

Baptist Insurance Services

AFSL # 514857

October 2019

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MOLESTATION COVER REQUIREMENTS

Following on from the Royal Commission in to the Institutional Response to Child Sexual Abuse, requirements from Insurers providing cover against liability arising out of child sexual abuse/molestation have tightened considerably. In order to ensure that your church/organisation has continued molestation cover, our Liability Insurer, CCI, requires the church/organisation to agree to address any gaps in their policies and procedures so that as a minimum you have the policies/procedures as set out below:

1. A policy committing the organisation to providing a safe environment for children and vulnerable adults.
2. A Code of Practice covering pastors, employees and volunteers who may come into contact with children and vulnerable adults.
3. A process for screening applicants for ministry, employment and volunteering, including referee checks and working with children/criminal record checks.
4. A process for handling allegations of sexual abuse.
5. A process for complying with mandatory reporting obligations for suspected sexual abuse.
6. Training for pastors, employees and volunteers in the above policies/procedures.

Many of you will already have these procedures in place, but may need to document them better. To assist you, each State Union Office will have template policies for the above. You will then need to tailor them to your organisation, communicate them to your staff and volunteers, leaders in ministries and members, so appropriate education across the board is implemented on an ongoing basis.

The above information, along with a questionnaire, has been sent out with your renewal documentation. The deadline to return the questionnaire confirming that these policies and procedures are in place is May 2020. It is important to note that if the church cannot prove they have the above policies and processes in place by 30 September 2020 (commencement of the following renewal), the Insurer will not be able to offer you molestation cover. This means that should a claim arise against the church, there will be no cover.

Please contact your local BIS office should you have any questions. Please contact your local State office to obtain copies of the template policies/processes.



We insure a property that will be unoccupied until we start renovations. Are we still covered? In order to maintain your cover for an unoccupied property, you must notify your local BIS office as soon as possible. If there is a claim during a period of continued unoccupancy and you have not advised us of this unoccupancy, the Insurer has the right to refuse cover. You must also take all necessary precautions so as to give an appearance of full occupancy. Should a claim arise, an Assessor will provide a report to the Insurer once they have visited onsite to ascertain this has taken place. A higher excess may also apply if the property has been unoccupied for more than 90 days.

We are looking to terminate an employee and think they may take action. When do we need to contact BIS? As soon as you are aware of a relationship breakdown, a disagreement in termination terms, or a potential unfair dismissal claim lodgement, you must notify your local BIS office immediately. Don't wait until you receive written notification of a claim. If our Insurer can get involved before it becomes a claim, it may save a lot of time, angst and money. Should you fail to notify the Insurer in a timely manner, it may jeopardise their rights and cover in some instances may be refused.

We have a close working relationship with our lawyer. Can we use them if we are dealing with a disgruntled employee? Should the situation develop into a claim, the Insurer will use their own lawyers. They are specialised in these areas. So we do request that right from the start you contact us so that we can arrange the services of the Insurer's lawyers. It is important to note that this may be at your own cost until a claim is 'triggered'. If it becomes a claim and you elect to continue using your own lawyer, then in many cases part or all of the legal fees may be borne by you.

I am travelling on behalf of my church/organisation, am I covered if I have a pre-existing medical condition? Our Insurer, TravelCard, has advised they will cover pre-existing conditions as long as you have a letter from your GP stating that you are fit to travel with this condition. Whilst cover will not pay for medical costs for the ongoing treatment of your condition, it will cover costs for unforeseen medical costs relating to this condition, subject to policy terms and conditions. If you are in doubt, or you are unable to obtain a letter from your GP, please contact your local BIS office. Some conditions may not require a GP letter.

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CYBER CLAIMS

The sophistication and deception of cyber claims continues to grow. Insurers face the challenge of being able to provide effective cover whilst balancing the rising cost of claims. One of the best defences against cyber claims is comprehensive risk management at a constituent level. Larger organisations may employ someone whose responsibilities include cyber risk management. Smaller organisations/churches can utilise part-timers or volunteers who juggle many roles and cyber can often be at the bottom of the “to do” list. Cyber hackers understand these vulnerabilities and limitations. As a result churches and christian organisations are becoming an increasing target.

Some areas to consider in identifying how vulnerable you may or may not be:

* Passwords - How strong are your passwords? Do they include a combination of upper and lower case, numbers, symbols? Passwords should not include words or names associated with the user or company. They should not use numbers associated with the user, eg birthdays. They should be changed on a regular basis. They should not be kept on a post it note by the side of your computer!

* Backup - In the event of a cyber breach, an effective backup system can provide an organisation with the ability to continue with minimum loss of functionality and data. Use a proven third party to back up your documentation. Keep your backup offsite in a secure place.

* Data breaches - This occurs when personal/confidential information is lost or subjected to unauthorised access, etc. What procedures do you have in place to train your staff and volunteers of potential breaches? For example, checking the email addresses are correct before opening an email. Treating unfamiliar emails with caution. Conduct a search on the email address if you are unsure. If an email asks you to supply bank details or pay into changed bank account details, even if the sending company is a regular supplier, always call the company to verify this request is genuine. When using hard drives or memory sticks, ensure they are encrypted to protect your information.

Develop a cyber policy that addresses the above and other relevant areas and train those who work on your behalf. Your local State Union office should have template cyber policy wordings you can tailor to your own organisation.

If you become the recipient of a cyber attack, don't attempt to resolve it yourself. Call your local BIS office immediately. Our Cyber Insurer has their own team of specialists including legal and forensic experts. Remember, trying to solve the problem on your own first may prejudice the Insurers rights and in turn potentially jeopardise your right to claim. We have had situations where the first we heard of a claim is when the organisation had already paid out thousands of dollars. The claim ended up costing double the amount than if the insurer had been involved upfront. As a result, some of the cost had to be borne by the constituent.

For more information, go to www.baptistinsurance.com.au and search cyber management.



STOP PRESS!

If your church/organisation insures its motor vehicle/s through us, then please note that we have changed motor vehicle insurers from Zurich to Vero. This change commenced at 4pm, 30 September 2019. Any motor vehicle claims prior to this date, will be handled by Zurich. But after 4pm, any claims will need to be lodged with Vero.

Details on Vero have been sent out with your renewal documentation.



Baptist Insurance Services is now licensed as an Australian Financial Services Licensee as at 2 May 2019.

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COMBINED CHURCH EVENTS

In the lead up to Christmas, your church or organisation may be involved in ecumenical events, such as Christmas Carols, Fun Days etc. This may involve shared responsibility amongst churches across different denominations.

It is important that each church involved has its own insurance cover. In addition, any third party, for example - jumping castle hirer, pony ride company, etc, is required to have their own public liability cover, ideally with a minimum limit of \$10million. We highly recommended that you obtain a copy of their Certificates of Currency for Public Liability to ensure they do have appropriate cover for the event.

The BIS arranged insurance for your church will not extend to cover other churches or the shared event itself where other churches may not have insurance cover, or their insurer is unwilling to insure them.

If you are holding this event on Council owned land, then they may ask you for documentation confirming you have appropriate public liability cover in place. Simply email your local BIS office and we can provide you with a 'Certificate of Currency.'

Personal accident cover is also in place for volunteers who are working on behalf of your church. This cover provides for 85% reimbursement for approved Non-Medicare medical costs should the volunteer sustain an injury while working on your church/organisation's behalf. Again, this cover does not extend to volunteers who are working on behalf of other churches/organisations involved in the event.

Certain activities that are considered high risk may not be covered under your liability policy (eg. pyrotechnics or fireworks of any description). If you are in doubt, please check with your local BIS office.

We also encourage a comprehensive risk assessment to be completed for these types of events. We do have examples of risk assessments for various activities on the BIS website under Risk Management. Our staff are more than happy to assist in providing feedback and input on your risk assessments.



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) | Accident and Health |
| Personal Accident (Pastors and Spouses) | Accident and Health |
| Corporate Travel | TravelCard |
| Management Liability and Comprehensive Crime | CGU |
| Cyber Protection | CGU |
| * Motor Vehicle (Cars, Trailers, etc) | Vero Insurance |
| * Marine (Canoes, rafts, kayaks, boats) | Vero Insurance |
| * Contract Works (for works over \$500K) | Vero Insurance |

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

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RISK ASSESSMENTS

Risk assessments should be a part of the ministries, activities and events you run. With OH&S legislation, they are a legal requirement. Employers are required to ensure their places of work are safe.

Risk assessments can seem like hard work, but they are a great and necessary tool in identifying potential hazards and protecting your people. Here are some of the benefits:

- 1) Helping to recognise and control hazards
- 2) Create awareness among your employees and those involved in your ministries
- 3) Setting risk management standards, based on acceptable safe practices and legal requirements
- 4) Reduction of incidents
- 5) Save costs by being proactive instead of reactive
- 6) Protection of organisational reputation

You can find a risk assessment template on our website. You can also send through your risk assessment for BIS to check and provide feedback.

BIS also has a range of risk management documents you can download, covering a large range of activities. For more information, contact your local BIS office.

| | Unlikely | Plausible | Likely | Very Likely |
|---------------|----------|-----------|-----------|-------------|
| Insignificant | Trivial | Trivial | Low | Low |
| Slight | Trivial | Low | Low | Medium |
| Moderate | Low | Low | Medium | High |
| Severe | Medium | Medium | High | Very High |
| Very Severe | Medium | High | Very High | Very High |

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

(From 4pm 30 September 2019)

(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 | Glenn Dixon Glen Thornley |
| Western Australia | Natalie Coulson |
| Tasmania | Rodney Marshall |
| National/Victoria | Kym Bennetts Chris Mackenzie Sue Roggero Erica Purcell |