

## ALLIANZ COMMERCIAL

# Incident Management for Condominium Associations Apartment Complexes and Homeowners Associations

How you and your team react immediately after a slip and fall incident, has a direct impact on the outcome and financial impact of that event.

Allianz Commercial recommends that contingency plans be established for these common incidents so that your business is prepared.

### **Slip, Trip and Fal Incident Management**

How an employee reacts when a customer falls can have a dramatic impact on the outcome of litigation. Such comments as, "I'm so sorry, we've had others slip in this same spot ..." or "This was our fault, I asked an employee to clean up this spill a while ago ..." does nothing to engender genuine customer relations or stave off future lawsuits.

Employees should be trained on how to respond when someone falls or is injured. Many companies engage in role-playing sessions as a training device. This allows employees to practice reacting to likely situations and responding to an upset or injured customer.

### **Steps for Responding to a Slip, Trip, and Fall Incident**

1. Respond to the scene with a prepared accident response kit that includes:
  - A first aid kit
  - Pen/pencil
  - Incident report forms
  - A measuring tape
  - A disposable camera (or have the employees utilize the camera on their phone)
  - Emergency contact list: local medical providers, organization leaders to be notified, and insurance broker
2. Secure the scene: Prevent others from injury and provide for a safe, respectful environment for the injured party; have others assist with the remaining steps if possible and needed.

3. **Emergency Responders:** Your employees should provide first aid if capable, have a second employee wait outside to escort emergency services to the scene if they are called. Offer to call 911; this should be up to the injured party, if they are capable of making this decision.
4. **Do no further harm:** Don't move an injured person until emergency responders arrive unless they may be harmed by remaining in place.
5. **Show care:** Regardless of the situation, do not assign blame or fault; show appropriate concern and treat the injured person with respect.
6. **Assist injured person:** Do not allow them to leave on their own if they need medical treatment. Even if injuries appear minor, arrange for an escort to take the injured person to an appropriate medical provider. Keep the injured person calm and comfortable.  
  
If they decline having 911 respond, offer to assist them with transportation – through contacting friends, relatives, or a taxi service.  
  
Encourage them to seek appropriate medical treatment, but do not insist that they do so.
7. **Take notes:** This should not interfere with care provided to the injured party. If there is a second responder, or if the individual does not need ongoing care and assistance, begin gathering information from witnesses, from the injured party, and from observations.
8. **Complete the Incident Report Form –** Use facts and objective statements, not opinions.
9. **Report the claim –** All incidents should be reported in a timely manner (within 24 hours if possible) to the insurance broker, which is important to reducing claims costs.
  - Even if no apparent injury took place, submit it as a “report only” incident.
  - Fact-gathering and incident reports are critical and should be completed immediately after an accident occurs. Professional investigators attest that stories can change over time.

Train employees and managers to document every detail of the incident. Collect names, address, and phone numbers of all parties involved, including witnesses. Document key pieces of information, such as the type of injury and complaints of pain. Record what the customer said about the cause of the fall, if they wear glasses, the type of shoes they were wearing, signs of foreign material on the floor, and any other information that may be relevant. Note that copies of internal documents, such as accident reports, should not be given to the customer.

Documentation of a slip and fall incident can be greatly enhanced with photographs. Photos should be taken of the area of the alleged slip and fall, using a ruler or pen to show relative size. Photographs should then be taken from every angle and at an increasing distance from the scene. Additionally, photos should show the general area, including lighting and signage, and taken from the direction the person was walking and from the opposite direction.

Future claims may be based on such factors as poor lighting or the lack of warning signs, so photographs can help establish the setting at the time of the incident. Other supporting information should also be gathered and documented, such as the last time an employee or manager inspected the area and when the floor was last swept or mopped.

#### Important points:

- Be respectful of the injured person throughout the information gathering process – some of the steps may be best completed once that individual has left the scene.
- Obtain guardian information if the injured person is a minor.
- Use the tape measure and draw a sketch of the scene.
- Take a variety of photos from different angles.
- When talking to witnesses and the injured person, avoid asking for opinions, keep to factual questions – using both open-ended and objective questions, such as, “Can you tell me what happened?” or “How many steps did you take on the stairs before you slipped?”



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