

Allianz Corporate Ireland plc

Schools Journal



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Legal

Legal Review

Risk Management

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Insurance

Increased Benefits under our
Custodian School Protection Policy

Editorial

Dear Friends, welcome to the Autumn 2007 edition of our *Schools Journal*.

Any School that has suffered serious fire damage has experienced severe disruption to the smooth running of the School. In this issue of the Schools Journal, we focus on a number of recent serious fire losses at both National and Secondary Schools. Whilst the financial cost is substantial, on the positive side, there has been no injury or loss of life arising out of these incidents.



Michael Nolan
Member of the Board of Management

We also show the quick action of a Teacher and the successful evacuation of the School within three minutes of the alarm being set off, prevented what could have been a much more serious incident.

The key objectives of Fire Safety Management are to minimise the risk of fire, protect the means of escape and limit the spread of fire. In this issue, we outline some basic fire safety guidelines, which we hope will be of assistance.

As part of our on-going commitment to regularly review the levels of cover provided under our Custodian School Protection Policy, we

outline a summary of the new enhancements.

In addition we have included details of the increased benefits under our Pupil Personal Accident Insurance Policy. One of the unique features of our Pupil Personal Accident Policy is that we are the only Insurer in Ireland who do not limit the time in which follow on claims can be made.

Under our regular 'Legal Review' article, we review some School accidents that have recently been finalised.

We provide some guidelines on how to prevent and limit the damage caused by malicious software (Malware) to your computer systems.

As part of our Corporate Social Responsibility Programme, Allianz has sponsored the 'Stars Read Campaign'. This campaign promotes reading to young people as a life long activity and it was officially launched by An Taoiseach Bertie Ahern.

If there is any additional information we can provide in relation to any articles published in this issue of the Schools Journal or indeed, if you have any issues you wish to raise, please do not hesitate to contact us.

Our email address is education@allianz.ie. Please quote your policy number in the subject title of the email. You can also contact our Education Team at 01 613 3966, our Pupil Personal Accident Unit at 01 613 3900, your local Allianz Representative or your Insurance Broker.

Yours sincerely

Michael Nolan

Member of the Board of Management

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Increased Benefits Under Our Custodian School Protection Policy

As part of our on-going commitment to provide our Education clients with a superior insurance package, we regularly review the levels of cover provided under our Custodian School Protection Policy.

Following our latest review, we are pleased to inform you that, with effect from the 1st July 2007, we have implemented a number of important enhancements to the Policy cover. These are summarised below:

Property Damage

- Subsidence is now covered automatically
- The Limit of Indemnity for larceny is now the total Contents Sum Insured. This has been increased from a limit of €10,000
- Temporary removal of contents, increased from €13,000 to €50,000
- Fire brigade charges, increased from €13,000 to €25,000
- Loss of metered water, oil or gas, increased from €13,000 to €50,000
- Cover has been included for Storm, Flood or Malicious Damage to fences, gates or moveable property in the open - €10,000
- Additions of Buildings and Contents, increased from €650,000 to €1,000,000
- Contract works up to €250,000 (previously not covered under the policy).

Consequential Loss

- The Limit of Indemnity for Consequential Loss has been increased from 15% to 20% of the Sum Insured
- Professional accountants fees in connection with a claim, increased from €6,500 to €25,000.

Money

- School money locked in a safe/strong room on school property and school money in

transit, increased from €6,350 to €13,500

- Financial loss following misuse of any credit card, increased from €3,200 to €7,500
- Personal money belonging to teaching staff and money in residence of authorised person, increased from €320 to €1,000.

Employers Liability

- Court attendance costs, presently €150 (employee) & €350 (Principal/BOM member/Trustee) increased to €250 and €500 respectively.

Public Liability

- Motor Contingency cover, increased from €1,300,000 to €6,500,000
- Contingency cover for work by contractors, increased from €1,300,000 to €6,500,000
- Legal Liability for Nuisance, increased from €320,000 to €2,500,000.

The Limits of Indemnity have also been increased under the following sections of the policy:

Professional Indemnity

From €2,600,000 to €6,500,000.

Employment Practices Liability

From €1,000,000 to €2,500,000

Fidelity Guarantee

From €65,000 to €100,000.

Legal Expenses

From €500,000 to €1,000,000.

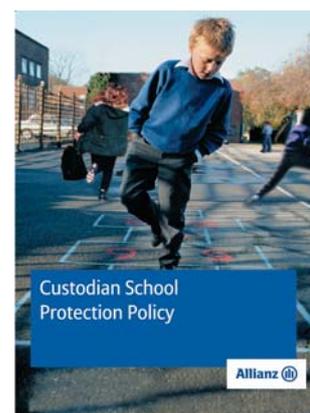
The benefits under the personal

accident section of the policy have also been increased. The most commonly used element of this section is the Medical / Dental / Optical expenses. This has been increased from €7,500 to €10,000.

In an effort to give you the most complete package possible we have added an entirely new section to the Policy. Trustees, Directors and Officers Liability. This section of the policy covers legal liability for any actual or alleged breach of duty arising from any negligent act, error or omission while acting in the capacity of a Trustee, Director or Officer of the school. The Limit of Indemnity under this section of the policy is €2,500,000.

Full details of all increased benefits will accompany the renewal of your School Protection Policy. It is important to note that the above is subject to terms, conditions, and exclusions of the policy which are contained in the policy document.

If you have any queries in relation to any element of your School Protection Policy, please contact our dedicated Education team at 01 613 3966 or your local Allianz Representative.



Legal Review

We continue our review of some school accidents that have been finalised in the High Court and Circuit Courts in the last 6 months.

Case 1

A 14 year old pupil who was not allowed participate in P.E. turned up for class with his gear. He changed and participated in the class where he fell causing multiple fractures to his arm. The teacher involved while being aware of the fact that the pupil had previously not been allowed participate in the class assumed he was allowed because he had brought his own gear in and changed for the class. The case proceeded to the Circuit Court for hearing on the grounds that the Plaintiff who was 14 years of age was to a large extent, if not completely, at fault for his own accident by knowingly taking part in the class in the knowledge that the medical advice had not changed. The case was settled out of Court for € 9,000 which included an approximate deduction of 40% for

contributory negligence. The advice from Counsel was that the School were on some risk given that the pupil was not challenged as to his fitness to take part in the class given his previous medical history.

Case 2

An infant Plaintiff brought a claim to the High Court arising out of a fall at school. She climbed onto the stump of a tree and jumped in an attempt to grab hold of a low hanging branch in order to swing from same. She missed the branch which was beyond her reach and fell to the ground causing a fracture to her left wrist and elbow. The school had a rule prohibiting all children from playing on this tree. The level of supervision in the yard was appropriate, there being three teachers on duty at the time. Senior Counsel advised that children have swung from the branches of trees from time immemorial, and in his view, should be allowed to continue to do so into the future. Accordingly, he felt, that there is a valid argument to be made that, notwithstanding the school's prohibition, this exercise was not one which was such an appalling hazard.

The case proceeded to a hearing in the High Court. The case was made that the branch was an allurement to a child and should have been removed. The Judge advised that schools were full of trees as were parks and gardens and he could not rule that the branches of same were generally an allurement to a child and he dismissed the Plaintiff's claim.

Case 3

This eight year old Claimant injured himself when he fell from the teachers chair. The class teacher was out ill and in order to supervise the class, the partition between the Claimants classroom and the classroom next door had been partially pulled back to allow the teacher next door keep an eye on the class. During the course of the morning, some of the pupils sat in the teachers chair and were spun around by another pupil. This escaped the notice of the supervising teacher next door. During the course of the game, the Claimant fell and struck his face off the arm of the chair causing a laceration to same with resulting scarring. The legal opinion received was that the matter could not be defended on the basis of a breakdown in the system of supervision and a settlement has been agreed which is subject to ruling before a Judge in the Circuit Court.

Case 4

This case involves a pupil who was struck by another pupil during break-time. The claim was that he was being bullied by this particular pupil who kicked him on the leg causing an undisplaced fracture to his right knee. The school had an excellent anti bullying policy and were prepared to meet any case on that front. The matter ran into some difficulty with regard to supervision as there was one supervising teacher to over two hundred pupils in the yard. While there are no agreed pupil to teacher ratios, Counsel felt that 1 to 200 was on the high side. The case was settled for €10,000 made up of a €5,000 settlement with a €5,000 contribution to costs.

Pupil Personal Accident Insurance Policy 2007/2008

At Allianz, we are committed to providing the broadest possible Personal Accident cover for the pupils of your school. In today's environment of increasing medical / dental expenses, parents can have peace of mind knowing that their child's medical / dental expenses will be covered following an accident at home or at school.

As the leading Education Insurer in the country, we have used our experience and expertise to put together the complete Pupil Personal Accident policy. As you can see at premium prices ranging from only €4 to €8 it is extremely well priced and excellent value for money.

We have outlined the cover options available and the benefits provided under the policy, in the tables below:

What sets the Allianz Pupil Personal Accident policy apart from other Pupil Personal Accident policies available on the market?

- We are the only Pupil Personal Accident Insurer in Ireland who do not limit the time in which follow on claims can be made. This means, if a pupil has an accident this year we will continue to pay the medical / dental expenses (subject to the policy limit of €25,000) as a result of that accident until the requirement for care has ceased. This is a unique feature of our policy, as other Pupil Personal Accident policies put a time limit on the claim, after which date, the parent/guardian is left to bare the cost of any subsequent expenses.

We have simplified the on-line application this year. You no longer need to contact Allianz for usernames or passwords. Simply log onto www.allianz.ie/schools, proceed to the Pupil Personal Accident section of the website and purchase your policy. It's that easy. We also offer a **20% discount** for applying on-line.

The above are subject to terms, conditions, limitations and exclusions of the policy.

If you have any queries in relation to the above or any aspect of our Pupil Personal Accident Policy, please contact our dedicated **Pupil Personal Accident Team at 01 613 3900**.

Cover Option Available	Requirements	Level of Cover	Cost
Option A - All Pupils	All Pupils must be included and the level of cover must be common to all pupils.	School Activities Only. 24 Hour basis.	€4 per pupil €7 per pupil
Option B - Specified Pupils	Specified cover for individual pupils.	School Activities Only. 24 Hour basis.	€5 per pupil €8 per pupil

Table of Benefits	€
1 Death by accident	25,000
2 Total loss of sight on one eye or use of one limb	100,000
3 Permanent total loss of sight in both eyes or use of both limbs or permanent total disablement	150,000
4 Total and irrecoverable loss of hearing in one ear	25,000
5 Total and irrecoverable loss of hearing in both ears	100,000
6 Medical and/or dental expenses not recoverable from any other source	25,000

Recent Fire Damage To Schools Will Cost In Excess of €5,000,000

Over the last few months, a number of National and Secondary Schools have suffered serious fire damage.

Any school that has suffered a serious fire, knows only too well the pain, suffering, stress and despair caused by such incidents. These fires involve considerable destruction and damage to property in addition to disruption to the normal running of the School. The financial cost of these claims of course, is as nothing compared to the risk of injury or loss of life. In this article we report on a number of these fires, which have occurred over recent months.

Balla Secondary School, Balla, Co. Mayo

At around 5am on the morning of 22nd April 2007, a serious fire broke out, the cause most likely being electrical in origin. Significant structural damage

was caused to part of the two storey former convent section of the School where fire had gutted a ground floor classroom and corridor along with the career guidance room on the first floor and roof area overhead. In addition, water damaged adjoining rooms, corridors and stairwells resulting from extinguishment water and leaks from fire damaged heating and plumbing installations. Debris from the slated pitched roof fell onto a paralon roof over the single story entrance lobby area. The remainder of the School suffered serious smoke damage. In addition, serious damage was caused the Computer and telephone systems at the School. The total cost of this fire alone is in excess of €2,500,000.



Pictured above is our local Allianz Representative Shane Mooney presenting a cheque for €1,250,000 to Pat Sheridan, Principal Balla Secondary School, as an interim payment to enable work to progress speedily.



St Mary's Convent National School, Mallow, Co. Cork

On the morning of the 20th May 2007, it is believed that vandals emptied the contents of a green recycling bin and deliberately set fire to the contents on the ground. The fire heated the external gas mains, which ruptured. Flames from the gas mains resulted in the fire spreading into a timber covered walkway and eaves boarding the main building. From there it extended into the roof space timbers and travelled horizontally over the gym area, offices and classrooms of the original 1910 School building. Considerable damage was caused both to the structure and contents of this building.



Cahergal National School, Killерerin, Tuam, Co. Galway

On 13th January 2007, fire, the most likely cause being electrical in origin, caused extensive damage to one classroom and smoke damage to the remainder of this three classroom School. However, due to the considerable help of the local community and speedy completion of work by a local Contractor, disruption to normal School activities was minimal. Allianz Representatives were on site on the day of the fire.





In the last issue of our Schools Journal, we discussed computer Security. As a follow on from this we now look at Malware.

Computer Virus is the term used to describe various forms of Malicious software, but the term used by computer professionals is 'Malware'.

Examples of Malware include :

Computer Virus – a program or piece of code, which is loaded onto an individual's computer often attached to another file or email (such as file sharing applications). It can often replicate itself. Most viruses come attached to an executable file. This means that although the virus is on the computer, the computer will not be 'infected' unless the user opens the program. A virus cannot be spread without human assistance, (such as running an infected program). Viruses are often spread unknowingly, often by people sending emails with viruses as attachments.

Trojan Horse – a malicious program, which passes itself off as a legitimate one. They often appear to be useful software. Unlike viruses, Trojan horses do not replicate themselves, but once installed on the computer, will actually begin to do damage. Once a Trojan is installed on the computer, potentially, anything could happen. Some of the more benign Trojans change the appearance of the screen (either by altering the icons or sometimes by causing the screen itself to shudder and shake). The more malicious ones can cause damage by deleting files or changing information on the computer.

The most serious Trojans have been known to give external users access to the computer – this means that someone at a separate location could potentially access the computer's confidential information.

Worm – a program that copies itself across a computer network. Many have been designed merely to spread over computer networks. This causes problems because the network is harmed as bandwidth is consumed by the additional activity. Recently, worms often do more than just slow up networks – there is often an additional function – possible deletion of files, or (as with a Trojan Horse) allowing remote access to the computer.

Malware which combines the features of Viruses, Trojan Horses and Worms are known as **Blended Threats**. The combination of different features helps Blended Threats to replicate and spread quickly. They are thought to be the worst problem since computer viruses first appeared as they need no human interaction to aid their spread.

Security Tips

- Ensure that antivirus software is installed on each machine, and regularly updated. This means that each will have the profiles of the most up to date viruses. It is important to know that Antivirus software will not necessarily stop ALL viruses, but it will give the PC a good chance
- Be wary of opening attachments to emails. Do not open any attachment sent by persons unknown to you. Often, viruses sent in this way can be 'forwarded' to everyone in the original recipient's address book

- Web sites should not require you to download software to view a page. Be careful when downloading such software unless it is for a site that you know and trust
- Often, spyware secretly installs itself when you download certain types of software, such as file-swapping applications. In addition to containing much illegal media, spyware can track the users movements online and then deliver pop-up advertisements based on websites previously visited
- Set up some anti-spam software. Many virus infections originate from spam (Unsolicited Email), so anti-spam software helps to catch viruses that might slip by the antivirus software
- Some Viruses sneak through 'gaps' (known as Bugs) in the computer's software. Software companies regularly issue what is known as a 'Patch' for download from their website. It is important not to ignore these patches as they are an important tool in the struggle against computer viruses
- It is important to make a rescue disk for the computer. Antivirus software often has the option to create what is known as a "boot disk" at a specific date when everything is working correctly. This disk bypasses the computer's operating system to bypass any virus which may have infected it. The disk should have the date marked on it and should be stored in a safe place
- Make sure that there is an adequate 'firewall' in place. A firewall is a piece of software which will only allow emails in, or out once the user gives permission
- Back up important data as often as possible.

The information provided in this article is intended for use as a guideline only. As previously advised, more detailed information regarding this topic can be obtained on the following websites:

www.webwise.ie
www.scoilnet.ie
www.ncte.ie
www.netsecure.ie

Brendan Murphy, CEO Allianz, Dublin Footballer Ciaran Whelan and An Taoiseach, Bertie Ahern alongside a group from the ICSP Support Programme and junior certificate students at the launch.



Allianz supports 'Stars Read Campaign'

An Taoiseach, Bertie Ahern launched the Junior Certificate school programme the 'Stars Read Campaign' in Croke Park earlier this year.

The launch event was sponsored by Allianz under its Corporate Social Responsibility (CSR) programme. The programme promotes reading to young people as a lifelong activity and incorporates GAA sporting heroes to demonstrate the

importance of reading opportunities and learning in school.

The popularity of Gaelic Games has produced a number 'sporting heroes' who are seen as ideal reading role models to the junior certificate student.

A number of GAA stars turned out to support the event, our own Ciaran Whelan, Colm Cooper, Eoin Kelly, Sean Og O Halpin and Henry Shefflin were at the launch and allowed their images on materials to drive home the importance of reading in schools.

A Job Well Done

The quick actions of a teacher at Mount Carmel Secondary School Kings Inn Street Dublin and the successful evacuation of the school within three minutes of the alarm being set off prevented what could have been a much more serious incident in February of this year.



A Teacher was working in the Science Lab on housekeeping duties when she noticed the level of paraffin in a jar containing Sodium metal plates was low. When she topped up the jar with paraffin, she noticed a chemical reaction and immediately pulled down the shutter on the fume cupboard. The Teacher left the Lab and set off the fire alarm. The school was evacuated in less than three minutes (aided we are sure by the fact that they

had two fire drills in the previous eight weeks). A fire occurred in the fume cupboard and there was a resultant explosion, which caused extensive damage to the Science Lab and surrounding classrooms. Damage in the region of €800,000 was caused to the school but there is no doubt that the actions of the teacher together with the speedy and orderly evacuation of the school building prevented a far worse outcome.



Fire Safety Management

The Board of Management has a legal responsibility under the Fire Services Act 1981 to ensure that school buildings are maintained in a safe condition.

The key objectives of fire safety management are:-

- 1 to minimise the risk of fire.
- 2 to protect the means of escape.
- 3 to limit the spread of fire.

Principals and education managers need to manage fire safety in the same way that they manage other health and safety issues, by implementing fire safety measures agreed and monitored by the Board of Management. To do this they will usually consult professionals

from their local fire brigade and/or their insurers.

The main duties regarding fire safety management are to:-

- make hazard and risk assessments
- be responsible for fire safety training
- produce an emergency plan and put up fire notices
- conduct fire drills
- check the adequacy of fire fighting apparatus and its maintenance
- consult with and implement recommendations of the local fire brigade
- conduct fire safety inspections, preferably every term
- make more frequent informal checks to confirm that the fire safety rules are being followed
- ensure fire escape routes and fire exit doors/passageways are unobstructed and doors operate correctly
- check that the fire detection and

protection alarm systems are maintained, tested and records kept

- include fire safety in the regular health and safety reports to the Board of Management.

Under a Code of Practice issued by the Department of the Environment it is a requirement that all schools should maintain a Fire Safety Register that must be available for inspection by the local Fire Officer upon request. The Fire Safety Register should be used to record essential information such as evacuation procedures, tests of fire fighting equipment, details of training sessions and results of fire drills.

Fire detection and alarm systems should be installed or upgraded to comply with Standard I.S. 3218. The Board of Management should give serious consideration to the connection of the fire alarm system to a central monitoring station linked via



the intruder alarm, which can alert the fire authorities immediately on activation of the alarm. This is particularly relevant, bearing in mind that the majority of fires occur outside of school hours or during the summer holidays.

Emergency Plans

Emergency plans and fire notices are a key element of fire safety management. The plan should include agreed evacuation procedures, arrangements for calling the fire brigade and any other actions to be taken by staff in the event of a fire. In order to familiarise both staff and pupils with the evacuation procedure it is recommended that each room should have a fire notice action document prominently displayed informing the occupants of:

- how to raise the alarm if they discover a fire
- the action to be taken on hearing the alarm

- the escape routes to their assembly point
- the location of their assembly point.

For clarity, the last two points are best displayed on a schematic plan of the school. The age and ability of the students must be taken into account when preparing the notices. When drafting the fire emergency plan, consideration should be given to all users of the premises, such as those attending sporting events, school concerts, residents on site, the needs of speakers of other languages, and members of the public who may use the school premises to attend evening classes or meetings.

The Schools Emergency Plan should also include arrangements for the safe evacuation of those with disabilities that may include learning, physical and sensory difficulties. This may require special training of staff.

Members of staff should only consider fighting a fire after they have seen to the evacuation of the pupils in their charge and raised the alarm. They must inform other members of staff of their intention to fight the fire and they must be certain that their actions will not place themselves or others in danger. If they are in the slightest doubt then they must evacuate the building along with their pupils.

Malicious Fires

Many fires start accidentally because of a momentary act of carelessness or failure to take account of obvious hazards. However, an increasing number are started deliberately and therefore consideration should be given to the following in an effort to reduce the risk of arson: -

- Deter and prevent unauthorised entry onto the school premises. This can be done by use of signs, delineating the boundary of the premises by use of robust security fencing, good security lighting, CCTV surveillance and/or a monitored intruder alarm detection system
- Eliminate features such as deep

- recesses and alcoves around the exterior of the school building
- The weakest point of entry into a building is via the windows and doors. Clearly, means of escape must never be compromised but inspections should be carried out to ensure that windows and doors are adequately secured after school hours and external doors fitted with approved locks. The local Crime Prevention Officer can provide advice on this subject
- Refuse and recycling containers including wheelie bins should ideally be kept in a secure compound or alternatively secured by a padlock and chain to a post sited no less than eight metres from the building to prevent them being moved against the building
- Obsolete combustible materials such as old tables/chairs should be stored in a secure compound or disposed of on the same day.

Most fires can be prevented by a few simple precautions and those that do start can usually be held in check or quickly controlled by fire safety measures that can be addressed under a proactive School Fire Safety Policy.

Every fire in a school has the potential to cause considerable destruction, disruption, and damage to property that can result in extensive costs and expenses being incurred in rectifying the damage. However, of much more serious concern is the fact that it can also threaten the lives of children, school staff and others who may be on the premises. Those who have experienced a serious fire at their school have difficulty in forgetting the pain and despair caused by the incident. It is important to remember that fires don't just happen; they are caused.

In the next issue of the Journal we will highlight the additional fire risks associated with allowing contractors onto the school premises and how this issue should be addressed within the School's Fire Safety Policy.

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