

Guidance Sheet

Falls from windows, balconies and Juliette balconies in hotels and guest houses

Summary

Following the [awareness campaign](#) carried out by the Health and Safety Inspectorate (HSI), in conjunction with the Jersey Hospitality Association (JHA) during June 2019, the HSI is about to commence the next phase of the targeted initiative to review window safety.

Inspectors will be visiting a cross-section of hotels and guesthouses (both JHA members and non-members) to ensure that the minimum legal requirements, in respect of the assessment and control of falls from windows, balconies and Juliette balconies, are being met.

Legal requirements

All commercial settings, including within the hospitality industry, e.g. hotels and guest houses, are subject to the legal requirements of the Health and Safety at Work (Jersey) Law 1989 ('HSW Law'). To ensure the risk of falls from windows in these settings is adequately managed, consideration must be given to suitable and sufficient measures in place to help control the foreseeable risk of falls from windows.

Health and Safety at Work (Jersey) Law 1989

Article 3 of the HSW Law places a duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare of all their employees. The HSW Law extends to the identification and assessment of significant risks to health and safety to persons.

Article 5 of the HSW Law places a duty on employers and self-employed persons to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that persons other than their employees, e.g. visitors / guests, are not exposed to risks to their health and safety.

What you should do

Risk assessment

To ensure the risk of falls from windows is adequately managed an adequate site specific risk assessment must be carried out. Where a risk assessment identifies that people are at risk from falling from windows, balconies or Juliette balconies, at a height likely to cause harm, e.g. above ground floor level, suitable control measures (precautions) must be taken.

The risk assessment should take into account all window as well as the surrounding environmental factors, including the design, construction, location of the windows and any furniture, or other items that may enable children to climb over barriers, or access windows which might otherwise be inaccessible.

The position of any protective barriers e.g. walls, guard rails, glazing and other elements of the building which are positioned and designed to protect persons from various hazards and to restrict or control their movement should also be taken in to account. It is essential that the assessment includes typical guest/visitor profiles, including children.

This risk assessment should be regularly reviewed to ensure it remains effective for controlling the foreseeable risk of falls from windows. Further guidance on risk assessments can be found on the HSI website at [Risk assessments](#) and the UK Health and Safety Executive website at [Risk assessment - HSE](#)

Control measures

Suitable controls may include:

- fitting adequate window restrictors;
- fitting an adequate screen or barrier to prevent access to a window or balcony / Juliette balcony edge;
- ensuring balconies have edge protection that is sufficiently robust and of suitable design (including height and any opening, such that a 100 mm sphere cannot pass through the guarding) to prevent accidental falls;

Window restrictors

Where people have access to windows large enough to allow them to fall out and be harmed, those windows should be restrained sufficiently to prevent such falls. Window restrictors should:

- restrict the window opening to 100 mm or less;
- be suitably robust to withstand foreseeable force applied by an individual determined to open the window further; be sufficiently robust to withstand damage (either deliberate or from general wear);
- be robustly secured using tamper-proof fittings so they cannot be removed or easily disengaged using readily accessible implements and require a special tool or key.

Balconies and Juliette balconies

A Juliette balcony is defined as a “*balcony which does not project from the side of a building and takes the form of a barrier in front of full length openable doors*”. Authoritative standards state that balconies should have barriers with a minimum height of 1100 mm.

Other factors to consider

Training

The HSW Law requires that adequate training and supervision should be provided to ensure that staff understand the risks, precautions required, and the need to report any defects or concerns to a responsible person.

Maintenance

Regular maintenance must be carried out to ensure that all safety fixtures and fittings are functioning effectively and their performance has not deteriorated as a result of use, wear or tampering.

Should you require any further information, please contact the Health and Safety Inspectorate on 447300 or via email at hsi@gov.je

Further information

- Health and Safety Inspectorate website: www.gov.je/hsi
- UK Health and Safety Executive website: www.hse.gov.uk
- British Standard, BS 6180:2011 *Barriers in and about buildings - Code of Practice*
- Building Bye-Laws (Jersey) 1997 Approved Technical Guidance Document ('ATGD') Part 7 *Stairs, Ramps and Protective Barriers*