



A trip and fall can result in serious injuries, particularly amongst the elderly where these accidents often result in fractures. Injuries suffered by the elderly can be slow to heal, and often, recovery is not complete. This leaves the person more vulnerable than they were prior to the fall. Such vulnerability can be emotionally devastating to the victim and can impact not only the injured party, but also their immediate family and other members of the community.

There are legal obligations that flow to the management of the organization. In Ontario, for example, under the "Occupier's Liability Act", the onus is placed on the property owner to ensure safe conditions for visitors to the property. Similar

legislation exists in many other Canadian provinces. If someone is injured in a trip and fall, you must be prepared to demonstrate that an appropriate standard of care was provided.

The following criteria are generally applied:

- Whether the danger was foreseeable
- Whether the occupier's conduct was in accordance with acceptable standards
- Whether there was an adequate system of inspection in place and being carried out
- Whether the danger was allowed to exist for an unreasonable amount of time
- The ease with which the danger could have been prevented.

So, what can you do to reasonably protect your organization and persons on your premises from the consequences of a trip and fall? A regular inspection program encompassing your buildings and surrounding property will reduce the risk of a trip and fall incident occurring.

Property Inspection Program

Regularly inspecting the property, identifying problem areas, repairing damaged areas, keeping the grounds in good repair, and documenting these actions through the use of checklists and a logbook will help to reduce the chances of someone tripping and falling. It will also provide you with the necessary

documentation to prove that reasonable efforts were taken to maintain your property in a safe condition. In addition, regular inspections may also reduce overall maintenance costs by catching problems early when they can be easily dealt with.

Program Requirements

1. Implement a written policy that outlines when the property (grounds and buildings) is to be inspected. Inspections should be done monthly at a minimum, and detail the person responsible. Ensure staff and/or authorized volunteers have read and understood the policy.
2. Develop a log sheet to be used by those responsible for performing the inspection. This log should include a list of the areas inspected and contain spaces to write the condition as found, the corrective action taken, the date and time of the inspection, and the name and signature of the inspector. Logs should be kept on file for seven years.

Keep a written record

If a trip and fall occurs, a written record, in the form of an accident report, should be made detailing:

- Who fell
- Where and when they fell
- Their address and phone number
- Staff or other persons attending
- Names and contact information of witnesses
- Actions taken

Your insurance broker should be advised as soon as possible and provided with these details. Finally, staff or volunteers should be aware that they should not say anything that could be construed as admitting fault. Make sure that the person who fell is comforted and cared for. If the person suggests that the fall was the fault of the organization, advise them that you are *unable to comment*. Such determinations are best left to your insurers, once the situation has been fully investigated.

Tips to help keep your property safe

Some common problem areas include:

- Parking lots, whether paved or not, should be checked regularly during the year. Any ruts, potholes, and cracked, broken or unstable pavement surfaces should be patched. Gravel parking lots should be leveled with fresh gravel.
- Adequate lighting is very important as it enables people to see where they are going.
- Make sure your parking areas, walkways and entrances are well lit at all times. The same applies to interior corridors and stairways. Consider the use of energy efficient lighting to boost illumination levels.
- Walkways can often become a problem at the arrival of spring thaw. Frost heaving can affect concrete panels and pavers making the surfaces uneven. If the difference in height between adjacent panels on a concrete walkway is ½ inch (13 mm) or more, the panel should be re-leveled or replaced. On a walkway made from pavers, take a look at the alignment of the pavers along the path and from side to side. If the pathway surface looks uneven, it may be necessary to lift the pavers, add more crushed limestone to the bed, re-compact it, and then re-set the pavers.
- Stairways, both exterior and interior, should be examined. If the treads are worn down, loose, or broken, they should be replaced.
- Handrails should be checked to ensure they are tight. If a stairway is missing a handrail, best practice is to retrofit one.
- The surrounding grounds should be surveyed to ensure that there are no open holes such as animal dens, uncovered wells/sewer accesses, subsidence of land, exposed tree trunks, roots, or the remains of old posts which can create tripping hazards for children as well as adults. Hazards that cannot be corrected quickly should be marked with warning signage or fenced off.
- If there are areas where there is an abrupt change in elevation, such changes should be marked with warning signs if people frequently walk there.
- Garden equipment should be removed to storage when not in use.
- Debris should not be allowed to collect on your property. Tree branches, leaves, refuse, etc. should be removed as soon as possible.
- Trees should be pruned to ensure that dead branches won't break off during severe weather or interfere with people walking under the trees.
- Wheelchair ramps should be kept in good condition and any non-slip surface treatment should be maintained. Pay attention to wear on concrete surfaces.
- Carpet and floors in general should be inspected to ensure the surfaces are even and not damaged.

Conclusion

Trips and falls can be prevented on most properties with some simple proactive steps by site staff and/or authorized volunteers. If you find that the surface you are walking on is difficult to navigate, it may be a potential tripping site for someone who is less able.

An additional benefit of routine maintenance relates to security. A well-maintained and well-lit property will discourage vandalism. Remember the old adage, "An ounce of prevention is worth a of pound of cure!"

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