**CORK ETB GUIDANCE**

**TO SCHOOLS**

**ON THE HIRE OF**

**CORK ETB PREMISES**

1. **INTRODUCTION**

Cork Education and Training Board (“Cork ETB”) encourages Schools to use this guidance to help them to know and understand their respective roles and responsibilities.

Cork ETB is responsible for the management of the School but the School itself is responsible for day-to-day education provision.

Schools should use this guidance to:

* Promote the availability of the school premises to the community;
* Assess the suitability of the school premises;
* Protect the ownership rights of the school management authorities;
* Ensure that financial control and probity is maintained;
* Adopt various managerial, financial and administrative policies, and procedures

when hiring the school premises for community use;

* Ensure the appropriate health and safety arrangements are put in place;
* Ensure that the operation of the school and the school curriculum remains a

priority

The guidance has been designed to develop and disseminate good practice. It offers useful advice on the key issues a school may want to consider when initially deciding whether and how to open its premises for community use.

More detailed advice is also provided in the following key areas:

* Ownership and Control of School Premises;
* Operational Management;
* Health & Safety;
* Child Protection
* Human Resources and
* Finance.

The appendices within this document also provide some templates which schools will find useful.

**1.1 Activities and Uses**

An important first step for schools will be to identify the needs of pupils, parents and the wider community and match these needs against gaps in current provision.

Effective provision will respond to the needs identified and the following list is an example of what can be provided:

* Arts and cultural activities;

• Lifelong learning and skills programmes;

• Access to sports and other agreed facilities;

• Multi-agency support for children and families either on the school site or

elsewhere;

* Signposting to services and activities e.g. child care providers, health advice, adult

education classes.

**1.2 Suitability of Premises**

Schools will already have a good idea which parts of their premises will be available and practical for use by others and should make a written assessment.

This task may be carried out by the Principal or delegated to another responsible member of staff. It should also take into account the school’s general risk assessments and fire/safety procedures.

A written assessment can be useful in reporting to Cork ETB and referred to when drawing up publicity material.

**1.3 Hire Charges**

The responsibility for setting charges for the hire of the school premises rests with the Board of Management of each School/College/Centre.

When establishing a charging structure, it is recommended that Schools follow best practice and therefore charge on the basis of full cost recovery, i.e. no loss must accrue to the BOM/Patron/Property Owners/Trustees and/or Cork ETB from the Hirer’s use of School and/or Centre facilities.

Other considerations may include different charges for morning, afternoon and evening activities, if the cost to the school itself differs. In setting charges in relation to pitches, due consideration should be given to maintenance as well as possible replacement costs in relation to grass, synthetic and sand-based playing surfaces.

The charging structure must be fair, transparent and sustainable. It is important to remember that when the school’s premises are being hired, the inescapable running costs should be covered in full, therefore cost neutral solutions should be identified.

Although not exhaustive, the key charges may include the following:

* + Building Supervision i.e. Caretaking;
  + Cleaning (cleaning requisites);
  + Energy;
  + Accommodation (premises management, maintenance, security);
  + Equipment (purchase, hire, replacement);
  + Wear and Tear; and
  + Administration.

For further information and advice please contact Cork ETB as appropriate.

1. **OWNERSHIP AND CONTROL OF SCHOOL PREMISES**

Cork ETB is the owner of the School Premises, and no hiring is authorised until approved by Cork ETB and notified to the Hirer and the School.

**2.1 Application Forms**

Schools are responsible for issuing application forms.

The “Application for the Hire of Premises” form and the “Terms and Conditions of Hire” set out in Appendices 1 and 2 are designed to be used in those circumstances where a school decides its sports or other facilities will be made available on a one off basis or sessional basis and where the hirer is not being given exclusive use of the premises.

Procedures should be put in place to ensure:

* + An “Application for the Hire of Premises” form provided at Appendix 1 is fully completed, approved by the School and authorised by Cork ETB, before any group/individual uses the school premises; and
  + The Hirer’s attention is drawn to the “Terms and Conditions of Hire” provided at Appendix 2. It is normal practice for user groups to hold commercial insurance in relation to public liability risks with a minimum indemnity limit of €6.5 million.
  + The Hirer provides a current Tax Clearance Certificate.

It is important to remember that as much information as possible should be provided.

It is recommended, in the interests of consistency, that all schools should use the same forms.

Schools are responsible for approving applications on a preliminary basis relating to the occasional or sessional use of the school premises, but all applications are subject to final approval of Cork ETB. No hiring is authorised until approved by Cork ETB and notified to the Hirer and the School.

The documentation process is important and is designed to safeguard the school’s position if any subsequent dispute arises about payment, damage to school property or personal injury.

These application forms are not suitable for arrangements that fall outside occasional or sessional use of the school premises, such as arrangements for exclusive use of a part of its school building or grounds. Care needs to be exercised by Schools to ensure that a tenancy is not created. Any such arrangement must be entered into by Cork ETB with Board approval and DES written consent.

For further advice and information please refer to Cork ETB.

**2.2 Insurance**

In any arrangement permitting community use of schools, responsibility for the management, control and supervision of the activities being conducted should rest firmly with the user groups. In order to protect the interests of the user groups and the school in respect of public liability claims, it is normal practice for user groups to hold commercial insurance in relation to public liability risks with a minimum indemnity limit of €6.5 million.

All schools must ensure that all third party user groups provide evidence that public liability insurance is held to cover the third party use of the school premises. If such evidence is not provided, schools should seek advice from Cork ETB.

To minimise the risk of any claims for damages against the school arising from any third-party use, schools should ensure that there is an adequate system of inspection and maintenance in relation to the school premises.

1. **OPERATIONAL MANAGEMENT**

The School has responsibility for all activities within the school premises both during and out of school hours.

Hiring of the school premises may require a re-organisation of cleaning schedules, for example, if rooms are to be hired out at times when cleaners would normally be cleaning them, or in order to ensure that the cleaning takes place after a hiring. These need to be negotiated with the cleaning contractor/school cleaners. Schools should assess the cost implications of any variations to service contracts which may arise from this.

A condition of the hiring should be that the hirer/user leaves the premises clean, tidy and fit for purpose. This is incorporated within the “Terms and Conditions of Hire” attached at Appendix 2.

**3.1 Keyholders and Security Arrangements**

The School needs to ensure a member of staff is responsible for opening, securing and checking that the premises are fit for purpose in relation to hiring outside of normal school hours. These duties would normally be undertaken by the school’s building supervisor via agreement with the Principal. It is important to remember that programmes and bookings for community use will almost certainly require the assistance of administrative staff.

The School cannot give user groups a key to School premises. Where possible the key holder should be either the Caretaker or the Principal. In some instances, however, this can be delegated to other members of staff.

The school should consider how the building is managed to ensure security and child protection.

The school has a right to insist upon a continuous building supervision presence where it considers it appropriate.

**3.2 Complaints**

The School will often be the first point of contact for any complaint about any service delivered on the school premises. It is therefore important that the school knows who is using the school premises, the type of activities the third-party users are providing and who to contact about any concerns. It would be considered good practice to allocate one person to be the contact point with each organisation using the school, as complaints will be easier to deal with if there is an established relationship. The School may wish to advise third parties using the school premises to have their own procedure for dealing with complaints.

A complaint about the school from someone hiring the school premises should be dealt with by following the school’s complaints procedures.

1. **HEALTH & SAFETY**

The School should ensure the School has conducted a full assessment of the premises and that they are regularly updated and reviewed to reflect the activities and the associated risks.

Accidents resulting from activities organised by user groups must be reported to the Principal as soon as possible. The user must also complete and return an Accident Report Form to the school Principal who should then take the necessary action in line with existing Health and Safety Policy.

For further information and advice please refer to Cork ETB.

The School should ensure that organisations and individuals have carried out a risk assessment to ensure that adequate provisions are in place to administer first aid and contact emergency services, if required.

The use of specialist equipment, e.g. Technology, Science, and PE Department equipment will only be permitted if the Principal is satisfied that those who may request to use such equipment are qualified to do so.

The School should ensure that all equipment used by community user groups is regularly inspected and all defective equipment is withdrawn from use until faults are rectified or the equipment is replaced.

The School should ensure that a good standard of housekeeping is maintained on the school premises. This includes arrangements to ensure:

* + Safe condition of floors, passageways and stairs;
  + Provision of unobstructed corridors and passageways;
  + Proper storage and stacking of materials;
  + Proper disposal of waste materials;
  + Adequate access and egress to stored materials, packing, passageways and emergency exits;
  + Safe condition and positioning of furniture and equipment;
  + Identification and rectification of potential hazards;
  + General cleanliness/tidiness of areas, toilets and washrooms; and
  + Proper footwear is worn in specific facilities, e.g. sports facilities and synthetic pitches

Although not exhaustive, the following should also be included:

* + The School should ensure that safety signs are displayed throughout the premises.
  + The Principal should also undertake health and safety inspections on a regular basis and all inspections and associated actions recorded.

All community user groups should have access to toilet premises within the school premises. Access to changing and shower premises should be provided if available.

If premises are to be used during school hours, access to areas of the building where pupils are present must be carefully controlled as child protection is of paramount importance.

1. **CHILD PROTECTION**

All user groups shall maintain clear policies and procedures for the protection and safeguarding the welfare of children, young people and vulnerable adults and shall comply with all legal requirements and national guidelines in respect of child protection, protection of vulnerable adults and reporting of actual or suspected abuse.

All user groups are responsible for the monitoring and suitability of all staff, employees and volunteers and undertakes to ensure that persons with access to children or vulnerable adults in the course of their activities are adequately vetted (including clearance by the Garda Síochána or equivalent criminal background checks, where appropriate).

The user groups must provide evidence to Cork ETB of its compliance with this Clause upon request.

For further advice and information refer to Cork ETB.

1. **HUMAN RESOURCES**

Cork ETB has overall responsibility for what happens within its school premises, both during and out of school hours . Cork ETB usually delegates this responsibility to the Principal of the school who will report back on progress on a regular basis.

The School needs to ensure someone is responsible for opening, securing and checking that the premises are fit for purpose in relation to hiring outside of normal school hours. These duties would normally be undertaken by the school’s Caretaker via agreement with the Principal [see also ‘Operational Management’ section]. It is important to remember that programmes and bookings for community use will almost certainly require the assistance of administrative staff.

For further advice and information on staff related matters, please contact the Cork ETB.

1. **FINANCE**

Responsibility for the issue of invoices must be agreed between the School and Cork ETB. Invoices must be raised in order for Cork ETB to receive income for the use of the school premises. It is important that all invoices are raised on a timely basis; i.e. weekly, monthly, termly, annually. Payment must be made in accordance with Cork ETB Financial Procedures.

Room hire is exempt from VAT.

All expenditure in relation to staff, resources, premises and utilities must be separately identified and costed.

All income derived from the use of the school premises must be credited to the Cork ETB Bank Account. It is important that all receipts are lodged on a timely basis.

It is recommended that a full audit trail of all correspondence relating to the use of the school premises is kept. In particular, copies of all correspondence regarding charging arrangements and income received. All income and expenditure is subject to appropriate audit arrangements.

For further information and advice please refer to Cork ETB.

**APPENDIX 1**

**Application for the Hire of Cork ETB Premises (see attached)**

**APPENDIX 2**

**Terms and Conditions of Hire (see attached)**