



Department
for Business
Innovation & Skills

Jo Johnson MP
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Science

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Our ref: [REDACTED]
Your ref: [REDACTED]

17 June 2016

Dear Ms Leeming,

SAMANTHA JANE MACDONALD – DECEASED

Thank you for your letter of 22 March addressed to the Secretary of State, about the death of Miss Samantha Jane MacDonald, and your subsequent email of 19 May granting an extension. I am replying as this matter falls within my portfolio.

First of all may I take this opportunity to send my sincere condolences to Miss MacDonald's family. I was very saddened to hear of Miss MacDonald's death.

I would be grateful if you could treat this letter as my response for the purposes of paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and Regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. May I, in advance, apologise to Miss MacDonald's family if this letter appears overly formal. Unfortunately the nature of this process requires a certain degree of formality. I am, however, deeply conscious of their tragic loss.

In your report you raise concerns, in respect of student accommodation, about the need for risk assessments to be reviewed and consideration given to replacing restrictors with more robust devices to lessen the risk of persons falling either accidentally or otherwise out of open windows.

I have considered carefully your concerns and offer the following in response.

I should explain that Higher Education Institutions ("HEIs") are independent and autonomous from Government, and are thus responsible for their own processes and procedures. In preparing this response, my officials have consulted with organisations in the higher education sector and other interested parties, but ultimately it is the responsibility of the HEIs themselves to adhere to the law.

I note that the campus where Miss MacDonald was residing is managed by a private company, City Living Villages ("CLV"), which provides student accommodation.

I understand that in response to your report, CLV have provided details of measures already in place prior to Miss MacDonald's death, that recognise that there is a risk of a fall from a window if restrictors are removed or broken. In addition, following the incident they have undertaken a review of risk assessments relating to falls from windows, and new risk assessments have been prepared relating to accidental falls from windows, associated with broken or damaged restrictors, or those which are ineffective, as distinct from those linked to a deliberate act resulting in a fall. In relation to risks associated with accidental falls, CLV noted additional measures which have now been put in place in addition to those in place at the time of the incident.

I understand that the University of Salford has signed up to a '*National Code of Standards for Larger Developments*': http://www.nationalcode.org/Upload/File/NationalCode_Private.pdf
I also understand the Codes are produced by a consortium of organisations - Accreditation Network UK (ANUK), Unipol and the National Union of Students and have been developed for purpose-built student accommodation and set the standards for the day-to-day management of the building, including any safety issues. The Codes are voluntary schemes whereby accommodation providers commit to maintaining professional benchmark standards for managing large student developments.

The Codes are fully supported by the Department for Communities and Local Government, the Chartered Institute of Environmental Health Officers (CIEH), Conference of University Business Officers (CUBO), the Association for Student Residential Accommodation (ASRA), and Universities UK (UUK).

However, my Department proposes to write to UUK, whose members consist of Vice-Chancellors, and GuildHE, a representative body for higher education providers, by early July, to ask them to ensure that HEIs are doing all they can to ensure the safety of students in such accommodation. In that letter we will also raise the points you have made concerning risk assessment and replacing window restrictors with more robust devices.

I hope that you have found my response helpful. I conclude by again expressing my deepest condolences to Miss MacDonald's family.

Yours sincerely,



JO JOHNSON MP