

Loss Prevention Standards

Snow and Ice Clearance

Introduction

Did you know there are an average of 26 days a year when there is snow on the ground in Scotland, and around 15 days in the rest of the UK, and that there are around 50 days each year when there is an air frost?

Although not all those days will cause major inconvenience, one day of snow or ice is enough to create the potential for accidents and injury.

As insurers, one of the most common weather-related questions we receive is around 'what do I have to do so I won't be liable if someone falls or slips on the pavement, or in the car park?'. This document is intended to help answer that question, and provide guidance on what to do and how to prevent incidents and claims.



Why would a claim succeed?

In order for a claim to succeed, the injured party would have to prove that the owner or occupier of the land/property had been negligent in fulfilling their duty of care toward that individual.

As a private individual/householder, Ministers have repeatedly welcomed 'public-spiritedness' and said, 'common sense' and 'benefit of the doubt' should always prevail when considering litigation. A court would have to deem someone as having been 'wholly incompetent or irresponsible' for another to successfully sue them for injury.

The situation for employers is a little different and there is an expectation of a higher duty of care. Legal opinion is that 'employers need to be mindful of identifying areas most likely to be affected by snow and ice, and to put into practice an 'appropriate' policy to ensure they can demonstrate that they have an appropriate system'.

What do I have to do to prevent a finding of negligence?

There is currently very little definition of what constitutes an acceptable level of compliance. However, most people agree that the fundamental points are to:

- Review the areas around your premises
- Risk assess those areas to decide which represent the greatest risk of a slipping or falling incident
- Produce a plan of what is to be cleared
- Provide suitable equipment and materials for the snow and ice clearing to be completed as planned
- Ensure relevant staff are trained in what needs to be cleared and how to clear it, including where cleared snow is going to be put so that it doesn't cause any additional risks such as blocking paths or drains
- Ensure trained staff are available for clearance duties when needed. If snow is forecast the relevant areas need to be gritted before the premises are occupied and, where possible, in advance of the snow falling or ice forming. **N.B.**, it is easier to remove fresh or loose snow rather than that which has been compacted, so clear snow as soon as possible

Although many companies have given some thought to what is to be cleared, this is often not recorded as part of a formal plan and there is no evidence of when the clearance has been completed. If there is an allegation of negligence, having a written plan and evidence that clearance has taken place at specified times and dates will be an essential part of any defence.

Checklist

A generic Snow and Ice Clearance Checklist is presented in Appendix 1 which can be tailored to your own organisation.

Additional Information

- [Aviva Loss Prevention Standard: Top Tips for Trips](#)

Further risk management information can be obtained from [Aviva Risk Management Solutions](#)

Please Note

This document contains general information and guidance and is not and should not be relied on as specific advice. The document may not cover every risk, exposure or hazard that may arise and Aviva recommend that you obtain specific advice relevant to the circumstances. AVIVA accepts no responsibility or liability towards any person who may rely upon this document.

Appendix 1 – Snow and Ice Clearance Checklist

Location	
Date	
Completed by (name and signature)	

	Snow and Ice Clearance	Y/N	Comments
1.	Has a responsible person been appointed for managing the process of snow and ice clearance?		
2.	<p>Have you produced a formal written plan (including a specific risk assessment) of what is to be cleared and when, and is this documentation regularly reviewed?</p> <p>Has this been communicated to all relevant individuals?</p> <p><i>Providing a site plan coloured to show priority can be helpful.</i></p>		
3.	Does the snow and ice clearance assessment include both those who carry out the clearance as well as those individuals who may fall if snow and ice isn't cleared?		
4.	Does your formal written plan include arrangements for checking the weather in advance, so that individuals can be on stand-by if clearance is required?		
5.	<p>Have all individuals been made aware of the areas that will be kept clear and those which won't?</p> <p><i>Ensure that any warnings are provided to both employees and visitors.</i></p>		
6.	Have you decided how the designated areas are to be cleared and what materials and equipment will be required?		
7.	Have those individuals responsible for the clearance of snow and ice been provided with appropriate training, overclothing, gloves, footwear and equipment?		
8.	If you provide Personal Protective Equipment (PPE) specifically for protection against adverse weather, are procedures in place to ensure it remains fit for purpose?		

	Snow and Ice Clearance Contd.	Y/N	Comments
9.	Have you got sufficient stocks of appropriate materials/equipment prior to the start of the cold season?		
10.	Are there arrangements for checking supplies and maintaining equipment throughout the cold period?		
11.	If using contractors to undertake snow and ice clearance, have they been through a suitable evaluation process, including checks on their insurance?		
12.	Do you ask contractors to provide copies of their own risk assessments and method statements?		
13.	Do you communicate to staff the need to wear suitable clothing and footwear during periods of cold weather?		
14.	Do you check the snow and ice clearance plan during the cold period to ensure it is effectively clearing the areas of highest risk?		
15.	Do you retain records of what clearance has been carried out, when it was carried out, and by whom?		
16.	If there are any slip or fall incidents during cold periods, do you ensure that you follow your normal accident/incident reporting procedures, including retaining relevant CCTV images?		
17.	Additional comments:		

