

# Baptist Insurance Services

DECEMBER 2019

All the staff at BIS would like to take this opportunity to wish you a **Merry Christmas & Happy New Year!** We look forward to continuing to serve you in 2020.



## PROPERTY CLAIMS

For many, the January period can be a time to plan for the year ahead. Over the last few years, we have seen some interesting weather patterns nation-wide and we would encourage you to take some time to carry out maintenance checks on your properties to ensure they are in the best possible state to mitigate weather related damage.

This might include:

- Clean out your gutters
- Repair any loose/broken roof, ridge and valley tiles
- Ensure proper flashing is in place
- Check and attend to ceiling water stains
- Check for potholes on property
- Call an arborist to check any trees of concern
- Check the condition of playground equipment and structures for safety and soundness; repair or remove as necessary
- Cut back overhanging branches and brush and mow grass areas to keep snakes away



Whilst our cover is broad, the Insurer will not cover damage as a result of wear and tear or lack of maintenance.

If you need emergency property assistance over the Christmas/New Year period and are unable to contact your local BIS representative, you can call our Assessor, Sedgwick on their Customer Service Centre Hotline, 1800 811 285 and quote policy number 16 ISR 163512. They can provide assistance to you. Go ahead and make all necessary repairs to ensure your property is secure and fit, eg cleaning/drying carpets, replacing windows/external doors/boarding up a section of your property. Take photos of any damage and forward all information to your local BIS office.

For further information: <http://www.baptistinsurance.com.au/Baptist-Insurance-Claims-Information>

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**We have a first aid roster of volunteers who are on duty for each Sunday service. Some of them are qualified doctors. Are they covered?** It is important to note that medical practitioners/doctors are not covered under the constituent's insurance. They would need to check with their respective insurer to ascertain the extent of cover.

**If I don't get the prescribed vaccinations for my overseas travel, am I covered if I get sick?** If the sickness is related to the fact that you did not obtain the appropriate vaccination prior to travel, then the Insurer cannot provide cover. Please ensure that you do the necessary research for your overseas trips and are vaccinated as applicable. Your local GP can advise. [smartraveller.gov.au](http://smartraveller.gov.au) is also an important site to visit as it provides you with up to date advice on the region you are travelling to.

**We run a counselling ministry at our church. Is it covered under the church's insurance?** If the church has a counselling ministry that is overseen by the church leadership and directly accountable to the church, whereby the counsellor does not receive payment from the person they are counselling, then yes, this ministry is covered under the church's insurance. The Counsellors are also covered under the church's professional indemnity cover.

**Who is covered by our Directors & Officers policy?** This policy is especially tailored to churches. Not only are Council/Board members and Staff covered, but lay leaders who are acting on behalf of the church.

**Someone from the community has asked if they can hold their child's birthday party at our church. Do they need to get their own insurance?** No, the Insurer has extended public liability cover to 'private family functions'. This means that functions such as birthday parties, weddings, anniversaries, funerals, etc, are all covered. This is applicable to both members and non members from the community.

**I recently had a Volunteer Personal Accident claim and was advised the Insurer would not reimburse the gap component of an expense that was partially covered by Medicare. Why?** In 1973, the Government passed legislation that restricted Insurers to reimbursing Non-Medicare costs only. All personal accident insurance policies are prohibited from paying any expenses covered by Medicare.

# Baptist Insurance Services

## WHAT IF SOMEONE IS INJURED ON OUR PROPERTY?

When someone sustains an injury whilst on your property, we are often contacted with the question, “Is it OK for us to pay for the injured person’s medical bills?” This question arises for two main reasons:

- 1) The injury has resulted out of the church’s negligence, eg, someone has tripped over a pothole.
- 2) The church is not at fault, they just want to provide pastoral care in the form of financial assistance, or maybe the injured party can’t afford to pay their bills.

There are a few things to bear in mind and we do ask that you always contact your local BIS office before any money is paid out.

Firstly, the injured party must claim any relevant bills through Medicare.

If there is no negligence on the church’s part, but simply a sincere desire to assist with costs related to the injury, then along with any financial contribution, a ‘without prejudice’ letter must be included. A pro forma letter can be obtained from our office.

This letter will include phrases such as:

- \* In providing financial aid, this in no way admits liability on behalf of the church
- \* This is a once off payment in good faith

Why is it important to provide such a letter? While we always choose to believe the best in people, we have had numerous circumstances where money has been given in good faith and, at a later date, a solicitor’s letter has been received representing this person and claiming additional money. If this type of letter is not provided with the initial amount paid, the payment is seen as an admission of liability on the church’s part. This letter protects the church and assists in dealing with any potential future false claims.

If there is liability on the church’s part and the person is claiming costs, we ask that you contact our office immediately. Advise the claimant that you are required to report the event to the Insurer and are waiting on their advice. That takes the pressure off you to find the right words to say. In no way are you to admit any liability to the injured party as this jeopardises the rights of the Insurer and may affect your ability to claim through them. Always remember that it is the role of the Insurer to admit liability on your behalf. (Please note that if the person is injured while serving or leading in a church ministry as a volunteer, they may be covered under the Volunteer Personal Accident policy. This provides reimbursement of 85% of approved Non-Medicare costs.)

Again, we do ask in both cases outlined above, that you call our office prior to any assistance being offered. We always want to act graciously, but sometimes we need to have a healthy framework around our pastoral care to ensure adequate protection for the church.

## SLIP, TRIPS AND FALLS

The majority of liability claims made against Baptist churches can be categorised as Slips, Trips and Falls. Regular inspections of buildings, carparks and grounds should be undertaken to identify and eliminate potential causes in these areas.

Controls to minimize slips, trips and falls include:

- Change of floor design
- Upgrade/replacement of stairs including use of landings, handrails and uniform risers and treads
- Better lighting solutions to illuminate stairways, walkways, passages and similar
- Improved drainage to minimize water on walking surfaces; slip resistant flooring surfaces
- Provision of adequate storage
- Regular rubbish removal, including sweeping of paths
- Training staff to recognize hazards
- Encourage staff to wear slip resistant footwear



Further guidance can be obtained from the Safe Work Australia Fact Sheet, “Slips and Trips in the Workplace”.

# Baptist Insurance Services

## COMBINED CAROLS EVENT

Over the Christmas period, your church or organisation may be involved in ecumenical events, such as Christmas Carols. This may involve shared responsibility amongst churches across different denominations.

It is important that each church involved in this shared event has its own insurance coverage. This also applies to any third party providers. We encourage you to obtain copies of each organisation/company's public liability certificate to ensure that they have adequate cover.

Your insurance cover cannot extend to cover other churches or the event itself where other churches may not have insurance cover, or their insurer is unwilling to insure them. Third parties, such as companies who run donkey rides, petting zoos, miniature trains, jumping castles, etc, will also need to have their own public liability cover.

Certain activities that are considered high risk are also not covered under your liability policy (eg: pyrotechnics or fireworks of any description). In these cases, the churches involved may have to seek out a separate event insurance cover if they would still like the event to proceed. Please contact your local BIS office should you have any queries in this regard.

If your church is hosting the whole event, there may be areas where cover can be extended to other participating churches. Again, please call your local BIS office to discuss.

As these types of events invite the local community, they do fall into the 'high risk' category. For that reason, we do ask that you complete a comprehensive risk assessment for your event. BIS is more than happy to review your assessment once completed and provide any relevant feedback or advice.

*For a more comprehensive listing, see <http://www.baptistinsurance.com.au/Risk-Management-General>*



## BIS Insurance Panel

Below is a summary of your insurance providers for the period 30 September 2019 to 30 September 2020:

Property	CCI
Liability and Professional Indemnity	CCI
Personal Accident (Volunteers and Youth)	<b>Accident and Health</b>
Personal Accident (Pastors and Spouses)	<b>Accident and Health</b>
Corporate Travel	<b>TravelCard</b>
Management Liability and Comprehensive Crime	<b>CGU</b>
Cyber Protection	<b>CGU</b>
* Motor Vehicle (Cars, Trailers, etc)	<b>Vero Insurance</b>
* Marine (Canoes, rafts, kayaks, boats)	<b>Vero Insurance</b>
* Contract Works (for works over \$500K)	<b>Vero Insurance</b>

*\* This is only available for those who have paid an extra premium for this cover*

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## PERMISSION FORMS

Parental permission forms are intended to provide information to parents so that they can provide informed consent for their child to attend the described activity. It also provides activity organisers and leaders with relevant information so that appropriate care can be provided to the participants.



Examples of information required are as follows:

- The proposed activity should be described in full, including underlying risks and proposed controls.
- Any proposed transport options should be described so that specific permission can be given.
- The medical and dietary component of permission forms enable parents to advise of any pre-existing conditions that might impact a participant's ability to fully take part in the activity or assist in the provision of emergency treatment options. It also captures parents' consent to obtain emergency treatment and their agreement to pay the costs of such treatment.
- Skill level information pertaining to certain activities, e.g. swimming proficiency.
- Parent and emergency contact information. Increasingly, parents of children live apart and custodial and/or contact restrictions may be in place. It is important that activity supervisors understand those arrangements.
- Specific permission is required to take photos of participants and/or use their images in any public manner.

For a more comprehensive listing, see <http://www.baptistinsurance.com.au/Risk-Management-For-Churches>

## IMPORTANT!

Please note that Property Claims need to be notified as soon as possible, ie within 14 days. If claims are not reported in a timely manner after the date of loss/damage and/or the insurer's rights have been prejudiced, your claim may not be accepted. Unless there are extenuating circumstances, claim notification outside 6 months will not be accepted.

### Motor Vehicle Insurance

(This relates only to those who have paid an extra premium for Motor Vehicle Insurance)

For those who have their motor vehicle insurance through BIS, if you do have a motor vehicle accident, contact Vero direct to lodge your claim and quote the policy number. The Vero claims consultant will assist you with the claims process and direct you to use their own Repair Centres. Please note that all excess invoices will come through our office. Do not pay any excess you receive directly from the repairer or insurer.

### Potential Claims

Please contact your local State BIS office as soon as you are aware of any potential claims, ie where you receive/have:

- A verbal complaint which cannot be easily solved and without expense
- A letter threatening legal action from an individual
- A solicitor's letter threatening legal action
- A writ/summons/subpoena/legal court document
- Have a contentious employee termination

If you have any potential claims that have not yet been reported to us, please advise us immediately.

### BAPTIST INSURANCE SERVICES CONTACTS:

Queensland	Alison Ellem
New South Wales/ ACT	Tim Williams
South Australia/ NT	Glen Thornley
Western Australia	Natalie Coulson
Tasmania	Rodney Marshall
National/Victoria	Kym Bennetts Chris Mackenzie Sue Roggero Erica Purcell