

FREQUENTLY ASKED QUESTIONS AROUND COVID-19 AND THE VACCINATION ROLL-OUT

Due to the ever-changing landscape around COVID-19 and the vaccination roll-out, we are endeavouring to post Frequently Asked Questions on a regular basis. It is important to note that each State and Territory Government determines their own set of regulations around COVID-19 and vaccinations, so you will need to take into account your own State or Territory's law.

We can speak to insurance implications only. For compliance, procedural advice and information on your State or Territory's regulations and requirements, please refer to your local State Baptist Union Office or DHHS.

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 tries to sue the church?

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.

Are you able to provide confirmation that our church insurance policy provides a level of assurance and protection and most importantly liability cover should one of our employees be adversely impacted as a result of this mandate?

As the compulsory vaccination is mandated by the Victorian government, no liability can be attributed to the church. By insisting that all staff be vaccinated, churches are merely complying with the law and not making an isolated request. As such there is no trigger for there to be a Public Liability claim.

With regards to being impacted health-wise, to this end the Government has set up a "No Fault COVID-19 Indemnity Scheme" – see the link below:

<https://www.health.gov.au/ministers/the-hon-greg-hunt-mp/media/no-fault-covid-19-indemnity-scheme>

If government regulations stipulate an unvaccinated person cannot attend a gathering and they make it through and stay for a meeting (maybe because they escaped notice, or because they don't understand clearly); and they are accidentally injured (eg. they fall and break a leg), does our public liability cover the incident?

If the church is doing all they can to ensure they are complying with their government regulations (advice on this can be obtained from your local State Union office), then subject to policy terms and conditions, public liability may cover the incident if the church is actually found liable for the incident. For example, someone trips over a power cord that has been left out, or a pot hole in the car park that hasn't been filled in. However, there is no cover for general accidents where liability cannot be attributed to the church.