned informing them of the potential for fines and/or disciplinary action should they break the window restrictor again.
- Conducted specific risk assessments for specific activities which enhanced risk and set out control measures to address risk. These included risk assessments for window cleaning and for summer holiday rental of CLV flats when children would be present in the accommodation.

#### **Further action taken following Samantha Macdonald's death**

We have considered evidence heard at inquest and, following incident, undertook a review of risk assessments relating to falls from windows.

New risk assessments specifically separating risks of an accident fall from those linked to a deliberate act resulting in a fall were prepared and are enclosed with this response.

#### **Preventing risks from an accidental fall**

In relation to risks associated with accidental falls, associated with broken or damaged restrictors, or those which are ineffective for any other reason (e.g. opened for work purposes) additional steps have now been put in place on top of those in place at the time of incident. These include:

- A daily walk around undertaken by staff on site to check from the outside of the building if any window restrictors have been overcome. This also assists to identify if students are doing so to smoke from windows.
- Action is taken against students in the event an issue is identified from the daily walk around and restrictors are put back in place.
- When work is taking place at CLV properties which requires the removal of window restrictors, warning signs are put in place and separate safety procedures are developed.

We have specifically considered the suggestion made at inquest that the application of force (rather than use of a tool) could result in window restrictors breaking. In the context of accidental falls, this has been considered and eliminated as a real risk and one that it is controlled through the use of restrictors complying with BS EN 14351.

#### **Preventing risks from a deliberate act**

We have considered the comments made in your Regulation 28 report about the potential use of secondary restrictors and/ or more robust devices. As set out at the start of this report, we do not consider CLV to have the same risk profile or duties (and powers) of a healthcare organisation.

We do however recognise the importance of identifying and helping to support the mental health of students in our properties. We consider that the most effective way it can reduce the risk of a

deliberate act causing a fall through its windows is to focus on a mental health programme rather than by use of additional window restrictors.

CLV is embarking on a global campaign to support those who suffer with mental health issues whilst residing in one of its villages with an objective to become the global best in industry for its mental health model. To do so, we are working with national and regional charities that specialise in the support of young people with mental health challenges and we are working in partnership with universities to develop thinking.

This project was agreed as a global priority for CLV in August 2015 and the commencement of the mental health initiative commenced in late 2015. This incident emphasised the importance of the project and CLV's mental health model (whilst still in its early stages) which has developed significantly since the incident. Specifically relevant to preventing a further incident similar to Samantha Macdonald's, since the incident we have:

- Provided training to CLV staff on mental health to assist staff to identify and support issues identified;
- Put in place key communication channels to support staff and affected residents in the event that an issue is identified which support;
- Developed a Residential Life Programme which includes planned events, gatherings and promotional campaigns to bring residents together and foster a sense of community spirit, aimed at improving mental health and supporting those who could be suffering;
- Introduced a clear crisis management procedure in the event that it is required.

We recognise that tackling mental health issues is an extremely difficult challenge for organisations and whilst the above measures will assist a large number of residents, CLV cannot prevent all incidents where a student makes a decision to take their own life. We do not consider that putting in place additional or more robust window restrictors is the most effective or appropriate control measure to prevent student deaths in a normal university setting.

However, as with many other organisations and businesses in the UK, CLV is committed to help reduce the stigma around mental health and to encourage residents to ask for help and others to listen and support and understand how they can help. We hope that the detail provided about CLV's commitment to developing a leading mental health model will provide some comfort to those concerned about risks faced by students residing in CLV properties including HM Coroner.

If HM Coroner would like any further detail about the issues discussed above, please contact us and we would be happy to provide further information.

Yours sincerely



Global Technical Head of Health and Safety Reporting  
Campus Living Villages