



30-01-14



Mitigating the Risk

1. Identify the hazards
2. Establish your procedures
 - inspection
 - maintenance
 - bring the public's attention to the hazard
 - incident reporting system
3. Documentation
4. Training
5. Contracts

Checklist for Entrances and Exits

INSPECTION CHECKLIST	
Date of Inspection:	
Location / Address:	
Weather Condition:	
Inspector:	

After completing your inspection, transfer your concerns/observations to this area:	
FACILITY:	
STAFF CONTACT:	
TELEPHONE NUMBER:	
DATE INSPECTED:	
TIME:	
NAME:	

ENTRANCES & EXITS		
	Y	N
Are all entrances and exits unobstructed and free of storage		
Are all entrances and exits clearly identified with illuminated exit signs		
Are exits signs inspected		
Are working emergency lighting units provided		
Are all emergency lighting units tested		
Are evacuation diagrams posted at all entrances and exits		
Are all exit doors unlocked and operational		
Is panic hardware in place and tested		
Do all exit doors open outward		
Are there any parking spaces or storage outside of exit doors		
Are entrances and exits free of ice or snow		
Are there any trip and fall hazards present		
If Yes, describe and note location		
Is there adequate exterior lighting provided		
Are there carpets present at all entrances and exits		
Are all carpets free of trip and fall hazards		
Are wet floor signs present at all entrance and exits as required		
Describe overall condition of floors	Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>	

CONCERNS/ OBSERVATIONS	RECOMMENDATION(S) /ACTION REQUIRED	COMPLETED DATE	FREQUENCY OF INSPECTIONS						
			DAILY	WEEKLY	MONTHLY	QUARTERLY	BI-YEARLY	YEARLY	
			X						
						X			
						X			
						X			
									X
						X			
						X			
									X
									X
						X			
						X			
						X			
						X			
						X			
							X		

Frank Cowan Company Limited regularly researches and writes about issues that could affect our clients. These documents provide an opinion on key risk management issues but are not meant to provide any form of legal opinion or official interpretation. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation. All rights reserved. ©2012 Frank Cowan Company Limited.

Checklist for Roofs and Roof Drainage

INSPECTION CHECKLIST			After completing your inspection, transfer your concerns/observations to this area:									
Date of Inspection:			FACILITY:									
Location / Address:			STAFF CONTACT:									
Weather Condition:			TELEPHONE NUMBER:									
Inspector:			DATE INSPECTED:									
			TIME:									
			NAME:									
ROOFS & ROOF DRAINAGE	Y	N	CONCERNS/ OBSERVATIONS	RECOMMENDATION(S) /ACTION REQUIRED	COMPLETED DATE	FREQUENCY OF INSPECTIONS						
						DAILY	WEEKLY	MONTHLY	QUARTERLY	BI-YEARLY	YEARLY	
			Provide the approximate age of the roof									X
			Describe roof style, the type and condition of the surfacing									X
			Is there any evidence of physical damage to the roof								X	
			If yes, describe and note location (s)							X		
			Are all downspouts and eavestroughs secure and clear of obstructions						X			
			Are eavestroughs properly sloped							X		
			Do all downspouts drain water away from the building foundation					X				
			Are chimneys in good condition with adequate flashing and caulking provided							X		
			Are roof vents in good condition with adequate flashing and caulking provided							X		
			Are roof top mechanical units adequately supported, with adequate flashing and caulking							X		
			Are roof top signs or displays adequately secured, flashed and caulked							X		
			Are all soffits and fascia in good condition without openings, gaps or excessive wear							X		
			Is there any evidence inside the building of water leakage							X		
			If yes, describe and note location (s)							X		
			Are there any skylights present							X		
			If Yes, are the skylights in good condition, adequately flashed and caulked							X		
			Are there fall arrest anchors present									X
			Are there any solar panels installed on the roof									X
			If Yes, describe type and location									X
			If Yes, was the roof structure upgraded or evaluated prior to installation									X
			Are there any trees, bushes or vegetation growing over the roof surface					X				
			Is the roof accessible from trees or communications towers					X				
			If Yes, describe condition					X				
			Is there any debris under the panels					X				
			Does the Fire Department know the electrical configuration					X				

Frank Cowan Company Limited regularly researches and writes about issues that could affect our clients. These documents provide an opinion on key risk management issues but are not meant to provide any form of legal opinion or official interpretation. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation. All rights reserved. ©2012 Frank Cowan Company Limited.

The Claims Process & Documentation



In the world of litigation

It's not what you did...

It's what you can **PROVE** you did

If a Claim Goes to Court

- The main body of evidence in any proceeding is based on the documents
- The defendant must present the documents to prove that the standard of care was met
- The plaintiff's council will challenge the documents

Legal Perspective

- Courts have adopted the attitude that

if something is not recorded, it did not happen.

- The onus is on the organization to keep good records
- Staff should be advised that any notes or records are a potential legal document

Plaintiff vs Defendant

The evidence of a plaintiff will likely be preferred as their recollection of conditions will be based on memory from a traumatic event in comparison to the recollection of maintenance staff who complete the same work on a daily basis over large areas over a long period of time

Documentation is Evidence

- That contracts, waivers or signs existed
- Of standardized policies & procedures to establish acceptable standards
- Of checklists/logs recording regular equipment and inspections and maintenance performed
- That established procedures were followed in a consistent and uniform manner

Creating your Documents



Creating Your Documents

- Documentation should be created to achieve the objectives
- Customized checklists and reports specific to each facet of operation
- Use Association documents where possible
- You want actions completed to be specific

Creating Your Documents (contd.)

- Your inspection & maintenance documents have to stand on their own and pass the “test of time”
- They may be called on at a later date
- Plaintiff’s lawyers spend a significant amount of time understanding and reconciling documentary evidence

Checklist for Winter Inspection Log

Date	month	day	year	Start Time		am	pm
				End Time		am	pm
Name of Facility or Address of Facility							
Inspection Performed by:							
First Name				Last Name			
INSPECTED							
Southside	Northside	Eastside	Westside				
WEATHER							
Temperature							°C
Wind							
Direction							
Speed						Y	N
CONDITIONS							
Precipitation							
Raining							
Snowing							
Accumulation:							
Freezing Rain							
Accumulation:							

PARKING LOTS		Y	N
Present Conditions			
Bare			
Wet			
Snow Covered			
Icy			
Slushy			
Actions Required			
Shovelling			
Ice Treatment			
Anti-icing			
Actions Taken			
Called Contractor			
Time:		am	pm
Called Employee			
Time:		am	pm
Name of Employee (First Name, Last Name)			

WALKWAYS		Y	N
Present Conditions			
Bare			
Wet			
Snow Covered			
Icy			
Slushy			
Actions Required			
Shovelling			
Ice Treatment			
Anti-icing			
Actions Taken			
Called Contractor			
Time:		am	pm
Called Employee			
Time:		am	pm
Name of Employee (First Name, Last Name)			

STAIRS		Y	N
Present Conditions			
Bare			
Wet			
Snow Covered			
Icy			
Slushy			
Actions Required			
Shovelling			
Ice Treatment			
Anti-icing			
Actions Taken			
Called Contractor			
Time:		am	pm
Called Employee			
Time:		am	pm
Name of Employee (First Name, Last Name)			

RAMPS		Y	N
Present Conditions			
Bare			
Wet			
Snow Covered			
Icy			
Slushy			
Actions Required			
Shovelling			
Ice Treatment			
Anti-icing			
Actions Taken			
Called Contractor			
Time:		am	pm
Called Employee			
Time:		am	pm
Name of Employee (First Name, Last Name)			

LOADING DOCKS		Y	N
Present Conditions			
Bare			
Wet			
Snow Covered			
Icy			
Slushy			
Actions Required			
Shovelling			
Ice Treatment			
Anti-icing			
Actions Taken			
Called Contractor			
Time:		am	pm
Called Employee			
Time:		am	pm
Name of Employee (First Name, Last Name)			

DOWNSPOUTS		Y	N
Present Conditions			
Waterponding			
Actions Taken			
Called Contractor			
Time:		am	pm
Called Employee			
Time:		am	pm
Name of Employee (First Name, Last Name)			

Frank Cowan Company Limited regularly researches and writes about issues that could affect our clients. These documents provide an opinion on key risk management issues but are not meant to provide any form of legal opinion or official interpretation. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation. All rights reserved. ©2012 Frank Cowan Company Limited.

Incident Reporting



Incident Reporting

- An important part of risk management and claims handling
- Helps ensure prompt reporting and investigation of incidents
- Standardized reporting forms should be completed for all loss types
- Formal accident reporting procedures should be established and conveyed to staff

Incident Reports

- State ONLY THE FACTS
- Identify the following:
 - The parties
 - The place
 - The event
 - The response
 - The consequences