

Housing

Ombudsman Service

Learning from windows complaints
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What's the issue with windows?

'My son died falling 60ft out our window after I asked the council for help'

BIG READ

Exodus Eyob fell from a seventh-floor window in a block of flats in Leeds after his mother said she repeatedly raised concerns. There are fears hundreds of children have died in similar incidents in recent years



Mum of toddler who died in fall from ninth-floor Tottenham flat 'repeatedly asked council to fix faulty window'

Friday 1 November 2019 at 1:15pm



NEWS | LONDON

Tower block tragedy: Boy, 5, falls to death from 15th floor of Newham high-rise 'after mother complained about unsafe windows'

- more than 4,000 children aged 15 years or younger are injured following an incident with a window
- physical and mental impact on residents of windows not being repaired is present throughout our investigations
- this may require a new Decent Homes Standard
- particular focus with Awaab's Law incoming

Learning from our open letter

- Ensuring landlords undertake a risk assessment where appropriate based on the individual circumstances of the household
- Ensuring appropriate expertise, including independent surveyors, are engaged and that the landlord's actions in response to recommendations are reasonable, clear and consistent.
- Ensuring decisions to defer repairs or respond with more limited repairs where major works are planned are reasonable and justified based on the landlord's obligations under the Landlord and Tenant Act.
- Ensuring information provided to residents on the operation of windows, especially where new windows have been installed, is clear, comprehensive and accessible.



Case study 1 – boarded up windows

- child's window boarded up for 4 years whilst landlord took no action
- because of this room grew mould due to no ventilation
- mental health and asthma impacted
- no records on system to show concerns were raised

Key learning – landlords need to approach these issues with urgency required, carry out timely repairs, and recognise the impact on the household.



Case study 2 – vulnerable residents

- no repairs for 9 months to a window following it being broken
- household contained 2 disabled children
- complaint happened during winter months and following being a victim of ASB
- 9-months would have been longer not for local authority intervention
- wrongly informed the household it did not have repairs responsibilities

Key learning – landlord should provide human-centric services, undertake risk assessments and clearly know their role and responsibilities on repairs

What has happened since the open letter?

- A number of landlords have replied setting out their review of casework and actions – this is positive.
- New government has indicated its intention to consult on Decent Homes 2 this year.
- Casework relating to windows continues and most findings of maladministration concern failings to consider risk under HHSRS and delays/deferral of repairs.

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