



Risk Insight

Hiring of Academy Premises

April 2019

Academy Trusts are constantly reviewing their income generation activities. One regular activity is the hiring out of Academy premises including sports pitches, sports halls, classrooms and stages, etc. to third party groups. This bulletin provides guidance on the cover provided by the RPA and risk management considerations when conducting this activity.

Does the RPA cover the RPA Member for the hiring of Academy premises?

As long as the rental / hiring / letting activity adheres to the 'objects' as set out in the members 'Articles of Association or Memorandum of Association' (where this exists), then (subject to the RPA Membership Rules) the RPA will indemnify repair / replacement costs of damage to property owned by or the responsibility of the Member arising out of the activity. The RPA will also provide an indemnity in relation to legal liabilities incurred by the Member for death or injury to third parties (including pupils), loss or damage to third party property and death or injury to employees.

Should the RPA Member request evidence of a hirer's third party public liability Insurance?

The RPA includes an extension for Hirers Liability (page 52 of the RPA Membership Rules) which will provide an indemnity to any person or organisation to whom the Member has hired rooms where that person or organisation does not have public liability insurance for example individual parents, birthday parties etc. However, it would not be the intention of the RPA to provide an indemnity to large groups or organisations who are hiring the premises and who would typically purchase public liability insurance i.e. swimming/sports clubs, private instructors/teachers. Members should request evidence of third party public liability insurance from such organisations and groups.

An appropriate level of public liability insurance cover should be assessed by the Member on a case by case basis. The Member will need to consider the potential for the hirer to cause death or injury to third parties (including Academy staff and pupils) and damage to third party property (including Academy property). The Academy should also review the frequency and severity of any loss that could be caused by the third party hirer and the minimum limit set accordingly. The RPA excludes theft cover by any person lawfully on the premises, this would include hirers and therefore this risk should be managed accordingly.

Managing the Risk

The Academy should risk assess the hiring activity, taking all reasonable and practicable precautions to manage the risks associated with the activity. The Academy should be guided by the following risk management recommendations as a minimum:

- < Ensure that the hirer is competent to use any equipment provided by the Member, and that all equipment is in a safe condition
- < Advise the hirer of any known hazards in advance, and request that the hirer notify the Member of any hazards during the letting
- < Provide the hirer with details of emergency procedures (for example the fire evacuation procedure or if you are hiring out your pool Pool Safety Operating Procedure, (PSOP). The PSOP should consist of a written Normal Operating Plan (NOP) and a written Emergency Action Plan (EAP)
- < Ensure a telephone is available for emergency calls
- < Ensure that the safeguarding policy adequately deals with the risk of third parties use of the premises
- < Restrict access where appropriate (especially in relation to IT equipment, safes and areas containing personal data), noting that theft cover under the RPA is excluded for any persons authorised to be on the premises
- < After the letting, check that the premises have been left in a safe and secure condition

The Risk Assessment should be considered a live document. Therefore, it should be subject to review at least annually, following a serious incident (as this may indicate that existing controls are not adequate) and if circumstances change ie. a change of weather conditions.

Further information

RPA Membership Rules – September 2018 (Link Available [here](#))

Risk Management Portal – <http://access.willis.com/site/education/>

For Access to the Risk Management Portal please email RMBluesupport@willis.com

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