

## **27. Use of the School Premises by Outside Bodies**

The use of the school premises by other bodies increases considerably the exposure to claims for compensation over and above those arising from the use of the premises as a school.

The Board should establish an appropriate system of control and maintain a separate record of all lettings. Payments made to the school each year in respect of general overhead costs incurred by the lettings must be identified.

The Board determines the circumstances in which use may be made for community purposes of the school buildings or grounds. The Board should prepare regulations and conditions governing the terms on which school facilities may be used.

The Board ensures that no body is granted a lease or rental agreement or right which could in any way give occupancy rights to the user group. Any legal instrument created for granting the usage of any school facility requires prior approval from the Trustees.

Where lettings are granted, the Board should ensure that an agreement is entered into which takes account of the following requirements:

- Usage should not affect school work in any way.
- Lettings should not result in a net cost to the school, taking attendance of school personnel, wear and tear, heat, light and power and other overheads into account.
- Applications for use of school facilities should provide the Board with full information and should be from bodies which are properly constituted with a responsible person nominated to take charge of the activity.
- Caretaking arrangements need to be put in place especially to control the opening and closing of school premises.
- Health and Safety guidelines are addressed.
- Child Protection Guidelines are followed.
- The Board may also wish to specify that the activity in question be in keeping with the ethos of the school.

Persons or organisations using school facilities must be required as a first step to obtain suitable insurance cover to indemnify the school against any claims that may arise from their use of school facilities. In the case of a Parents' Association, the school's Custodian Protection Policy may be extended, at the request of the Board of Management, to cover the Association's legal liability for damages and legal costs arising out of a school related activity which has been approved in writing by the Board.

## **Requirements regarding the hire of school facilities**

Where a school offers any of its facilities e.g. halls, sports facilities for use by a third party, it is most important to ensure that the school takes all reasonable steps to ensure that it is not put in a position where they could be liable to any person who suffers damage of any kind (e.g. injury) on the school premises in connection with the activity being organised by the third party.

Accordingly, Boards of Management are recommended to adhere to the following guidelines when hiring out any part of the premises of such a school.

- An insurance policy should be effected by the 3<sup>rd</sup> party indemnifying the school and the Trustees against any claim arising out of the third party's presence on school property.
- The policy must be inspected by the school authorities and a copy retained for school records.
- It should be a condition of the permission for the third party to use the school's facilities that it gives an undertaking to notify the school of any change in cover in its insurance policy.
- It should also be a condition of the permission to use the school facility that the school be authorised to write to the insurance company requesting to be notified of any change in the policy as it affects the indemnity.
- The third party should be informed that in the event that the policy should cease, the permission to use the school facility shall be withdrawn immediately. The school authorities must be notified immediately of the cessation of insurance cover.
- Steps should be taken to ensure that persons / groups hiring school facilities are aware of their responsibilities under health and safety legislation.
- All activities carried out on school properties must comply with all legal and taxation legislation.

**(See Appendix 11)**