

## **Compensation in the event of damage to school property – rules**

Sometimes the unthinkable happens. Something breaks or gets scribbled down and destroyed. Sometimes it's an accident, but sometimes it's carelessness or deliberate destruction. Depending on the extent, occurrence and value of the damage, the rules are slightly different.

All property belonging to the school must be handled with care. The pupil may be liable under civil law for costs arising from damage and losses caused by the pupil through negligence or direct intent. This is regulated in the Damages Act (Skadeståndslagen). \*

These rules apply to damage to and theft/loss of school property. If a pupil has caused harm to another pupil, the guardians can agree on damages between themselves. In the event of damage (damage, theft) to pupils' private property, the school is only liable if the school has caused the damage through negligence (error or negligence). This means, in most cases, that the school will not provide any compensation.

*(This document is translated to English with help from Microsoft Office 365)*

*\*Liable for damages under the Damages Act (Skadeståndslagen):*

*Skadeståndslagen 2:1: "Anyone who intentionally or negligently causes personal injury or damage to property shall compensate for the damage". Children may also be liable for damages under this section. According to the Skadeståndslagen 2:4: children (under the age of 18) must compensate for the damage to the extent that it is reasonable.*



### Rules

Incident	Carelessness	Intentional Damage/Intent	Loss/theft of school property
<p>Accidents that lead to injuries must be reported by the person who did it to staff at the school. In this case, the incident will be investigated and the pupil will <u>not</u> be liable for compensation.</p>	<p>A pupil who, due to negligence, has caused damage to the school's property may have to compensate for the cost of the damage. Negligence refers to damage that has occurred because the student has not taken the property into account in his or her actions, e.g. lost/damaged tablet/computer including accessories, thrown snowballs or kicked football against windows, or behavior that causes damage to windows, doors, furnishings.</p> <p>Depending on whether the guardians have home/liability insurance, the claim for compensation is handled differently. In the event of no home/liability insurance, the amount of compensation is adjusted depending on age.</p>	<p>The pupil may be liable for damages intentionally. In such cases, the pupil will reimburse the cost of materials and repair work to the value of the cost of restoration. If there is no home/liability insurance, the amount of compensation may be adjusted depending on age.</p> <p>Intentional damage can be damage to buildings or equipment, e.g. a tablet/computer that breaks, damage to fire extinguishers, graffiti on walls or furniture. The school will demand compensation in the event of intentional damage. Serious damage to property will be reported to the police.</p>	<p>The student must immediately report theft or loss of the device and a police report must be made. A pupil may be liable for compensation if property is not returned. Consideration is given to whether accident, negligence or intent.</p>

Education Administration

## Decision and payment

Decisions on compensation claims in the event of damage to the organisation's property are made in accordance with the delegation of authority by the Vice-Chancellor (Rektor). The claim for compensation is a civil law claim and not a decision by a public authority. In the event of non-payment, the municipality can apply for an order to pay from the Enforcement Agency (Kronofogdmyndigheten) or bring an action in court.

The school sends an invoice for the decided amount to the guardian concerned. For a higher amount, an instalment plan may be offered. In some cases, the school and the home may agree that the pupil may be involved in the repair work as part of the compensation.

Depending on whether the guardians have home/liability insurance, the claim for compensation is handled differently.

Home/Liability Insurance	In the event of negligence and no /liability insurance	In the case of intent and no /liability insurance
<ol style="list-style-type: none"> <li>1. The damage is assessed and repaired by the municipality.</li> <li>2. A claim for compensation for the damage is sent to the party who caused the damage.</li> <li>3. The person who caused the damage must report it to his/her parents' home/liability insurance company.</li> <li>4. The home/liability insurance regulates the damage to the municipality.</li> <li>5. The party that caused the damage pays a deductible to the insurance company.</li> </ol>	<p>In the event <i>of negligence, the amount of compensation is adjusted depending on age as follows.</i></p> <p>Preschool children 1–5 years: No compensation Age 6–9 years: 30% of the damage is paid Age 10–12 years: 50% of the damage is paid Age 13–15 years: 75% of the damage is paid Age 16–17 years: 90% of the damage is paid Age 18 years and over: The entire damage is paid</p> <p>The minimum amount to be paid is 100 SEK.</p> <p>The maximum amount is one-fifth of the price base amount for each event causing damage.</p>	<p>In the event <i>of intent, full compensation is claimed for the damage. The amount of compensation may be adjusted depending on age. In that case, it will be more restrained than in the case of negligence.</i></p>