

Baptist Insurance Services

AFSL # 514857

September 2021

In this edition

INSURANCE RENEWAL & CYBER

You will by now have received your renewal documentation for our upcoming Renewal, 30 September 2021 to 30 September 2022. .

We advised earlier that due to the increasing number and high costs in cyber claims on both a national and global level, Insurers have now placed limitations on who they will insure and are requiring companies to take a higher level of responsibility for their IT security in order for them to provide cover. We have been fortunate to gain cyber insurance cover for our churches through ProRisk, an Australian-based insurer. ProRisk have provided some guidelines to assist churches in mitigating the risk of being hacked. This information was sent out with your Renewal documentation. It is important to note that should a cyber claim arise, the Insurer will check that these guidelines are in place. Should you require another copy, please contact your local BIS Manager.

Churches may believe they do not require cyber cover, however we do not believe this is the case. Some have advised they are safe as their documents/details are saved in the Cloud or for example MYOB. However, this is not the case. Many cyber claims fall in the small to medium organisations who do not have the resources to spend large amounts of money on Firewall protection and the like. The reality is that if you have an internet connection you are at risk. Additionally, if you use USB sticks to transfer files to and from the church, they are at risk of being infected which then spreads to any computer they are plugged into. Some common examples of cyber claims are below:

- * A staff member or volunteer opens an email and clicks on an attachment that contains malware which is then downloaded onto their system? The hacker then has the ability to hide in their system, read their emails, get access to banking details and confidential information about people from their congregation.
- * Hackers can pose as employees using their email ID or third party contractors and change account details so money is redirected into their account.

If confidential information has been breached and the hacker has access to people's private information, the law requires you to notify the Office of the Australian Information Commissioner who will then conduct their own research into the data breach.

The important thing to understand is that cloud-based systems aren't foolproof against cyber hackers, who are becoming increasingly sophisticated.

As advised while we have been able to obtain cyber cover for churches, this is limited to the 'church' constituent only. Generally, cover will not extend to any ancillary ministries or companies that are set up as separate to the church - even though they may be associated with the church. Please contact your local State Baptist Insurance Manager for further clarification or if you require a quote on cyber cover if you fall outside the 'church' category.

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We have a building insured but it is unoccupied. Is it still covered? Yes your building is covered, however in order to maintain cover, you must notify your local BIS office of any unattended buildings. Also, as far as it is possible, you also need to give the appearance that the building is not unoccupied. This can include: collecting any mail regularly, regular site visits and garden maintenance/mowing lawns, drawing curtains or blinds to people are not able to see inside and note that it is empty, the use of an internal light timer controlled. The Insurer may ask for proof of this should there be a property claim. It is also important to note that properties that are unoccupied for over 3 months are subject to a \$10,000 excess.

Does our Travel Insurance cover us for COVID-19? As is standard in the insurance market, cover for what is termed 'known events' is either not applicable, limited or requires an extra premium for some policies. Now that the COVID-19 pandemic is classed as a known event, generally cover will not extend to any costs arising out of or associated with the pandemic. If you are travelling, please contact your local BIS office for more information.

What is the expectation of a volunteer in relation to cyber security? Many churches have volunteers who work on their behalf. They may use the church's system and internet, have access to the church's stored documentation. They may use their own personal computers and email addresses. Volunteers acting on behalf of the church also need to ensure they are following the same strict security protocols as is required of the church (please refer to documentation included in your Renewal papers). Volunteers need to ensure they:

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| Have good password hygiene | Implement multi-factor authentication |
| Have a regular backup program | Instal anti-malware software |
| Implement regular software updates | Don't allow remote desktop access to your PC/laptop |
| Reconfirming bank account details with a call back protocol – don't just rely on emails | |

If a volunteer inadvertently contributes to a cyber claim, cover may be affected if the Insurer finds they have not practiced the above.

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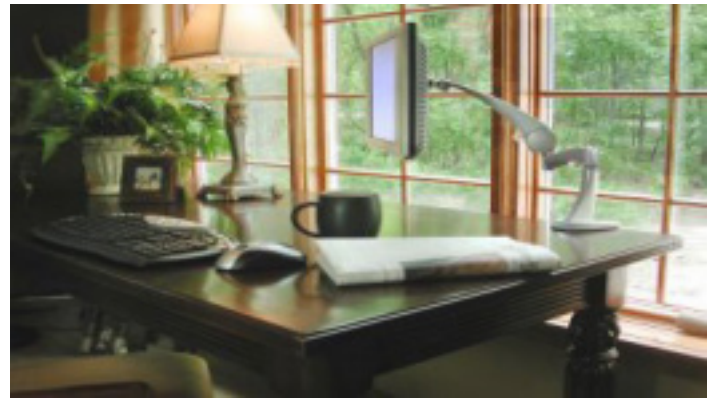
WORKING FROM HOME

Working from home has now become the new normal for many. As a result of the COVID-19 Pandemic many people have transitioned from working in the office, to working from home. Employers have a legal and moral obligation to ensure that their workers are provided with a safe workplace. The same safety standards apply to both home and offices. Failure to provide safe working conditions can expose a church/organisation and its leadership to penalties under the WHS legislation.

We encourage you to talk to your employees about how they are set up and also how they are going personally.

Topics to consider can include:

- * Ergonomic arrangements – Is the workstation property configured (seat height, footrest, etc).
- * Is the chair height, tilt, angle and back rest all adjustable with adequate padding and lumbar support?
- * Is the keyboard, mouse and monitors at appropriate levels, facilitating correct posture.
- * Does the worker have all they need to perform their role?
- * Does the home workplace have a fully equipped first aid kit?
- * Is there a working fire extinguisher available?
- * Are their sufficient powerpoints for power equipment used?
- * Is the way they manage data security adequate?
- * Are they taking sufficient breaks during the day?
- * Now that home is also their workplace, are they able to find a way of switching off from work?



Lack of social interaction and a sense of ongoing isolation can affect us all. Many are struggling with motivation in such an environment. Regular check-ins can be the difference between a good day and a bad day.

Further information can be found on our website - <https://www.baptistinsurance.com.au/Risk-Management>

www.baptistinsurance.com.au

Don't forget to check out our website. We have extensive information on risk management including downloadable documents, a list of FAQs, claims information and current updates on News. Or you can just type in what you are looking for in our search bar.



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EMPLOYMENT LAW

We continue to see employment practice claims come out of numerous Christian organisations/churches that we insure. As a result, we have had to work hard to maintain cover in this area as Insurers are seeing that many of these organisations are either not fully understanding employment law or believing that it doesn't apply to their operations.

It is important to note that employment legislation does apply to all organisations who employ staff. There are strict guidelines that employers must adhere to and we encourage all our constituents to be aware of these requirements including legislation around employment, recruitment and dismissal.

Excesses for claims in this area for churches are \$5,000, with schools and other Christian organisations at \$10,000. If you don't follow the correct process in dismissing an employee, generally speaking, the law can stand by the employee.

For this reason, BIS will be holding a number of seminars / workshops throughout the year to help educate and assist with any questions you may have in this field.

Some examples of claims that have arisen out of faulty processes or a lack of understanding of employment law are:

* A staff member is dismissed as they have become pregnant or have engaged in sexual relations outside of marriage. While you may believe in the importance in holding that standard for your staff, the law can find in favour of the dismissed employee. One of the main reasons is that there is nothing specific written in their Employment Letters or Terms & Conditions of Employment. There may be a general statement noting the expectation that all "staff should conduct themselves in ways that honour God." Churches/organisations may believe this is enough grounds to dismiss their staff. Unfortunately, it is not enough in the eyes of the law as the employee hasn't been explicitly advised in writing of this specific area prior to hiring them. The assumption that an employee understands and agrees is not the same as signing a written contract specifically detailing what is expected. The assumption that an employee upholds the same values in their Christian walk is not enough to dismiss them should their actions contradict the values of their employer.

* A staff member is dismissed based on a vote from the Church body at a Church Meeting to end their employment. Unfortunately the Church body is not above the law in their ability to dismiss a staff member. In all circumstances, due process must be applied.

If you are having issues with a staff member, we encourage you to contact your local BIS office as well as your local State Union office for assistance.



BIS Insurance Panel

Below is a summary of your insurance providers for the period 30 September 2021 to 30 September 2022:

Property	CCI
Liability and Professional Indemnity	CCI
Personal Accident (Volunteers and Youth)	AIG Australia
Personal Accident (Pastors and Spouses)	AIG Australia
Corporate Travel	AIG Australia
Management Liability	CCI
Corporate Practices Liability	SUA
Cyber Protection	ProRisk (for Churches only)
* Motor Vehicle (Cars, Trailers, etc)	Vero Insurance
* Marine (Canoes, rafts, kayaks, boats)	Vero Insurance
# Cyber for organisations other than Churches	Emergence

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

Only available for non-Church organisations who have obtained a quote through BIS

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INSURANCE AND VACCINES

Numerous churches have contacted us to query how insurance coverage works around the COVID-19 vaccinations, predominantly looking at individuals who work, volunteer or attend their church who refuse to be vaccinated. What happens if someone who is unvaccinated goes against local government regulations and attends a meeting/service and as a result someone else contracts the virus and sues the church?

This is not a black and white answer as government advice and directives are in a state of constant change depending on what State you are in or what is happening with the virus. However, churches/organisations need to understand that they have a duty of care to their members, employees and visitors. Using 'best practices' means that everybody who comes on to the property should be vaccinated.

Our most current advice from our public liability insurer, CCI, is that provided the Church follows relevant government directives and has a COVID-19 plan in place and follows the plan, they would cover any claim against the Church. If, however, the Church deliberately fails to follow government directives and/or fails to have a COVID-19 plan in place, it is unlikely they would provide indemnity as a subsequent COVID-19 claim could not be said to be "neither expected nor intended from the standpoint of the insured".

So at a minimum, churches/organisations need to follow government directives and communicate that to their congregations and follow their COVID-19 plan at all times. We will continue to provide any further updates on our website, www.baptistinsurance.com.au, under 'News'.



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	Stefanie Binnie
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 Tamzin Fry