

Occupier's Liability

Occupier's liability is an area of negligence dealing with the duties and responsibilities of those who own, operate or control premises. Occupier's liability applies to all individuals and all types of organizations, both public and private, and all types of premises including land, buildings and other structures. In all provinces, the common law duty of an occupier is codified in statute.

An occupier is defined as a person who...has responsibility for and control over the condition of a premises or the activities carried out on a premises, or a person who has control over persons allowed to enter a premises. At any given time there can be more than one occupier of a single premises. Premises are defined as land, buildings and other structures erected on land. Occupiers can thus include owners or renters of land or buildings as well as occasional or one-time users of land or buildings, such as public facilities or public parks.

Occupiers have an affirmative duty to take reasonable care to ensure the safety of those persons who use their premises. This duty applies to the condition of a premises, the activities being carried out there, and most importantly from the perspective of screening, the actions of persons on the premises, whether employees, volunteers, participants or other third parties. (Excerpted from Screening and the Law, at www.volunteer.ca)

For insurance information, please contact our Diocesan Building Insurance Carriers:

AON Reed Stenhouse Inc.

Tel: (519) 433-3441

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Lynn Watson

Other booklets in this series include:

- The 10 Safe Steps
- Frequently Asked Question's
- Creating, Securing and Disposition of Records
- Safe People, Safe Places, Safe Processes
- Screening of Clergy

For these and other related materials, visit our Web page at: www.diohuron.org

You may also visit the Parish and Diocesan Services office to pick up materials about how to implement the Screening in Faith programme in your Parish or non-parochial ministry

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Screening In Faith



Diocese of Huron

**Building Safety
Recommendations
&
Preventions
Checklist**

*They shall not
hurt or destroy in
all my holy moun-
tain;*

*For the earth shall
be full of the
knowledge of the
Lord.
(Isaiah 11:9)*

Building Checklist

We recommend that the following checklist be observed:

PAPER COPIES:

- ✓ Boiler Inspection Certificate in/or near boiler room.
- ✓ The use of an agreement for use of church properties (Church & Hall, etc.), when renting or gratis. Proof of insurance is required from groups using facilities.

AT ALL TIMES:

- ✓ Stairs, guard-rails, walkways should be kept in good repair.
- ✓ All doors of buildings must be kept cleared of snow and ice at all times.
- ✓ All grounds to be cleared of any debris.

- ✓ Staff and wardens trained annually in WHMIS
- ✓ All hazardous material are to be kept in a safe place and documented according to WHMIS Guidelines
- ✓ Premises should be KEPT LOCKED unless under supervision.
- ✓ Attend to holes in parking lots and driveways immediately
- ✓ Check lightning rods for proper connections.
- ✓ All fire doors must be kept closed.
- ✓ Furnace room areas to be kept clear of all other material
- ✓ Computer to be securely fastened.
- ✓ No electrical cord extension.
- ✓ Windows in doors for rector's office, nursery, Sunday school etc.

MONTHLY:

- ✓ Smoke detector to be checked in rectory and church buildings monthly.
- ✓ All emergency lighting to be checked monthly.

ANNUALLY:

- ✓ Furnace, fireplace to be checked annually by competent person.
- ✓ Fire extinguishers to be checked and tagged annually.
- ✓ All oil tanks should be checked for leaks and any deteriorated conditions annually.
- ✓ Electrical panels and wiring should be checked annually.

Please date and initial this list after inspection.