

Allianz p.l.c.

# Schools Journal

Allianz 

[www.allianz.ie/schools](http://www.allianz.ie/schools)

issue 01 | 2011

Risk Management

School Security – How secure is your School?

Legal

Legal Review

Free Prize Draw

Win a €1,000 book voucher for your School

# Editorial

Dear Friends,  
Welcome to the Spring 2011 edition of our Schools Journal.

For the second year in a row we experienced extremely cold and harsh weather over the Christmas period with record low temperatures recorded in many areas. This again has led to extensive damage being caused as a result of burst pipes and unfortunately many of you will have had first hand experience of this. Apart from the financial cost associated with such losses, serious disruption was caused in some cases to the day to day operation of your schools.



**Anthony Shannon**  
Member of the Board of Management

Whilst many schools implemented recommendations made in our publication of last year “*Protecting Your School from Fire and Weather Related Losses*” unfortunately some schools did not. The experience from the last two winters has shown that whilst implementing some of the basic loss prevention measures in this publication will not guarantee that a school won’t suffer loss or damage it does greatly reduce the susceptibility to such losses. We would therefore encourage all schools to re-examine this publication and ensure that the recommendations are implemented wherever possible.

Following many queries received in relation to the preparation of a Safety Statement we outline a summary of relevant issues which need to be included in your Safety Statement along with a number of useful resources available to schools.

Pupil Personal Accident Insurance provides a benefit in the event of an insured accident irrespective of who is to blame. We outline some of the reasons why we feel such insurance is necessary and why such insurance should be placed with Allianz.

On the Risk Management front we outline some practical steps that can be taken to improve the security of your school. In addition, we highlight the need to ensure that all prefabricated buildings in the possession of schools are insured, irrespective of whether they are owned or leased by the school.

Finally, and on a lighter note, we are delighted to offer one of our schools the chance to win a €1000 book voucher for their school.

I hope you find this edition of our Journal to be of interest and assistance to you. If there is any additional information we can provide in relation to any of the articles published, please do not hesitate to contact us.

Our email address is [education@allianz.ie](mailto:education@allianz.ie). You can also contact our Education Team at **01 613 3966**, your local Allianz Representative or your Insurance Intermediary.

Yours sincerely

*Anthony Shannon*

Anthony Shannon  
Member of the Board of Management

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Welcome to the  
Spring edition of  
our Schools Journal.

# Employers and Public Liability Limits of Indemnity

The question of what constitutes appropriate Employers Liability and Public Liability indemnity limits for a School is one that produces answers that are often subjective in nature. Some of the common misconceptions are that just because we are “a small School” we do not need higher limits of indemnity or most common of all is “sure it will never happen”.

Limits of indemnity should always be more than adequate to cover a Schools day to day exposure and large enough to protect a School if it is unfortunate enough to be the School which suffers a catastrophic loss such as a major fire, building collapse, explosion in a science laboratory or other similar catastrophic event.

It is accepted that not everybody in the event of a catastrophe will suffer the same level of injury and that whilst every event is different, generally only a small minority will suffer catastrophic injuries, somewhat more will suffer major injuries and the majority will suffer minor injuries. In assessing what level of indemnity limit is required it is useful to look at the costs per person associated with the various injury types.

Catastrophic injuries generally involve permanent disability often involving brain injury with the injured party requiring constant care for the remainder of their living days – recent payments on such injuries can range from €2,000,000 to over €5,000,000 per person.

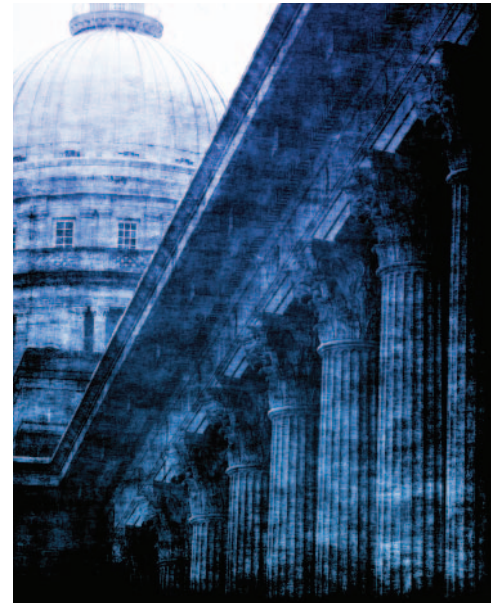
Major injuries also generally involve permanent disability but differ from catastrophic injuries in that the injured party generally retains the ability to care for themselves into the future – recent payments on such injuries can range from €100,000 to €2,000,000 per person.

Minor injuries are generally injuries from which the injured party will recover in full over the short to medium term and would attract payments up to €100,000 per person.

Taking the above as a guideline and looking at a 40 pupil School with say 3 staff members i.e. a “small school” and a fire occurs during the annual School Nativity play when parents/relatives of the children are in attendance in the Schools general purpose room bringing the overall population on the day to approximately 100. In a worst case scenario it is possible to see how as a result of a catastrophic fire it would be possible to have up to 4 or 5 people with catastrophic injuries, 15 to 20 with major injuries and the remainder with minor injuries – the cost of the 4 to 5 catastrophic injuries on their own would range from €10,000,000 to €25,000,000 to which must be added the major and minor Injuries.

It is expected that in the event of a fire the evacuation procedures would help minimise the numbers who suffer injury but in the event of a roof collapse or a gas explosion the time required to evacuate the building would not be afforded and the number of catastrophic and major injuries would be higher.

Taking the example we have used it is not difficult to envisage scenarios whereby large numbers of pupils and/



or visitors to a School are present and should a catastrophe occur during this period significant loss of life and injury cannot be ruled out with the attendant costs that such losses would bring.

It was against the above mentioned backdrop that representatives of the Patrons of Diocesan National Schools concluded it was prudent to increase the Employers Liability and Public Liability indemnity limits for all such Schools to €30,000,000 any one Event and this has been implemented as Schools fell due for renewal since the 1st September 2010. We have also recommended to all non Diocesan National Schools and Second Level Schools that they should review their indemnity limits and increase same to a minimum of €30,000,000 any one Event.

It should be noted that responsibility for ensuring that limits of indemnity for your School are adequate rests with the Board of Management (in consultation with their Patrons) and each School should assess their potential catastrophe exposure and if necessary request their indemnity limits to be further amended to reflect the exposure presented.

# Boards of Management Training Seminars - Contract of Employment

Allianz recently sponsored a series of 23 seminars which CPSMA provided to Boards of Management of Catholic Primary Schools. The topics covered were contracts of employment and information on disciplinary procedures for teachers & principals. Over 2000 members of Boards of Management attended these sessions.



Pictured left to right are the facilitators at the various Seminars: Suzanne Cobbe (CPSMA), Sean Hourihane (CPSMA), Eileen Flynn (General Secretary, CPSMA), Ciaran Whelan (Allianz), GERALYN Costello (CPSMA) and Margaret Gorman (Assistant General Secretary, CPSMA).

## Issues covered included:

- The obligation to provide an employee with a statement of terms and conditions of employment within 2 months of taking up employment
- The difference between a statement of terms & conditions of employment and a contract
- The difference between an 'independent contractor' and an 'employee' was discussed as was the position of agency workers
- Additionally advice was furnished on other matters that an employer might wish to include in a contract of employment e.g. retirement age, the question of whether to make payment during sick leave etc. The maximum working week and Sunday working were also hot topics
- Contracts of indefinite duration, fixed term contracts, specific purpose contracts were also addressed as was redundancy and the implications regarding applications and entitlement to same as well as fairness in the selection of employees for redundancy
- Information was given on the disciplinary procedures which were introduced in September 2009 for teachers and principals under section 24(3) of the Education Act 1998. The differences between disciplinary and grievance procedures were also outlined.

The foregoing is just a flavour of some of the topics covered in the sessions which were highly interactive. Full details of the Power Point Presentation are available on the CPSMA website [www.cpsma.ie](http://www.cpsma.ie). In addition the CPSMA can be contacted at [info@cpsma.ie](mailto:info@cpsma.ie)

# Free Prize Draw

Win a €1,000 book voucher for your school from the Supplier of your choice

Allianz in association with CJ Fallon are giving one of our lucky readers the chance to win a €1,000 voucher redeemable against the CJ Fallon range of textbooks, Destination Maths or Mathletics software products.

Simply: log on to our schools website [www.allianz.ie](http://www.allianz.ie) and then answer the following question:

The School Insurance section of our website has a series of Frequently Asked Questions (FAQ's). In these Frequently Asked Questions (FAQ's), Section 5 refers to which of the following:

- Property Damage
- Money
- Indemnity to Management

Please send your answer with your contact details by email to [schools@allianz.ie](mailto:schools@allianz.ie) with subject title of the email "Competition".

Closing date for receipt of entry is  
**Tuesday 31st May 2011**

A full list of terms and conditions are available on request.

Congratulations to the winner of our last competition Mrs Ann McQuillan, Principal, St. Joseph's Boys National School, Kilcock, Co. Kildare who won an Apple iPad.

**Allianz** 



## The "A-Team"

Allianz have a team of Local Representatives based throughout the country available to school principals and Boards of Management to deal with any matters that arise including:

- General insurance/cover queries
- Health & Safety Issues
- The Adequacy of Sums Insured
- Claims – General advice, updates on current claims etc.

Your local Allianz Representative is available to call out to your school and can be contacted at the number below:

**Shane Mooney** ACII – West

☎ 087 919 0428    ✉ [shane.mooney@allianz.ie](mailto:shane.mooney@allianz.ie)

**Martin Sinnott** ACII – South East

☎ 087 686 2329    ✉ [martin.sinnott@allianz.ie](mailto:martin.sinnott@allianz.ie)

**Mairead Mullins** – North West & Midlands

☎ 087 248 5065    ✉ [mairead.mullins@allianz.ie](mailto:mairead.mullins@allianz.ie)

**Neil Tobin** ACII – South

☎ 087 252 8018    ✉ [neil.tobin@allianz.ie](mailto:neil.tobin@allianz.ie)

**Noel O'Loughlin** ACII – South West

☎ 087 258 8943    ✉ [noel.o'loughlin@allianz.ie](mailto:noel.o'loughlin@allianz.ie)

**Alan Black** – Dublin/North East

☎ 087 993 8227    ✉ [alan.black@allianz.ie](mailto:alan.black@allianz.ie)

In addition to your local Allianz Representative the Allianz Specialist Education Team are always at the other end of the phone, happy to assist. Throughout the school year, many general queries will arise at school level which require a

considered and efficient response. The Allianz Education team will be happy to deal with school queries in a prompt manner. Such queries throughout the school year may include:

- Premium Queries
- Changes to Sums Insured /Extensions
- Work Experience/Indemnity letters
- General queries re: supervision, school trips etc.

### Education Team Contact Details:

☎ 01-6133966    ✉ [schools@allianz.ie](mailto:schools@allianz.ie)

### Claims

Allianz have a dedicated Education Claims Team who can take notification of any incident that may give rise to a claim. They can also provide advice on claims/potential claims and give updates on existing claims. Contact numbers are as follows:

**Property Claims** ☎ 01-613 3377

**Liability Claims** ☎ 01-613 3953

Full claims procedures (including advice on steps to take in the event of an incident) can be found on our website [www.allianz.ie/schools](http://www.allianz.ie/schools) under our Guide to Insurance, Safety and Security Section.

Our ultimate aim is to provide you with the best customer service possible to complement your market leading School Protection Insurance package. With these support services in place we hope to meet and indeed exceed your expectations.



## Guide to "Protecting Your School from Fire and Weather Related Losses"

At this stage all schools should have received a copy of our Guide to "Protecting Your School from Fire and Weather Related Losses" which includes a handy Checklist for Frost/Freeze, Storms, Flooding, Fire and General Maintenance. If you have not received your copy or require additional copies, please contact our Education Team at **01 613 3966** or email us for a copy at [education@allianz.ie](mailto:education@allianz.ie). In addition you can log onto [www.allianzweathersafe.com](http://www.allianzweathersafe.com) for useful tips on protecting your school from weather related damage.

# What should be covered by a Safety Statement

Under The Safety, Health and Welfare at Work Act 2005, it is a legal requirement for schools with more than three employees to have a Safety Statement in place.

## Why should a school prepare a Safety Statement?

Apart from obvious moral and ethical reasons, it is a **Legal Requirement** for every employer to prepare a Safety Statement and failure to do so is a criminal offence. **The Safety Health & Welfare at Work Act 2005 (The Act)** states that “Every employer shall... ensure, so far as is reasonably practicable, the safety, health and welfare at work of his or her employees”. In the case of a school, the “employer” is the Board of Management.

## What should be covered by a Safety Statement?

The areas that should be covered by the Safety Statement are specific and are set out in Section 20 of **The Act**. The Statement should be based on the identification of the hazards and the risk assessments carried out and must

- Specify how the health and safety of all employees will be secured and managed
- Specify the hazards identified and risks assessed
- Give details of how the employer is going to manage health and safety responsibilities, including:
  - (a) a commitment to comply with legal obligations
  - (b) the protective and preventive measures taken
  - (c) the resources provided for safety and health at the workplace
- Include the plans and procedures to be used in the event of an emergency or serious danger
- Specify the duties of employees including the co-operation required from them on health and safety matters

- Include the names and job titles of people being appointed to be responsible for health and safety or for performing specific tasks set out in the statement
- Contain the arrangements made for appointing safety representatives and for consulting with employees on health and safety matters
- Be written in a form, manner and language that will be understood by all
- Have regard to the relevant health and safety legislation.

## Useful Sources of Information on Preparation of Safety Statements:

### The Health & Safety Authority Website – [www.hsa.ie](http://www.hsa.ie)

This site contains two documents entitled “*Guidelines on Managing Safety*” and “*Health in Post-Primary Schools Part 1 and Part 2*”. While these are specifically aimed at Post Primary schools the general principles are the same for both primary and secondary schools. Part 1 of the Guidelines is a step by step approach to putting a health and safety management system in place. Part 2 contains a series of risk assessment templates which will greatly assist in carrying out the task of reducing risk in your school in a very real and practical way.

The HSA website also contains a number of e-learning courses for those working in the education sector. One of these courses entitled “*An Introduction to Managing Safety and Health in Schools*” offers a free course aimed at assisting principals, teachers and Boards of Management in their understanding of managing



workplace safety and covers areas such as Completing a Safety Statement, Risk Assessment, Roles and Responsibilities and Accident Reporting.

### The Irish Primary Principals Network Website – [www.ipppn.ie](http://www.ipppn.ie)

This site contains Sample Health and Safety Statements and Risk Assessments.

### Catholic Primary Schools Management Association – [www.cpsma.ie](http://www.cpsma.ie)

The CPSMA Handbook and website contain details of the Safety, Health and Welfare at Work Act 2005 along with other relevant information in relation to health and safety.

### Allianz “*Guide to Insurance, Health and Safety in the School*” – [www.allianz.ie/schools](http://www.allianz.ie/schools)

Hard copies of this document have been forwarded to all schools in the country and additional copies are available upon request or on line under the school resources section of our website. In addition, the Allianz Schools Journal regularly features articles specific to health and safety. You can also contact your local Allianz Representative for guidance and assistance with any queries or concerns you have in relation to health and safety.

Managing health and safety effectively in school brings with it huge benefits. With good systems in place to prevent accidents, injury and ill-health to staff, pupils and visitors at the school, the whole school becomes a better place in which to work and learn.

# Pupil Personal Accident Insurance - Why the need for such insurance?

## Why the need for such Insurance?

The Allianz Custodian School Protection Policy covers the legal liability of the School, each individual member of the Board of Management, Patron and/ or Trustees. Like any liability Policy, it covers the legal liability of the insured if they are found to be negligent and this negligence leads to an injury. If a child has an accident on the school grounds or whilst engaged in a school related activity, their resultant medical expenses will only be covered by the School Protection Policy if the school are found negligent i.e. lack of supervision, defective premises etc. If the accident is judged to be no ones fault then the parent will have to bear the cost of the associated medical expenses.

If a child is insured under the Pupil Personal Accident Scheme and has an accident, they can recover the medical and/or dental expenses incurred as a result of the accident regardless of whether or not anyone is to blame for the accident.

## Benefits for the Parent/Guardian

- The Parent can claim the medical and/or dental expenses up to €30,000 as a result of an accident so they will not be financially burdened by an unfortunate accident to their child
- The Parent/Guardian can claim these medical and/or dental expenses regardless whether or not anyone is to blame for the accident
- The Parent/Guardian has the option (if the school choose to offer an option) of insuring their child for 365 days a year.

## Benefits for the School

- As the Parent/Guardian can claim the medical and/or dental expenses under this policy it greatly reduces the need for them to take legal action against the school
- As the Parent/Guardian does not need to prove negligence against the



school to claim their child's medical and/or dental expenses the possibility of animosity between the parent and the school will be greatly reduced.

## Why Insure with Allianz?

Allianz are the market leader in Pupil Personal Accident protection. Our position as market leader is not an accident but it is down to the fact that our Policy provides the most complete protection to your pupils for the premium you are paying. This means, schools insured with other providers are paying the same premium for inferior cover.

## Why is the Allianz Pupil Personal Accident Policy Superior?

The Allianz Policy is the only Pupil Personal Accident Policy in Ireland that does not put a time limit on follow-on expenses as a result of an insured accident. This means that a young pupil who has medical and/or dental expenses for 10 or 15 years after the original incident can still claim these expenses once they are as a result of the original incident. If a time limit was in force, the parent could end up severely out of pocket for an insured incident. Other schemes apply a 24 month time limit.

Our main covers are separate. We have two separate limits for medical **and**

dental expenses, €30,000 for each. This means that an injured pupil can claim up to €30,000 under medical expenses and up to €30,000 under dental expenses. Claiming under one benefit does not limit your ability to claim under the other. This is unique among our competitors as they have a single limit covering both medical and dental expenses.

## Staff Personal Accident

Schools who have an Allianz Custodian School Protection Policy automatically have Staff Personal Accident Cover included. Therefore, there is no need to take out separate Staff Personal Accident Insurance as offered by alternative schemes.

## How do you apply

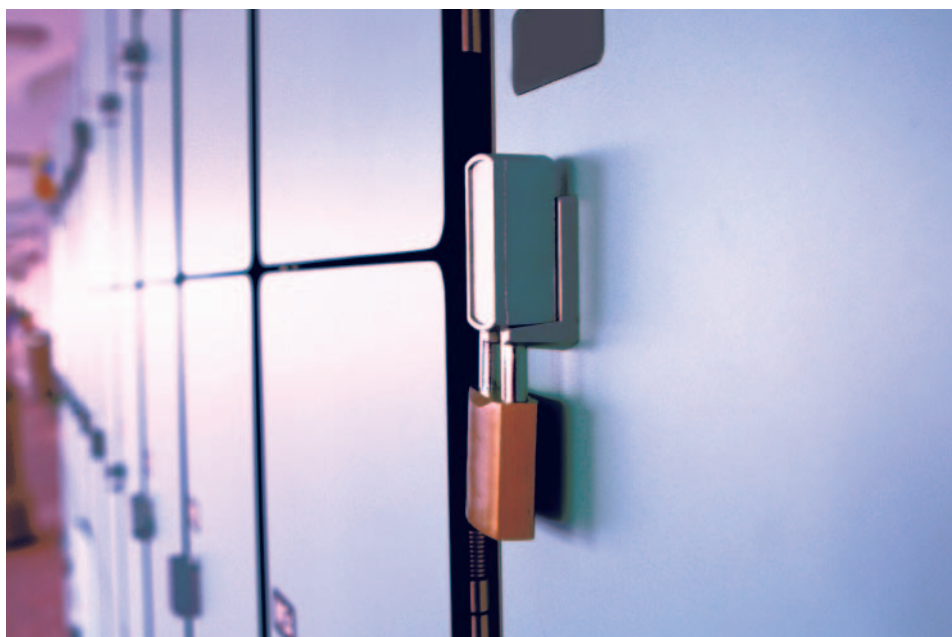
Simply log onto [www.allianz.ie/schools](http://www.allianz.ie/schools) and avail of a substantial premium discount

- ➔ Click on the Pupil Personal Accident tab at the top of the page.
- ➔ Click the large **BUY** icon in the middle of the page
- ➔ Input the requested information.

If you have any questions you can contact our dedicated Pupil Personal Accident Team on 01 6133900, our schools website [www.allianz.ie/schools](http://www.allianz.ie/schools) or your local Allianz Representative.

# School Security – How secure is your School?

We have seen a sharp increase in the number of break-in's in schools involving the theft of computer equipment, cash and heating oil. The wanton and apparently motiveless destruction or damage to property and theft are problems that confront many home owners, business's, parishes and schools today.



School security falls into three broad categories namely physical security, electronic security and management.

## Physical Security

Physical Security is most effective in keeping unwanted individuals away from the school buildings and grounds. A risk assessment will assist in identifying ways in which you can make it more difficult for intruders to gain access to your school buildings and grounds. Some key elements would include:

- Provide a substantial secure boundary
- Limit access points for vehicles and pedestrians
- Fences should be substantial and gates should be of a similar standard
- Gates should be securely locked outside of normal school hours

- Padlocks should be good quality, closed shackle types
- Limit and control the main access route for visitors to the school
- External doors should be solid and secured with good quality locks. It is recommended that internal doors (other than security doors protecting high risk areas such as strong rooms, offices, science laboratories etc.) are left closed but unlocked at the end of the school day
- Strong rooms should have masonry built walls, secure doors and roofs
- Windows are vulnerable targets for vandalism and are a common point of entry for intruders. Particularly vulnerable windows can be protected by a variety of methods including window locks, steel roller shutters or external collapsible grills that can be opened during the school day

- Skylights should have their fixings strengthened by the use of non-returning screws and metal grills can be fitted internally
- Where possible, ensure that all portable electronic and computer equipment is kept in locked, secure areas when not in use. This is particularly important in relation to laptop computers which are now the number one target for thieves
- Ensure that your oil tank is properly secured by fitting a secure lock on tank and remote electric oil level gauge.

## Electronic Security

Electronic Security embraces a number of areas:

- Installation of a comprehensive intruder alarm system linked to a central monitoring station offers significant deterrent to intruders. It is recommended that not only corridors and entrance foyers should be alarm protected, but also all rooms containing substantial amounts of attractive equipment such as laptops, digital cameras etc
- Security lighting is particularly effective in schools. Motion detector activated lights could be more cost effective from an energy consumption standpoint
- Installation of CCTV protection also enhances security. With the introduction of internet technology and high speed broadband, off site monitoring of CCTV is now of better quality and less expensive than previously.

...control systems should be in place to improve the day time security in school with a clear entry point designated for all visitors



# Allianz Cumann na mBunscol



Allianz has been associated with Cumann na mBunscol since 1994 and are celebrating the 18th year of this sponsorship.

Over its period of association with this organisation, Allianz has helped to bring the activities of Cumann na mBunscoil to the attention of the widest audience possible. This has been achieved each year through media exposure in both national and provincial newspapers and on television.

Allianz's involvement with Cumann na mBunscoil helps to provide support to over 6000 teachers whose commitment and dedication forms the basis of the success of Cumann na mBunscoil. Over the years Cumann na mBunscoil has had a major influence on the sporting development and education of our school children and promotes participation and fair play.

Pictured left to right at the official launch and handover of Sponsorship cheque for the 2011 season are Noreen Rooney (Assistant National Secretary Cumann na mBunscoil), Ciaran Whelan (Allianz) and Margaret Cunningham (National Chairperson, Cumann na mBunscoil)

## Management of the School

This is critical as schools that look neglected are more prone to vandalism, theft or arson. A good working relationship within the school and well understood procedures are highly effective in reducing losses at little or no cost.

- Valuable equipment should always be securely stored away and out of site
- Windows and doors should not be left open
- Always establish lock up procedures for use of school facilities
- Graffiti should always be cleaned up as soon as possible
- Money should be kept in a locked safe in the school or otherwise, other than petty cash, it should be banked. Money should not be kept in locked drawers or filing cabinets
- Provide facilities to keep rubbish disposal away from buildings. Wheelie Bins should be kept in a securely locked external shed/ building or compound

- Controlling access into the school or its buildings and classrooms, especially during the school day is essential for the safety and security of all staff and pupils. Therefore, control systems should be in place to improve the day time security in the school, with a clear entry point designated for all visitors and restricting unauthorised entry into the school building otherwise
- Ensure that outside lighting is in working order and replace bulbs when necessary.

The information provided in this article is intended for use as a guideline only and to highlight some steps you can take to make your school more secure. The Garda Authorities will also be able to advise you further and the Crime Prevention Officer will normally be available to call on request. Further information is available in our "Guide to Insurance Safety and Security in the School" booklet, our Schools Website [www.allianz.ie/schools](http://www.allianz.ie/schools) or your local Allianz Representative .



# Legal Review

We continue our review of some school accidents which have been finalised in the Courts in the last few months.

## Case 1

In this case, a fifteen year old pupil was participating in PE class. The class were engaged in an exercise using the vaulting horse and had been instructed in a simple vault using the spring board and the vaulting horse. The vault to be completed had been demonstrated by the P.E. Teacher who gave clear instructions not to try a somersault/flip in the course of the vault. The equipment was serviceable and was properly set up. The class size was compliant with regulations and the Teacher was well placed to support the vaulters. The claimant in this case completely ignored the instruction given in the case and attempted a flip in the vault and landed heavily on his back on top of two deep landing mats. He sustained a serious injury to his back involving a compression fracture to the 4th vertebrae. The case was brought in the High Court and defended on the basis that the entire exercise was properly set up and supervised by the Teacher and the Plaintiff at fifteen years of age simply chose to ignore the instruction given and was therefore the “author of his own misfortune”. The matter was proceeding towards a hearing but settled on the steps of the Court on a compromised basis inclusive of costs. The settlement would have been less than 5% of the value of the injury and costs and was made on economic grounds.

## Case 2

This case involved a School Cleaner who was injured when she slipped

and fell on a floor she had just cleaned herself. She was a supervisor and had just cleaned four classrooms. She went into the toilets to clean them. Part of her role was to turn off the lights before exiting the school. She returned to the classroom that she had cleaned earlier and slipped injuring her elbow. She assumed the floor was dry but that clearly was not the case. The case proceeded to a full hearing over two days. There was a technical issue in relation to “lack of training” but the case was made that it was irrelevant as there was no connection between it and the accident. The Plaintiff knew the floor was wet but assumed it was dry and entered the room falling on the wet floor. There was much discussion on case law and in the end the Judge dismissed the claim with costs against the Plaintiff. We were somewhat fortunate in this case in so far as the lack of training did not impact on liability. The School here had trained all the Teaching Staff but had omitted to train ancillary staff such as the Cleaners/ Caretaker/Administrative staff etc.

## Case 3

This case was one in which a pupil approached a supervisor in the school yard and asked permission to wash his hands which were dirty. He was given permission and nothing more was said at the time. A couple of days later, it was brought to the Principals attention that the child and his mother were in the yard taking photographs of the yard surface. At this stage it was learned that the child had fallen and cut his leg which required sutures. There was a “no running rule” in the yard at the time and it was felt that it would have been very difficult to trip and fall at a

walking pace. The matter was further complicated by a report that the child had cut his knee while playing football. However the matter was not helped by the fact that the tarmacadam surface was in poor condition and there was a slight hole which was identified as being the location of the fall. The matter went to a full hearing and the Judge stated that on the basis of the engineering evidence only, he was finding in favour of the Plaintiff. The engineering evidence on the tarmacadam surface confirmed it was poor. The Judge indicated that he had been initially sceptical as to how someone could trip and fall in such a hole whilst walking but was satisfied from engineering evidence that it was possible to do so. The Judge also acknowledged the concerns raised by the school that the incident was not reported and the delay in medical attention. He also acknowledged the concerns raised by the Plaintiff’s admission in class that he had cut his knee playing football. However, he concluded his findings solely on the engineering evidence and found in favour of the Plaintiff, awarding him the minimum amount in the Circuit Court jurisdiction.

## Case 4

This last case arises from a slip and fall accident in a school sports hall during an organised game of five a side football. The allegation was that the floor was wet. Investigations revealed that there was a problem with the roof leaking and a small area of the hall was wet/damp as a result. This area had been cordoned off and activities allowed proceed in the hall as normal. However during the course of the game, the claimant slipped and fell. When play went close to the cordoned off area, the soles of the Claimants runners got wet and he fell in another area of the hall. While it would not have been a popular decision, the hall should have been closed even though the wet area was only in a small area of the hall. The Claimant suffered a nasty fracture to his elbow and the case was allowed proceed for assessment by the Injuries Board which ultimately was rejected by the Claimant and his Solicitors. The case eventually settled in advance of coming up for hearing in the High Court.

# Prefabricated Classrooms, Portacabins and other Temporary Buildings

One of the benefits of the Allianz Custodian School Protection Policy is that **automatic cover** is provided for newly acquired or erected buildings, alterations, additions or improvements to buildings or contents for an amount not exceeding €1,000,000 provided that we are notified as soon as practicable following such alterations.



For many years, schools have had no choice but to hire or purchase prefabricated buildings to accommodate their ever increasing pupil numbers. Due to the ongoing recession, this practice will, undoubtedly, continue for the foreseeable future. Even where a school does not own these buildings, under the terms of the normal Leasing Contract, the Board of Management is responsible for insuring them whilst they are in their possession. We have recently received feedback from a number of schools that Hire Companies are carrying out checks to ensure that the prefab units are insured, and also that they are insured for the correct sum insured.

The sum insured should represent the maximum liability of the school. The sum insured is comprised of the replacement cost of the prefabricated classroom or other temporary building

(including VAT), transport and delivery costs, connection of services (e.g. ESB, water, etc), debris removal and professional fees (architect's/engineer's etc.). To find out this cost, the school need only contact the Hire Company and ask for replacement value of the units to include re-siting.

It is extremely important to contact us as soon as is practicable upon receipt of any additional prefabricated units. It has been our experience in the past that this has not always happened. At the time of purchase/lease, the prefabs are more likely to be at the forefront of your mind, left until renewal date they could be forgotten. In the event of a claim, not having a prefabricated unit noted on the policy could make what would normally be a straightforward situation unnecessarily complicated. We have seen this situation snowballing in some schools where several prefabs have been obtained in

stages over a period of time but only a fraction of them insured.

It is also very important to supply a description of the prefab when adding it onto your policy. The description should include whether it is a single or double prefab, whether it is made of combustible materials or not, and a possible distinguishing factor, ie located in car park, used as computer room, resource room etc. This can make your schedule more transparent as prefab units listed on your policy will correspond with the actual prefabs on the school grounds. If you have multiple prefabs it may be easier to alphabetise or number them and therefore each prefab unit will be more easily identifiable.

In addition, it is also important to include a sum insured for contents to include furniture, IT equipment etc.

Please contact your local Allianz Representative if you require any assistance in carrying out a check to ensure that all such building are correctly identified and insured.

# Education. Covered by Allianz.



Log onto [www.allianz.ie/schools](http://www.allianz.ie/schools) for information and helpful resources in connection with your School Protection and Pupil Personal Accident Policies.

or

Log onto [www.allianzweathersafe.com](http://www.allianzweathersafe.com) for useful tips on protecting your school from weather related damage.

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