

# Baptist Insurance Services

DECEMBER 2017



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 2018.

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## COVER FOR HOST FAMILIES OF INTERNATIONAL STUDENTS

Are host families covered under the School's insurances whilst hosting students from overseas, for example, exchange students? What if a student gets injured due to the host family's negligence? The good news is that the host family would be covered under School's Liability insurance subject to the terms and conditions of the policy. However, it is important that the School completes a thorough risk management check of the host's house as well as appropriate checks (including Working with Children's and Police Checks) on the host families to ensure that they are suitable accommodation and hosts for the students. These completed checklists must be kept on file.

However, the School's Student Personal Accident insurance will not cover the international students as they are not full time students of the school. The school should check that the international students have their own travel insurance and any relevant medical insurances are organised whilst in Australia.



Similarly, if for example, the students steal from the host family or lose the house keys or conduct fraud or damage the host family's property; this will not be covered by the school's insurances. The host family should check their own personal home and contents insurance for coverage.



**We have a first aid roster of volunteers who are on duty for each Sunday service. Are they covered?** Yes they are. This also includes nurses and doctors who may be on your roster, as long as they are volunteering for the church and not receiving a fee. They are fully covered under the church's Professional Indemnity and Public Liability policies.

**Who is covered by our Volunteer/Youth Personal Accident Insurance?** There are two groups of people covered. The first group are youth (12-21 years of age) as long as they are involved in a church organised youth activity. The second group are those who are volunteering on behalf of the church - . They can be lay leaders or people working or serving on behalf of the church - for example those helping out in a church working bee. This policy covers up to 85% of Non-Medicare medical expenses. Staff do not qualify

under this policy as they are covered under Work Cover. It is a legal requirement that each church has registered with the relevant Work Cover body in their State to ensure their employees are adequately covered.

**We received an email from a company we deal with on a regular basis advising they have changed bank accounts and requesting we update our records. Is that normal?** Many companies do notify their customers in this way. However, social engineering is becoming a major area where hackers can divert funds. Always make sure that you follow up these types of emails with a phone call to that Company to verify the email was sent by them.

**We are travelling overseas. Should we log our details with the Australian Government?** Yes you should. Each traveller, no matter what part of the world they are visiting, needs to register their travel plans on the DFAT website. This allows the Australian government to contact you in the event of an emergency. We also ask that you regularly check the DFAT website to obtain travel advice for the country you are travelling to. Should their advice change to "Do Not Travel", cover may not extend to that area. Make sure you call your local BIS office to check.

**I am travelling but have a pre-existing medical condition. What should I do?** Contact your local BIS office to see if cover is included for the condition prior to travel. In some cases you may need to obtain a letter from your GP noting you are fit to travel. Failure to obtain this may affect your ability to claim. For school student travel, for pre-existing conditions, schools will need to assess the activities involved and ascertain that the student is fit and capable of attending the overseas trip in addition to any Medical Certificate provided.

# Baptist Insurance Services

## MANDATORY DATA BREACH REPORTING

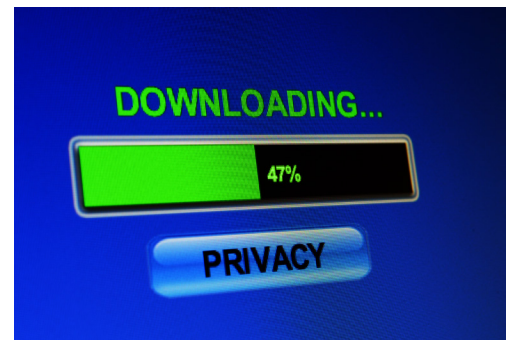
Securing personal information should be an important priority for all Baptist churches and organisations, to protect the privacy of individuals.

From 22 February 2018, the Commonwealth Government has established a Notifiable Data Breach (NDB) scheme to ensure that affected individuals are advised of serious data breaches.

A data breach occurs when personal information held by an entity is lost or subjected to unauthorised access, modification, disclosure or other misuse or interference. Note that a data breach may also constitute a breach of the Privacy Act.

Examples of how a data breach might occur include:

- Lost or stolen computers, iPads or paper records
- Digital storage devices disposed of but contents not erased
- Databases “hacked”
- Employees accessing personal data in an unauthorised manner
- Paper records stolen from bins or recycling
- Mail delivered to the wrong addressee



All organisations subject to the Australian Privacy Act 1988 must advise when a serious data breach occurs.

All churches and Baptist organisations should make sure that potential data breaches are included in their enterprise risk management plans. They should also develop specific Data Breach Response plans that set out in advance the steps that they will take in the event of a Data Breach occurring.

The Office of the Australian Information Commissioner has published 2 documents to help you in your preparation:

- “Guide to securing personal information – reasonable steps to protect personal information, January 2015”
- “Guide to developing a data breach response plan, April 2016”

## 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 or 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; modify flooring surfaces so they are slip-resistant
- 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

## INCIDENT REPORTING

As we move to an ever increasing litigious culture, it is vital that Incident Reports are completed for all accidents and injuries at your church or organisation - no matter how small. These reports will need to be kept in a secure place, with relevant staff notified as to their location. In addition, should medical costs be incurred by the injured party, or potential future costs, you must notify your local BIS office as soon as possible. If these incidents develop into claims, the Insurer will act on your behalf. However, if they are not notified within a reasonable timeframe it may jeopardise your ability to claim.

In addition to Incident Reports, if you are aware of ANY situation in your church or organisation that may lead to a claim, you must notify your local BIS office immediately.

Examples can be:

- \* a messy staff resignation/dismissal
- \* staff/church member accusation of bullying/abuse/etc
- \* inappropriate behavior from staff or lay leader to other/s in the church
- \* reports of any level of sexual abuse
- \* a parent threatening action on behalf of their child
- \* stressed employee or lay leader threatening action
- \* an injury of a child on your premises

Why is it so important to notify us and keep up to date Incident Reports? If someone decides to sue your church or organisation over a particular incident and you have no documentation of this situation on file and have not notified the Insurer, then your ability to defend against the claim is greatly reduced. Without documentation or file notes, someone can accuse your organisation, for example, of undue process and your ability to counter that claim if they are false accusations is difficult.

In our dealings with churches, we have found there are a number who have not kept Incident Reports from the past and even churches who do not complete them currently. We strongly encourage you to start making this a regular practice in your church. Complete file notes of conflict situations with staff, church attendees or the public. Complete Incident Reports ranging from a grazed knee to a broken hip. We have seen cases where the 'grazed knee' miraculously turns in to a claim for a knee reconstruction. Remember, no Incident Report can mean a limited defence and the claimant can walk away with their medical costs or more covered.

What do we do with your Incident Reports or notifications? We log them all. We notify our Insurer. This means we have you doubly protected with documentation. The Insurer can also identify which incidents may develop into a claim and start the process in assisting you and therefore minimising both costs and stress in the situation.

*For more information on Incident Reports and notifications, please call your local BIS office.*

## BIS Insurance Panel

Below is a summary of your insurance providers for the period 30 September 2017 to 30 September 2018:

Property	<b>Allianz Insurance</b>
Liability and Professional Indemnity	<b>Vero Insurance</b>
Personal Accident (Volunteers and Youth)	<b>Accident and Health</b>
Personal Accident (Pastors and Spouses)	<b>Accident and Health</b>
Corporate Travel	<b>Chubb/ACE Insurance</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*

# Baptist Insurance Services

## DIRECTORS & OFFICERS COVER

Often we receive enquiries from churches asking if their Board/Council/Pastors/Elders/Lay Leaders are covered under a Directors & Officers Policy? The short answer is yes they are covered. This cover protects both staff and volunteers in leadership roles.

Our Management Liability policy covers members of your church/organisation in their governance duties and also members of staff who have management responsibilities and lay leaders in their respective roles. These areas/roles fall within the definition of an insured 'Officer' where they make, or participate in making decisions that affect the whole, or a substantial part of the business and as such, the church's cover will extend and provide comprehensive D&O cover.

This cover indemnifies individuals for claims made against them in their capacity as director and officer if they commit, or it is alleged they have committed a wrongful act (as defined below).

*Actual or alleged breach of duty/Breach of trust/Negligence/Error/Misstatement/Misleading statement/Omission/Breach of warranty of authority/Other acts wrongfully done or wrongfully attempted*

It also covers legal costs for the successful defence of prosecutions of directors and officers, legal costs for attendance at investigations and defence costs for breach of Work Health & Safety laws.



## 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, please contact Vero direct to lodge your claim and quote the motor vehicle policy number. The Vero claims consultant will assist you with the claims process. If your vehicle falls under Vero's "SMART repair" criteria, you must use the "SMART" Centre for repairs. If a repairer asks you to pay the excess directly, please do not pay, but contact the BIS office as all excess invoices come through our office, and not through 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	Ken Conwell
New South Wales/ ACT	Tim Williams
South Australia/ NT	Glenn Dixon
Western Australia	Natalie Coulson
Tasmania	Rodney Marshall
National/Victoria	Kym Bennetts Stephen Lockrey Chris Mackenzie Sue Roggero