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COMMUNITY MATTERS

WINTER 2023

INTRODUCTION

Welcome to the latest issue of our Community Matters newsletter featuring topical articles for the community sector, including local councils, charities, and not-for-profit organisations.

As the dark, drawn-out evenings and cold season finally sets in, this edition includes an article featuring guidance on protecting your buildings during winter. Additionally, as winter arrives and the chance of snow increases, read our article on snow and ice-related slips.

Finally, with the winter season offering many opportunities for community engagement, we have produced an article discussing the occasions to leverage space within councils and community buildings for hiring out community premises for events.

You'll find regular updates and helpful information from the underinsurance of community buildings to insurance considerations for events and much more in our news and insights section of our website.

We'd love to hear any suggestions for future articles — please send us your suggestions via email at uk.community@ajg.com.

Connect with us

Our Gallagher UK [LinkedIn](#) channel is also a great way to stay up to date with the latest news and insights, so please follow us.



WINTER SHIELDING: SAFEGUARDING BUILDINGS FOR COUNCILS AND COMMUNITIES

Winter can pose a significant challenge to the safety and integrity of buildings, and taking care of buildings and structures throughout the winter months can be vital for councils, charities, and community groups. Taking proactive steps to protect buildings during winter is essential, not just from a cost perspective but also for the health and safety of the people they serve.

As the calendar shifts from autumn to winter, weather patterns such as heavy rain, snow, and plummeting temperatures can let loose a number of challenges that threaten physical infrastructure and business continuity.

Beyond being mere property assets, council, and community buildings play a vital role for the organisations that oversee them.

They serve as crucial spaces for the communities relying on the services offered within and for the individuals working in these environments.

Implementing proactive, preventative, and scheduled maintenance can help safeguard your buildings during periods of cold spells and hard weather conditions. These practices ensure the continuity of services while minimising the potential for costly repairs or liability claims.

External building maintenance

Taking a top-down approach, examine the roof for signs of damage, missing tiles, etc. Do this before the winter weather sets in and potentially makes the job more hazardous. Damage in a neglected roof can quickly become worse in stormy conditions or heavy snow/rain, with problems extending to the inside of the building. This could go on to cause issues such as structural damage internally, potentially leading to a period of business interruption while repairs are carried out, as well as the cost of the repair.

Drainage channels, such as downpipes and gutters, should be clear of debris to avoid blockages. Doors and windows should be inspected for gaps and, if necessary, fixed with caulk or weather-stripping material to reduce the escape of heat.

Internal building maintenance

It is important to keep your buildings running efficiently during the colder weather while you are increasing your usage of heating and lighting. Add extra insulation to the roof if possible, and ensure water tanks, pipes, and radiators are adequately lagged.

If pipes freeze, isolate the pipe by closing the stopcock on the feed, then protect items beneath it before thawing the pipe. To thaw the pipe, apply heat slowly using a hair dryer, space heater, or electronic heating pad — do not use hot air paint strippers, blow torches, or naked flames.

Trees near buildings

Any trees close to your buildings should be inspected by a qualified arborist to ensure they are structurally safe. If necessary, trees should be pruned or removed to avoid damage to external structures caused by falling branches or the entire tree.

Not only is this important to avoid damage to your buildings, but to meet your health and safety obligations to the public and your employees, and reduce the likelihood of liability claims in the event of injury.

Clearing snow and ice

The Workplace (Health, Safety and Welfare) Regulations 1992 and the Highways Act 1980 state that arrangements should be made to minimise risks from snow and ice on roads and paths.¹ To help ensure safe access to your buildings during snowy weather, prepare items such as snow shovels, grit, and de-icers, and make sure they are easily accessible so that heavy snowfall incidents can be dealt with quickly. Monitor weather alerts and grit the pathways the night before snow or ice is expected, if possible.

While it is not necessarily the case that liability for injury lies with your organisation if snow and ice are cleared and somebody

still slips and falls, it is important to ensure that clearance procedures do not create more of a hazard. For example, the use of water to melt snow or ice can create 'black ice' that can be difficult to see, so you should use grit, sand, or even ash to provide grip underfoot. Inside the building, you should have adequate 'wet floor' signage at the entrance, and plans in place to regularly mop/dry potentially hazardous areas.

Flood protection and damage limitation

While it is possible, to some extent, to protect your buildings in the event of flooding in adverse weather conditions (through physical solutions such as sand bags, drain non-return valves, air brick covers, etc.), it is also important to have adequate levels of flood cover in place. We can support you by arranging this, even if you have had difficulties securing this kind

of cover in the past. We will base your cover on your actual exposure to flood and calculate an estimated maximum loss, and we can also offer flood excess insurance to cover the flood excess amount.

In addition to providing flood insurance cover, Gallagher provides a risk management service which includes flood inspection, reporting, and surveys. We can act as your risk management partner to help you build a flood contingency plan to reduce your exposure but also speed up recovery should your premises suffer flood damage.

Talk to a specialist

To find out more about how Gallagher can help your organisation prepare for the risks that winter weather can bring, or if you would like to talk to us about your property insurance requirements, please get in touch.

¹<https://www.legislation.gov.uk/uksi/1992/3004/regulation/12/made>



A SLIPPERY SUBJECT: SNOW, ICE RISK AND PERSONAL INJURY CLAIMS

As winter arrives and the chance of snow increases, snow and ice-related slips, trips, and falls are common causes of personal injury claims, and it's the collective responsibilities of local councils and communities to assess and address these risks where necessary.

Ensuring the safety and wellbeing of our community members is of paramount concern for local councils and communities. One often underestimated yet significant threat to public safety in the colder months is the risk of slips and trips caused by snow and ice. To help protect our neighbourhoods, it is vital for councils and communities to implement proactive measures.

Regular snow and ice clearance, as well as proper gritting, should be a top priority for protecting your local community in public spaces, including pathways, car parks, and public buildings. Local councils and community groups should establish clear guidelines for snow removal and grit application, focusing on high-traffic areas and early intervention before ice forms. Adequate signage and barriers in slippery areas can also prevent accidents.

Furthermore, ensuring indoor safety is equally crucial. Wet floor signage at entrances and prompt clean-up of hazardous areas in public buildings can prevent indoor slips and trips.

Assessing the risk and acting reasonably

'Assessing the risks' and 'acting reasonably' can be open to interpretation when it comes to snow and ice. For example, it may not be practical to expect local councils and community organisations to clear entire areas of snow-covered areas outside their property when only clearly-defined paths and car parking area will be in use by staff, volunteers, and visitors.



But, how far do you decide to go? And what if someone still slips in an area that has been cleared or gritted? Can they make an injury claim? If so, could your organisation defend itself?

- The Health and Safety at Work etc. Act 1974 requires employers to ensure the health and safety of all employees and volunteers, including any affected by their work, so far as it is reasonably practicable.²
- The Management of Health and Safety at Work Regulations 1999 require employers to assess risks and, where necessary, take action to address them.
- The Workplace (Health, Safety and Welfare) Regulations 1992 require floors to be suitable, in good condition and free from obstructions.

All of these regulations include managing slip and trip risks.

Additionally, when it's unsafe for employees to commute to work due to extreme weather, they should have the option to work from home where feasible, prioritising safety and wellbeing.

Snow clearance and your liability

If you have followed the relevant guidance to clear a path of snow or ice to prevent residual risks, but someone still slips on that path, it is unlikely that your organisation will be held responsible for an injury to an employee, volunteer, or member of the public. Paperwork and risk assessments are critical to confirm the action you have taken. This can significantly improve your chances of defending a claim, should one arise.

Not clearing the snow and ice at all should not be a consideration when there is clear guidance available, neither can the cost of de-icing be a reasonable defence.

²Slip or trip accident at work? Slips and trips, HSE

You should take reasonable care to ensure the safety of the public, employees, and volunteers. When clearing snow, if this is the responsibility of someone within an organisation, you must provide them with adequate training, equipment, and protective clothing, and also all employees and volunteers should be made aware that the clearance of snow and ice could be a seven-days-a-week task (including bank holidays).

We recommend that you communicate your plans to the community. This can be via a website, newsletter, noticeboard, social media, or published minutes of a meeting. If plans change, this should also be communicated effectively.

Additionally, you should diligently plan and allocate sufficient resources in your budget to address the challenges posed by a prolonged cold snap. This includes provisions for snow and ice clearance, maintenance of heating systems, and emergency response capabilities.

Adequate budgeting ensures that essential services can be maintained, and the safety and wellbeing of your community is safeguarded during extended periods of extreme cold weather.

Further health and safety considerations

The winter months can bring other risks to our communities, with freezing temperatures and the potential for flood/storm damage. It is essential to keep on top of your building maintenance, from checking roof tiles, drainage channels, trees near buildings, and insulation — particularly ensuring pipes are lagged to prevent them from freezing.

The increased use of heating equipment during the winter can heighten the risk of accidental fires, particularly where there has been poor maintenance of electrical equipment, sockets are overloaded or equipment is not being used properly. If your fire risk assessment has not been reviewed lately, you should make this a priority.

Guidance on snow clearance and gritting

- When clearing snow and ice, clear the middle of the path first so there is a safe surface on which to walk.
- Ensure you are not clearing it onto other pavement areas or onto a road (as well as potentially creating other safety issues, it is also an offence).
- Put notes on the entrance to the path/road to the buildings and ensure that you close and lock gates where possible.
- Apply grit as early as possible, if you can grit early before frost and snow settles, this will help prevent the chance of snow freezing. The best times to use grit are early in the evening before the frost settles and/or early in the morning before employees, volunteers, or members of the public arrive. Check the weather forecast so you can plan ahead.
- Rock salt (plain and treated) is the most commonly used grit and is the substance used on public roads by the highways authority. If you do not have access to grit, sand or ash can be used as an alternative.
- Inspect the area throughout the day in case of a temperature drop to ensure you are adequately prepared.
- Do not use water to melt snow and ice, as it can freeze and create black ice, compounding the problem.
- Make use of warning signs to indicate gritted areas, especially in pedestrian zones.
- If you need to be sparing with grit, consider gritting the most heavily-used pathways and blocking off others with barriers or signs. Pay particular attention to any pedestrian short-cuts used — either grit them or block them off.
- If you do use warning signs or cones, remember to remove them once the hazard has passed so they will not be ignored the next time they are necessary.
- Avoid gritting when it is raining heavily or the salt will be washed away, causing issues if the rain then turns to snow, as the snow can become impacted and turn to ice.
- Inside the building, ensure there is adequate 'wet floor' signage at the entrance, and plans in place to regularly mop/dry potentially hazardous areas.



EMBRACING WINTER GATHERINGS: HIRING COMMUNITY PREMISES FOR ALL EVENTS

The winter season offers many opportunities for community engagement. With the run-up to the holiday season in December, there are multiple occasions to leverage space within councils and community buildings. Doing this successfully requires preparedness for inclement weather conditions, ensuring safety and providing a holistic experience.

Hiring out community premises during the colder months can be a strategic move that benefits both the community and the property owners. With the colder months approaching, community spaces can be transformed into vibrant hubs of activity and events, embracing seasonal celebrations. To enhance the experience, businesses must use their community spaces smartly, considering the potential for shorter days and adverse weather. Moreover, renting out the community premises can be a great way to generate income while providing a valuable space for various occasions.

Let's explore how we can make the most of community premises amidst the challenges presented during the winter months.

How to identify if your premise is a 'community' type?³

If a premise is genuinely made available for community benefit most of the time and is accessible by a broad range of persons and sectors of the local community (for purposes that are beneficial to the community as a whole), then such premises are typically described as community premises. Additionally, such venues are usually multi-purpose, allowing for a variety of activities or events to take place and making them available for hire by the general public or individual organisations.

Diverse event opportunities for communities

Community premises are more than just bricks and mortar. A well-maintained community hall can be hired out for diverse events to unite and engage communities, such as:

- Craft fairs that showcase local artisans
- Workshops to ignite creativity
- Kiosks to display harvest season specials
- Festive markets for Christmas
- A venue to host a warm New Year's Eve celebration
- A space for family celebrations like naming ceremonies and weddings

Beyond the engagement benefits, hiring out venues for events makes a great source of income for owners, thereby future-proofing their premises and ensuring the funds are available to remain committed to premise safety.

Nurturing the space: Ensure your premise is both event and season-ready

While the prospect of hosting events is rewarding, it is essential to be alert for potential hazards to ensure mechanisms are in place to protect occupants through the seasons. Here is a detailed checklist that will help a successful and comfortable experience.

Maintenance and cleaning: With the shedding of leaves during autumn and snow and ice potentially accumulating in winter, keep a regular check on structures and pipes, and take appropriate care of clearing roofs and gutters, fixing leaks, repairing windows, and cleaning pathways.

Lighting and accessibility: Maintain ease of access with clear entrances and walkways by installing adequate lighting to assist visitors. Power generators should be in place to offer a backup should an electricity outage occur during an event. With increased foot traffic, it is crucial to ensure smooth accessibility for all guests, including those with disabilities.

Heating systems: It is essential to keep everyone warm, particularly during winter. Use central heating, invest in additional roof insulation, and portable heaters for comfort from the outside temperature. Even the allure of crackling fireplaces can help to make crowd gatherings an appealing respite.

Flooding: Your community might be in an area, which is susceptible to flooding. Refer to local flood maps and keep drains clear to mitigate the risk of surface run-off, while regularly checking plumbing systems to prevent water escape and damage from leaks or frozen pipes. Prepare a flood kit of essential items and keep it available for easy access.

³Designated Premises Supervisor, Tower Hamlets

Health and safety: As per the Health and Safety Executive (HSE) guidelines, the owner of the community premises must protect the health and safety duties of all users of the venue. For example, they should keep the buildings in good repair, provide accessible equipment, and have appropriate emergency exits and fire precautions.⁴ To make the premises wheelchair-friendly for those with disabilities, install non-slip ramps and curb cuts.

Movement around the premises: To minimise slip and trip risks, ensure proper maintenance of pathways, steps, ramps, and the removal of trailing cables. Use matting to prevent rainwater from being carried inside. Repair uneven surfaces and provide handrails on stairs.

Outdoor preparations: Check for clear drainage channels, well-lit carparks, adequate signage for entrances/exits, and roof and tree maintenance in adverse weather particularly during the drier and colder months.

Emergency preparedness: Establish procedures for handling unanticipated events and emergencies, for example, having a crisis management in place, keeping first aid facilities available, including defibrillators where suitable, and making sure organisers and staff are informed and trained.



Insurance and liability considerations:

To safeguard themselves against potential losses, businesses should consider taking out the insurance covers like insurance for property and contents, and public and employers' liability. Employers' liability may be required by law. Insurance offers financial protection against mishaps, property damage, and unanticipated events.

Considering these factors, you can create a seamless and secure atmosphere for conducting events in your village halls, councils, or community spaces during the winter months, while prioritising the safety of your property and visitors.

Connect with us

Safeguard your premises and prepare for the risks and opportunities presented during the winter season. From damage control and risk mitigation to reducing liability claims, our Community team can provide specialist property maintenance and loss control solutions. Please connect with one of our team to learn more. We hope your community events are a success this coming season.

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⁴Village and Community Halls: Legal Responsibilities, HSE

CONDITIONS AND LIMITATIONS

The sole purpose of this newsletter is to provide guidance on the issues covered. This article is not intended to give legal advice, and, accordingly, it should not be relied upon. It should not be regarded as a comprehensive statement of the law and/or market practice in this area. We make no claims as to the completeness or accuracy of the information contained herein or in the links which were live at the date of publication. You should not act upon (or should refrain from acting upon) information in this publication without first seeking specific legal and/or specialist advice.