

ARHM GOOD PRACTICE NOTE

SNOW AND ICE MANAGEMENT

Snow and ice can cause problems for retirement housing managers because:

- residents, and many of their visitors, are often at greater risk of falling in such conditions
- any injuries sustained by them in a fall may be disproportionately severe, and
- recovery time from accidents may be longer and more disruptive for older patients.

Most managers have specific policies setting out what they should do when there is snow or ice within the grounds of a retirement housing scheme.

ARHM members should ensure their Policies are fit for purpose for each development, and should be made available to all residents.

Legal Liability

Managers are increasingly sensitive to the fact that if something goes wrong they could be sued and be found legally liable. There are various views regarding liability by doing something as compared to doing nothing.

ARHM recognises the sensitivity of this issue. However, it does not consider that the primary concern for a manager, when drawing up or revising snow and ice policies, should be to establish how to minimise its exposure to legal action.

A manager's primary concern should be the safety of residents, visitors and staff. A policy developed with this in mind will be the best defence to a charge of negligence. Ultimately, a manager has a duty of care and should show that it has operated according to the terms of a policy which has been:

- based on a risk assessment at the scheme
- set out clearly
- communicated directly to residents
- be acceptable to the manager's insurers

Specific Scheme Policies

Some managers may have some general policies that apply to all schemes, however, policies must be drawn up for each scheme individually (incorporating any general policies as appropriate) because:

- risks associated with snow and ice depend significantly on the layout and topography of schemes and these vary enormously
- the likelihood of snow and ice, its duration and severity, will vary on a regional and local basis
- schemes may or may not have resident or nearby staff

- the location of a scheme could make it more or less accessible to the emergency services in the event of severe weather conditions

Risk Assessment

A scheme policy must be based on a specific risk assessment of that scheme. Such an assessment should consider:

- the historic weather pattern for the area
- gradients on site
- the presence of rails and other supports on the scheme grounds
- alternatives routes and surfaces within the grounds
- any potential problems of access to the scheme, particularly for the emergency services

Weather Conditions

Policies must cover a range of weather conditions from patchy ice to snowdrifts.

Different situations to which policies should relate include

- warnings/predictions of snow and ice
- outdoor conditions within the curtilage of the scheme in which older people, in particular, might be at risk of falling but where movement is generally possible with care
- a situation in which snow and/or ice presents a major hazard to anyone on foot but vehicular movement is possible, with care
- severe weather conditions - vehicular movement within and into the scheme is extremely difficult or impossible

The length of time over which snow/ice persists may also be a significant factor in drawing up policies.

Predictions

Some safety measures are best undertaken before snow/ice actually occurs. If such measures are undertaken then the manager must determine how such meteorological information can be received and acted upon in a systematic and consistent way.

Snow and Ice Conditions

Ensuring that the responsible person knows that snow/ice conditions have developed at a scheme may not always be a matter of routine. Clearly, if an area has been blanketed by snow this should alert staff who can then set about establishing the situation at individual schemes.

However, ice may occur on a very localised basis and may not be readily apparent to a manager, particularly if there is no resident scheme manager or they are off duty and/or off-site. The first

report of ice or snow may come from a resident. Managers should therefore ensure that residents know to whom they should report snow/ice.

Action Plans

There are a range of actions which can be taken to reduce the risks associated with snow and ice on a scheme.

Permanent Safety Measures

Residents should usually be able to move around the grounds of a scheme in relative safety. This may include fixed hand rails which are of assistance to some residents regardless of the weather.

Any risk assessment of a scheme should identify paths where falls are more likely because of gradient, surface material or due to their high level of general usage.

Consideration should be given to the need for fitting rails if the leases permit.

Alternative Routes

Some surfaces are much more dangerous in wintry conditions. If there are alternatives, these should be identified and drawn to the attention of residents. Such alternatives could include routes which are safer because of their gradients, others which have less slippery surfaces and alternative routes across, for instance, grass.

Warnings

Warning signs should be an important part of any action plan. Once specific potentially dangerous conditions become known to the manager then warnings will need to be passed to residents. These should normally take the form of warnings inside the scheme, which residents and visitors will see before they go outside and similar warnings at the entrance(s) to a scheme for arrivals.

Salting, Gritting and Clearance

Direct action on the site can potentially be undertaken by a range of people and organisations

- scheme based staff
- other staff, directly employed by the manager, including a visiting scheme manager
- contractors

Action may be organised according to the formal policies of the manager but there will also be circumstances when voluntary efforts are applied, even if these have not been allowed for as part of the process or have even been specifically excluded. It is therefore important that insurance on the site should cover all the possible eventualities so that, if the works undertaken are found in any way to contribute to a subsequent fall/injury then the manager is covered.

Voluntary Action

A manager will have to decide whether to encourage or discourage voluntary action (it would be unlikely to be able to prevent voluntary action, even if it wanted to). If it wishes to discourage voluntary efforts then it will need to have alternative formal procedures in place. If it wishes to

encourage participation this could be as an alternative to its own efforts or be complementary to them.

The range of voluntary actions that are encouraged needs to be specified. Materials and equipment should also be provided and their location be clearly identified and accessible. Permanent salt and grit bins can be located outside and shovels and brushes could be stored near to the main entrance,

The role of the scheme manager and (where appropriate) their family should be set out clearly and precisely. It should be made clear to residents that a scheme manager's partner or other family members cannot be expected to clear snow or to undertake other related tasks. However, they may choose to do something, not least because they also live on the site and need to be able to move around safely and easily.

A crucial decision will be to define what the scheme manager should do and, if there are specific duties who, if anyone, should perform these when the scheme manager is not available to complete them. Among the tasks which a resident scheme manager might reasonably be expected to undertake are:

- monitoring weather reports and advising residents accordingly via the scheme notice board
- acting as the recipient for information from residents on specific weather problems on site
- setting out warning signs when hazardous conditions have been identified
- gritting in anticipation of poor conditions or following light falls of snow
- applying salt in areas where ice is proving a hazard

Snow clearance is not normally something which a scheme manager should be expected to undertake. If snow clearance is deemed necessary then contractors or specific trained in-house staff should undertake this. It should be made clear to residents that, if snow clearance is part of the agreed procedures on site, then there may be delays in this being undertaken when conditions are poor because:

- staff may be delayed in reaching the site or may be unable to get there until there is a thaw
- demands on staff may be in excess of what can reasonably be planned for
- staff may themselves be stuck in their own homes

DISCLAIMER:

These notes have been prepared in the light of legislation and case law existing at the time of publication as a recommended procedure only. No liability can be accepted by the Association of Retirement Housing Managers for errors or omissions or for any loss or damage sustained by anyone acting in accordance with these notes. If the reader is in any doubt as to the application of these notes to particular circumstances they should consult a Solicitor.