

# Church Executive<sup>TM</sup>

HELPING LEADERS BECOME BETTER STEWARDS.

## CHILD SEXUAL ABUSE PREVENTION FORUM

*Featuring:*

MinistrySafe, Church Mutual Insurance Company, GuideStone Financial Resources®,  
AGFinancial Insurance, Philadelphia Insurance Companies (PHLY), GuideOne Insurance,  
Insurance Office of America, Brotherhood Mutual Insurance Company

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## Protecting children from sexual abuse.



### PART ONE

Awareness  
Training



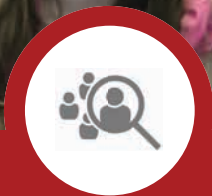
### PART TWO

Skillful Screening  
Process



### PART THREE

Policies and  
Procedures



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### Children Are Safer in MinistrySafe Churches

**WHY:** Child sexual abuse occurs in all contexts. Increasingly, parents are asking, "What are you doing to protect my child from sexual abuse?" Sexual abuse claims carry massive financial consequences for ministries, and significantly impact public opinion.

**WHO:** Child sexual abuse is an equal opportunity employer: it crosses all spiritual paradigms and all demographics. Offenders seek access where the barriers to entry are the lowest. Unfortunately, this is often the church.

**WHAT:** MinistrySafe trains church personnel to effectively address the risk of child sexual abuse by utilizing the Five Part Safety System. From screening forms and tools, sample policies, online training and systems for monitoring and oversight, MinistrySafe provides turnkey resources to reduce the risk of child sexual abuse.

**HOW:** Churches pay an annual membership fee of \$250 to gain access to state-of-the-art training, sample church policies, screening forms, and the MinistrySafe Control Panel.

**WHY MINISTRYSAFE:** Created by sexual abuse trial attorneys with 20+ years experience litigating child sexual abuse cases, MinistrySafe provides tools and resources created by industry experts.

### Industry Experts. Unabashedly Christ-Based.



### LOVE & NORRIS, ATTORNEYS AT LAW:

Gregory Love and Kimberlee Norris, co-founders and Directors of MinistrySafe, have a nationwide sexual abuse litigation practice representing victims of child sexual abuse. In addition, Love & Norris provide consulting services to ministry and secular organizations providing services to children. Through MinistrySafe, Love and Norris have provided training or other resources to the United States Olympic Committee, AWANA International, Reformed University Fellowship (RUF), Christian Camp and Conference Association, the Church of the Nazarene, the North Texas, Central Texas, Pacific Northwest, Alaska, Susquehanna and Northwest Conferences of the United Methodist Church, and over 13,000 churches, camps, schools and mission organizations. As well, MinistrySafe provides preventative tools and resources for Baptist state conventions in Texas, Georgia, Arkansas, Oklahoma, Alabama, Kansas/Nebraska, Indiana, Missouri, Nevada, Colorado, South Carolina, Montana, California, Alaska, Kentucky, North Carolina and Mississippi.





SEXUAL ABUSE

# Child Sexual Abuse and Insurance Coverage

## *Avoiding Common Pitfalls*

By Gregory Love & Kimberlee Norris

Every church — whether it's multi-campus or a recent plant — deals with insurance coverage.

Ministry leaders tend to gravitate to the least expensive policy options and often lack knowledge about what they should be looking for when securing coverage related to child sexual abuse risk. Unfortunately, this reality is revealed only when an allegation arises.

**C**learly, child sexual abuse is a foreseeable risk causing incalculable harm to children, and a ministry's primary responsibility is to protect children in its care. In addition to implementing an effective safety system (see prior articles in the "Stop Sexual Abuse" Series), simple financial stewardship requires a meaningful evaluation of current insurance relationships, coverages, limits and policy terms.







### **Sexual abuse fire drill**

In classrooms across the country, school administrators lead faculty and students through mock disasters (fires, shootings, bomb threats, tornadoes, and so on) to ensure the existence of sound safety plans, communicate expectations to all involved, and determine any necessary changes or improvements.

A failure to drill a foreseeable disaster can lead to catastrophic results, generally with little or no warning. Amid a crisis, it's too late to *prepare*; the catastrophic event simply reveals whether the ministry took reasonable steps to prepare for the foreseeable event. One of the most common deficiencies revealed in a sexual abuse crisis relates to insurance: incorrect coverages, insufficient limits, failure to notify the carrier, and claims-made versus occurrence terms, among other issues. A *fire drill* related to sexual abuse insurance issues is essential for every ministry.

### **Insurance fire drill**

Assume your church receives a sexual abuse allegation. *For purposes of this exercise*, assume the allegation involves multiple victims and the accused is a trusted staff member or volunteer. As to existing insurance coverage, the drill is designed to answer these questions:

- Does your church have the correct coverages for a multi-victim claim?
- Does your church have sufficient coverage (types and limits) for a multi-victim claim?
- Are there endorsements, riders, limitations or qualifications related to sexual abuse coverage?

The majority of ministries purchase insurance coverage through an insurance agent or broker. During the insurance purchase or renewal process, the primary coverage issue negotiated relates to Property & Casualty (P&C). The P&C portion of the premium will typically account for the bulk of the total insurance premium. Without an explicit Sexual Misconduct endorsement, sexual abuse claims typically fall within the General Liability policy coverage — most general liability coverage will now include a separate sexual misconduct section. Few policyholders are familiar with the terms of the General Liability policy, the limits related to any sexual abuse claim, or terms requiring notice to the carrier when a ministry receives ‘facts that could give rise to a claim.’

### **Failures revealed in crisis**

When a ministry fails to take the opportunity to ‘drill’ a foreseeable risk, deficiencies are revealed when a crisis arises.

Several years ago, our law firm (Love & Norris) was retained by a large church facing sexual abuse allegations related to a trusted staff member, with four female victims from age 7 to 9. The fact patterns related to the abuse were conclusive and horrific, and we advised immediate care and support for the abuse survivors and their families. Initially, the allegations had not been reported to law enforcement, in violation of mandatory state reporting requirements. Some months later, the outcries were reported. Clearly, the church had limited child protection protocols in place, and church leaders had failed to act appropriately and promptly when the allegations first came to light. In addition, leaders had limited understanding of their insurance coverage. When asked, church leaders indicated that the ministry had insurance providing \$1 million / \$3 million in coverage. When asked whether their insurance carrier was notified when the initial ‘facts’ came to light (several months earlier), leaders replied ‘no.’

*At this point, it was too late to ‘drill.’*

Several significant shortcomings were quickly revealed.

#### **#1: No relationship with a knowledgeable agent**

First, church leaders could not recall the name of their insurance agent. As a result, the ministry could not quickly and easily understand what coverages were in place: Commercial General Liability Policy (CGL), Errors & Omissions Policy (E&O), Directors & Officers Policy (D&O), and/or Umbrella Policy. This delay was critical: the crisis unfolded on a Saturday and escalated quickly.

A church must have an agent that is knowledgeable about the risks facing a ministry (including child sexual abuse) and be accessible to navigate issues that arise — *at the time of purchase and when an outcry or allegation occurs*.

#### **#2: Insufficient insurance coverage**

Second, the underlying policy did not provide \$1 million / \$3 million in coverage. Upon closer inspection, the policy included a specific ‘Sexual Misconduct’ provision which limited coverage to \$100,000 / \$300,000 for sexual abuse claims. The church had no E&O, D&O or Umbrella coverages.

In the midst of crisis, these leaders learned the church’s insurance coverage was grossly inadequate, and it was too late to supplement or improve coverage amounts. In this case, the ➤

insurance carrier tendered the \$300,000 aggregate, satisfying its obligation under the CGL policy. The church was forced to absorb defense costs and indemnity out-of-pocket, and quickly dwindled from a church with 36 full-time staff members to nine. As of this writing, it is unclear whether the church will survive.

Before crisis hit, ministry leaders should have secured sufficient coverage limits and considered purchasing additional supplemental and umbrella policies. When asked about the church's insurance agent, the executive pastor said the relationship was inherited from a predecessor. In the midst of crisis, *no one knew the identity of the agent or his contact information*. It was later learned that this agent knew very little about sexual abuse risk or related coverage solutions.

### #3: No notice to the insurance carrier

Third, leaders indicated they were informed about the allegations early on but failed to notify criminal authorities *or their insurance carrier* because the reports were 'hearsay.' Church leaders were unfamiliar with mandatory reporting requirements in their state and the 'notice' requirement contained in all insurance policies.

The 'notice' provision generally reads something like this:

*In the event the insured receives information about facts that could give rise to a claim, the insured is required under this policy to notify the insurance carrier immediately, but not later than 24 hours after receipt of this information.*

Church leaders had received an allegation several months earlier but considered the information hearsay — an oral report from a parent about inappropriate touch described by their 7-year-old daughter. This communication should have *immediately* triggered a report to law enforcement, a leave of absence for the staff member for the duration of the criminal investigation (and perhaps indefinitely), an announcement to the congregation and communication to the church's insurance carrier.

Failure to notify the carrier in this circumstance can result in a 'reservation of rights' or a denial of coverage by the carrier. Either scenario places the ministry in an adversarial position with its insurance carrier. In the situation described above, the carrier weighed its options and simply tendered its limits because the aggregate (\$300,000) was insignificant compared to the cost of filing a Federal Court lawsuit seeking a Declaratory Judgment against the church, asking a court to find that the church breached its duty to notify the carrier, thereby relieving the carrier of its obligations to provide indemnity or defense.

### Value of the fire drill

The fire drill concept can be helpful in assessing insurance availability and sufficiency. By thinking through a multi-victim allegation, a ministry can evaluate all insurance instruments for potential coverage (CGL, D&O, E&O, Umbrella), confirm limits, and clearly understand limitations, if any, providing an opportunity to secure appropriate coverages and limits. The ministry should include its insurance agent or broker in this evaluation. For some ministries, other creative solutions might be available.

Church leaders should clearly understand state reporting requirements and *when* to notify the carrier, as well as *what information* to include. A timely and proper notification to law enforcement and a ministry's carrier is far more likely to occur when staff members are trained to understand the risk of sexual abuse and the common behaviors of sexual abusers. When leaders fail to report allegations of child sexual abuse to civil or criminal authorities, children are irreparably harmed and leaders open themselves up to the possibility of criminal prosecution for *failure to report*. When leaders receive information related to an allegation and fail to notify their carrier, coverage and representation may be jeopardized. In this realm, training is key; children are better protected when ministry staff members have a practical

understanding of the '***grooming process***' of the sexual abuser, mandatory reporting requirements *and* the specific requirements of each policy concerning notification of the carrier.

### Prevention systems — a condition for coverage

In the past two decades, the number of lawsuits, settlements and verdicts involving child sexual abuse have skyrocketed. Within the past 12 years, child sexual abuse cases provided the No. 1 reason churches ended up in the courtroom. This trend shows no sign of slowing — particularly as state legislatures expand civil statutes of limitations and pass *look-back statutes*, which create opportunity for abuse survivors to bring civil claims regardless of their age, or how long ago the abuse occurred. As a result, abuse allegations from decades ago become currently actionable.

Insurance carriers know this better than anyone, given their obligation to defend and resolve legal matters. As a result, insurance underwriters — those responsible for evaluating a ministry's risk-worthiness on behalf of the carrier — are far more careful in approving coverage or providing access to certain limits.

Underwriters for major insurance carriers are now requiring that ministries demonstrate the existence of an effective child abuse prevention plan before providing coverage or approving a renewal.

Ongoing legislative changes do not necessarily push a church to implement effective preventative protocols — *access to insurance coverage can*. In the past, as an example, the decision as to whether a church would allow a Registered Sex Offender (RSO) to participate in ministry services was an internal one; now it might impact the church's ability to get or maintain insurance coverage.

Insurance is designed to cover certain risks. Insurance carriers are now expecting churches to raise the bar to minimize the occurrence of child sexual abuse as a condition for insurance coverage. That trend will continue.

### Finding a competent agent / broker

A church's insurance agent / broker fills an important role in the ministry's risk management effort. The agent / broker should have a strong understanding of the ministry's programs, coverage needs, unique risks, and methods to reduce these risks. Too often, an agent can assist a ministry in the purchase of Property & Casualty coverage but remains ill-equipped to address the risk of sexual abuse and secure the necessary coverages and limits. A ministry's "fire drill" should include evaluation of its insurance agent to ensure that he or she is familiar with the unique risks facing the ministry and safety system elements necessary to reduce child sexual abuse risk.

Navigating child sexual abuse issues can be challenging. An effective safety system is crucial, and an appropriate insurance solution is essential. Ministry leaders must better understand the changing environment related to child sexual abuse risk.

Before a crisis arises, intentionally evaluate your existing preventative protocols and insurance coverage, keeping in mind the value of appropriate coverages from the right carrier and the assistance of an informed agent / broker.

Armed with an effective safety system, a competent agent / broker, and good insurance products, church leaders can better protect children and navigate child sexual abuse risk. ➤

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**Kimberlee Norris & Gregory Love** are partners in the Fort Worth, Texas law firm of Love & Norris and founders of MinistrySafe, providing child sexual abuse expertise to ministries worldwide. After representing victims of child sexual abuse for more than two decades, Love and Norris saw recurring, predictable patterns in predatory behavior. MinistrySafe grew out of their desire to place proactive tools into the hands of ministry professionals. Love and Norris teach the only graduate-level course on Preventing Sexual Abuse in Ministry as Visiting Faculty at Dallas Theological Seminary.

# Advice from insurance professionals

There's a difference between an insurance *carrier* and an insurance *broker*.

In its simplest form: the carrier provides the coverage; the broker works independently to shop for coverages offered by various carriers to meet a client's need. In the current ministry environment, it's imperative to have *both* a knowledgeable agent / broker *and* an insurance carrier accustomed to working with ministries.

Gathered below are thoughts from carriers and brokers who provide competent guidance to ministries of all sizes and complexity.

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**Guy Russ**

**AVP of Risk Control**

***Church Mutual Insurance Company***

"As the nation's leading provider of insurance services to ministries, we work with numerous churches in navigating the risk of child sexual abuse and pioneered a specific sexual misconduct coverage to meet their unique needs. After 123 years, Church Mutual continues to be committed to providing guidance and programs to reduce this and many other risks. Having the correct insurance coverage is critically important, but of course, it's far better to prevent sexual misconduct and abuse before it occurs."

**Andrew Shockey**

**AVP of Risk Management Services**

***Philadelphia Insurance Companies***

"When an allegation arises, let your carrier know. We are there to help. Not only is it a requirement of the policy, but we can come alongside and provide critical guidance and resources at the outset. Moving quickly and correctly can be a game-changer."

**Steve Case**

**AVP, Senior Corporate Counsel**

***Brotherhood Mutual Insurance Company***

"I believe having the right insurance coverage in place for claims of sexual abuse is important, but having a risk management strategy in place is even more critical. As a national insurer specializing solely in Christian ministries, we're focused on providing tools and resources to help ministries protect children and reduce other risks."

**Peter Persuitti**

**Managing Director, Religious | Nonprofit Practices**

***Gallagher***

"Every year, Gallagher gathers ministry risk management thought leaders from around the world.

"New proactive ministries, including victim advocacy and prevention training, are proving to be more effective ways to put the vulnerable first. Gallagher is more than just a broker; Gallagher is a valuable, informed partner as it relates to sexual abuse and many other risks. For ministries, we have been designing risk & claims management solutions, as well as risk financing solutions, for 50+ years."

**Jerry Sparks**

**President**

***AGFinancial Insurance***

"Many insurance agents focus on the property limits and general liability limits, when the #1 reason churches end up in litigation is Sexual Misconduct with a minor, and agents provide less or no coverage limits for Sexual Misconduct. One claim can devastate a church, its reputation, and even its existence. As an insurance provider, we know what the risk of child sexual abuse looks like and can provide access to content to equip ministry leaders."

**Tony McLaughlin**

**Vice President**

***The National Catholic Risk Retention Group, Inc.***

"At National Catholic, we are dedicated to excellence within the field of risk management. It includes partnering with leaders and their organizations to better equip them in how to protect children and the vulnerable."

**Dr. O.S. Hawkins**

**President**

***GuideStone Financial Resources***

"The headlines regarding abuse and lack of safety in some churches cause us to grieve. At GuideStone, we are committed to helping churches and ministries recognize, prevent and respond well to sexual abuse while protecting those entrusted to their care."

**Adam Sammons**

**Vice President**

***Marsh & McLennan Agency (MMA)***

"Given the shifts in the social and regulatory environments related to child sexual abuse, the risk profile of youth-serving organizations has become increasingly complex. Youth-serving organizations and their boards are being forced to wrestle with the balance of mission and risk. MMA is committed to these organizations to ensure that the brightest minds and biggest hearts continue to bring meaningful change to the communities in which we live and work."

**Heath Ritenour**

**Chairman & CEO**

***Insurance Office of America (IOA)***

"As a national insurance broker that works with churches, we've seen it all. Child sex abuse insurance coverage is being restricted, excluded and eliminated by some insurance companies. At IOA, our ministry industry specialists can help you successfully manage your risk management needs. We make the complex simple."

**Brian Gleason**

**Senior Risk Manager**

***GuideOne Insurance***

"Just one incident of sexual misconduct can destroy the trust, credibility and reputation of an organization for years. In addition to the reputational harm an incident causes, the legal costs of a lawsuit can ruin an organization financially. At GuideOne, we understand that navigating this and other risk issues can be complicated. Our goal is to provide you with tools and guidance that help keep your valuable resources focused on your mission." **CE**



# Realize the risk

## How to assess your church's child sexual abuse risk points — and how to do (much) better

**In many churches, leaders think child sexual abuse "can't happen here." What's the reality?**

**Guy A. Russ:** Any organization that serves children must understand the statistics: A study of convicted male abusers revealed that those targeting girls averaged 52 victims, while those targeting boys averaged 150 victims. Unfortunately, only 38% of children that have been abused ever report it. Of those who do, about 90% are abused by someone they or their families know.\*\*

On the claims side, we get at least one call a day about suspected abuse or an allegation of abuse.

Churches generally rely on volunteers — and it seems like there are never enough. This, coupled with a high degree of trust, make churches especially vulnerable.

Finally, most religious organizations allocate their financial resources to their core ministry, not necessarily risk management. So, risks like this can fall off the radar.

It's also important to realize that this type of abuse can happen online — and cross over into the physical world — so mechanisms need to be in place regarding cyberspace, as well.

**Can a church assess the 'risk' or 'likelihood' of a child sexual abuse allegation occurring on its campus?**

**Russ:** Yes. In fact, we have a number of tools on our website that are free and available to anyone, not just policyholders. Those resources help churches look at their policies and procedures — *what do they have in place? And more important, are those really being followed?* They help assess decision-makers — *do they understand how to screen for and recognize the behaviors of a sexual abuser?* This is especially important since, as I mentioned, most abusers are familiar to the victim.

Finally, these resources help church leaders judge the oversight and monitoring of their safety systems around this risk. *Can church leaders actually see what's happening in their organization, and sustain it in terms of preventative action?*

**In the MinistrySafe article, it states that ministry leaders tend to gravitate to the easiest and least expensive guidelines and practices. Has this been your experience?**

**Russ:** Unfortunately, yes. And doing so leaves “holes” that abusers become very good at recognizing quickly. All the more reason to put in a multilayered approach — multiple barriers of protection that include things like screening appropriately and asking questions meant to elicit high-risk responses and signal abusive behaviors. Doing background checks is only a minimum standard for what needs to be done.



**Guy A. Russ, MBA, CPCU, ARM**

Assistant Vice President  
— Risk Control  
Church Mutual  
Insurance Company,  
S.I. = a stock insurer<sup>1</sup>

Additionally, church leaders must be sure the two-adult rule is in place so that no child is left alone with a single adult; supervision practices are up to speed; adults interacting with children — and children interacting with each other — are supervised; and that everyone knows how to report suspicious activity (and that the church immediately follows up with any report, including notifying the church's insurance carrier). The carrier is there to help; we have resources to assist in these situations.

Once all these layers are in place, comprehensive and repeated training must be done.

**How can a church know it's insured as fully as possible with regard to child sexual abuse allegations and claims?**

**Russ:** Having product and claims experience at the carrier level is very, very important when vetting carriers. What types of products does the carrier bring to the table specifically related to these risks?

We were on the forefront of this at Church Mutual, offering a separate sexual misconduct coverage back in the mid-1980s, for churches. Prior to that, these claims fell under the language of a ‘general liability policy’ that was relatively vague, and didn't provide enough specificity as to how the insurance company would act when an allegation or an incident occurred.

Also, ask how many sexual abuse or sexual misconduct claims the carrier has defended, and what it has learned from the results. How has it incorporated those learnings into its processes and products?

**What advice can you offer a church seeking to align itself with a knowledgeable insurance agent?**

**Russ:** Again, this goes back to product and claims experience. How many organizations similar to yours does that agent deal with? How many situations has he or she been involved in around sexual abuse of children? The agent needs to be able to advise on coverages and on the appropriate next steps should an allegation of abuse arise.

**You're quoted in the MinistrySafe article as saying, "[O]f course, it's far better to prevent sexual misconduct and abuse before it occurs." What resources can you offer to help church leaders do just that?**

**Russ:** First, we have risk control consultants across the country who will work directly with policyholders and church leaders to understand and assess their risks. Again, abusers can use very insidious behaviors, so our risk control consultants are well-trained in identifying blind spots in overall safety systems.

As I mentioned before, we also have many resources on our website, including *10 Essentials of Sexual Abuse Prevention* and a downloadable *Sexual Abuse Prevention Assessment*, which is especially helpful during COVID-19 if one of our risk control consultants can't come help in person. Those resources are available at [churchmutual.com/abuse](http://churchmutual.com/abuse).

We have also partnered very closely with Gregory Love, Kimberlee Norris and MinistrySafe, so Church Mutual policyholders get a nice discount on those tools. We're thankful for that partnership, because MinistrySafe does a very good job of preparing policyholders to reduce this risk. **CE**

— Reporting by RaeAnn Slaybaugh

<sup>\*</sup> Finkelhor, D. (2012). *Characteristics of crimes against juveniles*. Durham, NH: Crimes against Children Research Center.

<sup>\*\*</sup> Whealin, J. (2007-05-22). "Child Sexual Abuse". National Center for Post Traumatic Stress Disorder, US Department of Veterans Affairs.

<sup>1</sup> Church Mutual is a stock insurer whose policyholders are members of the parent mutual holding company formed on 1/1/20. S.I. = a stock insurer.



Headlines regarding abuse in the Church cause us to grieve.

As experts in church insurance and ministry, we know that churches and ministries never question the importance of protecting the children and other vulnerable populations entrusted to their care.

But it's how you go about protecting those you serve that has become more difficult and complex. We're being called to *higher standards of care*.

When you, as a minister, accept a low bar on protection, you're sending the message to those under your leadership that it's not a priority or a concern for you, so it shouldn't be for them. This minimizes the significance of the crisis the Church is facing today.

The truth is that every church is at risk — including yours. Churches too often have the misconception that “sexual abuse doesn't happen here,” which is inaccurate. Child sexual abuse skips no spiritual paradigm.

When you, as a leader, acknowledge the reality of the problem and commit to raising the bar, you're empowering others to also rise to the clear expectations of safety you set for your ministry.

That's our prayer for you at GuideStone®: that your church would be a safe place where the vulnerable can safely flourish and where abusers have no place.

### **But we believe that prayer should be coupled with action**

So, what actions should you take to raise the bar and set a higher safety standard?

#### **Step 1: Commit to doing the hard work together**

Raising the bar isn't going to be a quick adjustment; it's often a complete overhaul in your ministry's thinking and involvement. Creating a culture where safety is the standard will take work, but it must be a priority. Implement new policies and procedures. Train your employees and volunteers. Encourage open and honest communication. And perhaps most important, don't become complacent.



**Jim Welch**  
*Managing Director of  
Property & Casualty*  
GuideStone Financial  
Resources®

As perpetrators adapt and circumstances change, it's important that your church or ministry never gets too comfortable and one day realizes the bar is too low. To help you know where to start today, check out our risk management review for tips on how to safeguard your ministry and those you serve, available at [guidestone.org/RMRCE](http://guidestone.org/RMRCE).

#### **Step 2: Care well for victims**

If an incident is reported, ensuring that the individual who suffered is supported by your ministry is of utmost importance. That's why we recommend the Caring Well curriculum and resources from our partners at the Ethics and Religious Liberty Commission of the Southern Baptist Convention. The information available at [CaringWell.com](http://CaringWell.com) is designed to help your church or ministry respond to victims with love, compassion and hope. We recommend these resources to you and your church or ministry.

#### **Step 3: Make sure you have coverage to protect your ministry and those you serve if someone reports sexual misconduct**

After following the appropriate legal and state mandated protocols, and ensuring the safety and well-being of those involved, your next step is to think about your ministry. Our strategic alliance with Brotherhood Mutual Insurance Company provides Sexual Acts Liability coverage in the event of abuse in your congregation or ministry. Call your agent and file a claim if a situation presents itself.

#### **Step 4: Participate in a MinistrySafe® program**

As we mentioned in Step 1, training is an integral part of raising the safety standards for your ministry, so finding a great partner to guide you is key. MinistrySafe is an organization focused on helping churches



and ministries understand and address the risks of sexual abuse. They can provide your church or ministry with direct access to abuse prevention, training and program assessment to help you recognize, prevent and respond to sexual abuse. Visit [MinistrySafe.com/GuideStone](http://MinistrySafe.com/GuideStone) for more information on this trusted partner.

Now ask yourself, *is the bar high enough for the protection and coverage your children need? Or is it time to raise the bar for your ministry?*

You'll never regret taking extra steps to protect your people. Visit [GuideStonePropertyCasualty.org](http://GuideStonePropertyCasualty.org) to learn more. **CB**

All property and liability coverages are subject to conditions, coverage limits, limitations and exclusions. For precise details of coverage, please refer to actual policy forms. Brotherhood Mutual is licensed in most states. Some coverages are not available in all states. GuideStone Agency Services® is an appointed agency of Brotherhood Mutual in Texas, Alabama, Louisiana and Tennessee.

# What's the No. 1 reason churches end up in litigation?

**Answer: Sexual abuse with a minor**

A single lawsuit can derail a thriving, growing church and cost millions of dollars, as well as the loss of members and their faith in the safety of the church.

Such a catastrophe can happen to any church without proper risk management strategies in place.

Being prepared for the unexpected helps churches to prevent costly claims and devastating lawsuits, creating a secure atmosphere for worship and fellowship.

At AGFinancial Insurance, we don't just sell insurance; we provide the risk management strategies to help protect your church.

Crucial to risk management is an understanding of why lawsuits and verdict amounts are increasing.

First, 23 states either increased the statute of limitations or eliminated it altogether in 2019. At present, 41 states are considering statute of limitations reform.

Second, courts and juries are wanting to financially penalize those that have incidents, and the judgments are increasing. I know of three claims in the last year that were more than \$3 million each. Third, plaintiff attorneys are looking at assets of the church versus the limit of insurance the church might have, so those with more equity need to have higher limits of liability.

Finally, insurance companies aren't covering or are limiting coverage for sexual molestation. In addition, they're sometimes changing definitions to deny coverage or limit coverage for sexual misconduct with a minor.

## **So, what can your church do to better protect itself, and what strategies should you implement?**

Make sure that your insurance is placed with an insurance company that writes or specializes in writing churches. Ask how many churches they insure and what percentage of their business is churches. Similarly, make sure to work with an insurance agent that specializes in writing churches. Also, check your insurance



**Jerry Sparks,  
CRM, CIC**  
*President*  
AGFinancial  
Insurance



coverage for sexual misconduct. *Do you have that coverage? Is the limit less than what the coverage is for general liability?* Knowing that this is the No. 1 reason churches end up in litigation, why would you have a lower limit? *Does it limit coverage for minors? Does it only provide coverage if a background check had been done?* If your agent can't answer these questions, you might need to look for another agent.

In most lawsuits, the plaintiff attorney is going to sue for negligence, which will then help trigger any insurance coverage. Further, in trying to hold the church responsible, they will sometimes plead causes of action for negligence against the church for their negligent supervision and / or negligent hiring.

Many insurance companies might not want to provide coverage or the limits you need, as they know the risk and have seen an increase in the amount of settlements. We have implemented six steps to help minimize your sexual abuse liability and to provide the insurance carrier a reason to provide a higher limit. The below list should follow your community standard. Check with your local schools to see what they do to protect the children in their care, document it, and try to follow those same standards.

- A written application for all employees and every person working with minors, as well as anyone with a key to the church
- A thorough interview process
- A background check, including a criminal record check and sexual offender registry check
- Two documented reference checks, including any past church history and asking if they have any reservations about them working with minors
- A two-adult policy: at no time should a child be left alone with one adult.
- A six-month rule: all applicants must be in good standing with the church for at least six months before being allowed to work with minors.

## **Do you know who was insuring your church 20 years ago?**

I have had insurance companies ask for copies of older policies to prove coverage and limits were in place so they can provide a defense. Be sure to keep your insurance policies indefinitely, knowing the statute of limitations has changed recently and is likely to change again. The insurance marketplace and legal system is always changing, and your church needs to be proactive so it can be a viable ministry in the future. [CE](#)



# Protecting children in ministry

The mission of any religious organization is to minister to its congregation in a safe and nurturing environment. One of the most important aspects of this mission should be protecting the most vulnerable of their flock.

Unfortunately, child sexual abuse within religious organizations is still a grim reality, yet many ministries fall short of the necessary practices needed to safeguard their young parishioners.

## Why do they fall short?

There can be multiple answers to this question. One is the misconception that a person who would do something so heinous would be a stranger to the congregation and to the child. The truth is, among the cases of child sexual abuse reported to law enforcement, 93% involve a perpetrator that the child knows and trusts, such as a relative, care provider, family friend, coach, student leader, or ministry volunteer, according to Rape, Abuse & Incest National Network (RAINN).

*We perform background checks, so our programs are safe*, is another dangerous misconception. While background checks are important, less than 10% of sexual abusers will ever see a courtroom and only 3% will be convicted. This means roughly 97% of sexual abusers will pass a simple background check.

Finally, one of the most common reasons religious organizations fall short of the needed safeguards to protect children in their ministry is a lack of knowledge. It's important to understand that an effective child sexual abuse prevention program consists of key elements that work in concert to build barriers that filter out possible perpetrators and creates a warning system within the organization that can help detect dangerous behavior. These key elements include:

## Support from ministry leadership

Everyone in the organization — from the most senior leader to the newest volunteer — is vital to the success of the program. When ministry leadership supports the various measures and protocols needed, it demonstrates their commitment to protecting children from sexual abuse.

## Documented policies and procedures

Having written policies and procedures helps to communicate a consistent message, especially when there are multiple locations or ministry programs. These policies should include a prohibitive position statement, clear instructions on how to report suspected abuse, and detailed guidance on "grooming," a process used by perpetrators to gain trust from both the child and other adults.



**Eric S. Smith, ARM**  
*Senior Business  
Operations Analyst,  
Risk Management  
Services (RMS)  
Department  
Philadelphia  
Insurance Companies  
(PHLY)*

## Documented employee and volunteer training

Training should be provided to all congregants who work with children — from the youth minister to the nursery volunteer — when hired and annually thereafter. It should include a review of the written practices that have been implemented, the grooming process, reporting procedures, and what are considered inappropriate interactions with youth.

## Specific training for hiring managers

In addition to receiving the general training mentioned above, anyone who hires employees or volunteers should also receive training on elements placed in the hiring process to weed out possible abusers, which include reviewing the employment / volunteer application, completing reference checks, and conducting thorough interviews with questions that elicit high-risk responses.

## Criminal background checks

As mentioned, background checks should not be the only part of a child sexual abuse prevention program, yet it's still an important measure. Background checks should be conducted in accordance with state law and should be as comprehensive as possible. Be sure to reference the application and ensure any past addresses are considered when running a background check.

It's possible that some ministries have already implemented aspects of the various measures needed to protect children, yet they might need additional support. This support is why ministry leaders should be mindful of who they partner with when choosing an insurance broker or carrier. As important as the insurance policy itself, the knowledge and available resources provided by an experienced broker or carrier can be invaluable.



Philadelphia Insurance Companies (PHLY) has this expertise and can provide the level of support religious organizations need. Consider supplementing your current abuse prevention policies and training with PHLY's resources, offered in partnership with MinistrySafe. These easy-to-use, online resources can help reduce the risk of child sexual abuse in children's programs. They are available to PHLY policyholders with sexual abuse and molestation coverage at no additional cost. Visit [PHLY.com/Religious](https://PHLY.com/Religious) for more information. **CE**

The information and suggestions presented by Philadelphia Indemnity Insurance Company is for your consideration in your loss prevention efforts. They are not intended to be complete or definitive in identifying all hazards associated with your business, preventing workplace accidents, or complying with any safety related, or other laws or regulations. You are encouraged to alter them to fit the specific hazards of your business and to have your legal counsel review all of your plans and company policies.

# Sexual abuse and molestation guidance

Sexual misconduct can have psychological, emotional and physical effects on victims and their families. However, the damage doesn't stop there.

Just one incident of sexual misconduct can destroy the trust, credibility and reputation of an organization and the organization's leaders for years.

Adding further pain to an incident of sexual misconduct are the legal costs of a lawsuit, which can ruin both individuals and organizations financially.



**Brian Gleason**  
*Senior Risk Manager*  
GuideOne Insurance

To help you create a safe environment, our risk management team has compiled information using nearly 50 years of safety inspections and claims service from thousands of organizations across the country. We have distilled this experience on our Sexual Misconduct and Abuse Prevention resource page at [www.GuideOne.com/SexualMisconduct](http://www.GuideOne.com/SexualMisconduct). Here you'll find helpful articles, checklists and sample policy information.

One key way to prevent sexual misconduct is by thoroughly screening the backgrounds of potential employees and volunteers. Screening helps you determine whether the employee or volunteer has the ability to perform the essential requirements of the job tasks. Screening might also help determine the intentions of the volunteer or employee. Experience demonstrates that legitimate workers will not be offended, and the process often scares off those individuals who intend to do harm.

As part of a comprehensive program to prevent abuse and molestation, organizations should require the following:

**Written application** — All persons seeking to work with children should complete and sign a written application. The application should request basic information from the applicant and inquire into previous experience with children, previous affiliation with organizations, reference and employment information, and disclosure of any previous criminal convictions. Part of the goal of these questions is to elicit a response that makes it clear to applicants that your organization is serious about protecting the welfare of children and vulnerable individuals. The application form should be kept confidential and on file indefinitely.

**Personal interview** — Upon completion of the application, you should schedule a face-to-face interview with the applicant to discuss his or her suitability for the position. The interview's goal is to discern the applicant's interest in working with children and to find out about the applicant's previous experience serving children.

**Reference checks** — Before an applicant is permitted to work with children or vulnerable individuals, at least two of the applicant's

references should be checked and verified. While personal references can be helpful, references from organizations where the applicant has worked with children or vulnerable individuals in the past are particularly important. If possible, ask the references about any previous experience working with vulnerable populations. Remember that you're not only looking for whether or not this individual can do the essential job functions; you are also determining if this applicant is suited to work with the people you serve. Even if you don't receive information other than the dates of employment, document your contact with each reference.

**Criminal background check** — After securing the proper permissions, check the National Sex Offender Registry and criminal history for any county in which an applicant has lived for the previous seven years, regardless of position, and for multiple categories of volunteers, including:

- Those who will be involved in a school / preschool / daycare center
- Those who will be involved in activities with children or vulnerable individuals
- Those counseling children or vulnerable individuals
- Those involved in one-on-one mentoring of children or vulnerable individuals
- Any individual who will have one-on-one contact with children including drivers and coaches



Individuals with a history that includes any victimization crime should be excluded from contact with minors and vulnerable adults. Each state has a list of offenses which disqualify an individual from working with minors. This is a minimum standard to use when reviewing applicants. Be especially aware of crimes where an individual may plead down. For example, sexual assault of a minor can be reduced to misdemeanor assault as part of a plea bargain. In cases like this, get a copy of the arrest report which documents exactly what evidence was used that caused them to charge the individual. As plausible as it might seem, do not accept the applicant's word or explanation for what might have happened.

GuideOne Insurance's policyholders have access to discounted background checks through our program partners.

Visit [www.GuideOne.com/HRServices](http://www.GuideOne.com/HRServices) for details.

While sexual misconduct issues are continuing to make headlines, we at GuideOne believe that you can make a difference at your organization by skillfully screening potential employees and volunteers. **CE**



# It can happen here!

Take these 5 steps — today — to prevent abuse or molestation at your church

Many pastors believe sexual abuse is beyond the realm of possibility in their churches.

In reality, it happens all too often ... and many times, those same pastors aren't aware until it's too late to respond responsibly.

The results can be devastating for all involved, with massive spiritual, emotional, legal and reputational consequences.

Fortunately, there's a lot you can do.

## #1: The first (but certainly not only) step: background checks

Thorough background checks must be conducted for all staff and volunteers who work with children, at any time. That's a given.

Sadly, however, some perpetrators know how to evade background checks — and they gravitate to where children are. They're at church.

So, the next step is to acknowledge that a sexual abuse incident could occur at any time, if your church is only doing the bare minimum of background checks. You must mitigate accordingly, which includes ...

## #2: Have a written / formal abuse prevention policy in place

This should include common-sense, transparency-focused measures, such as prohibiting one-on-one, shut-door interactions with children, and making sure parents can easily check in on their kids. Also be sure that the children's ministry isn't entirely run by volunteers; a staff member also needs to be involved.

If possible, a specific committee should be formed to update and implement this comprehensive abuse prevention policy.

Additionally, I've found the MinistrySafe awareness training offered by Gregory Love and Kimberlee Norris to be the best possible resource in this regard.

## #3: When an allegation arises, take action

When an incident occurs, some church leaders' first instinct is to "handle it" in a way that protects church staff and volunteers. This ignores — very much at the church's peril — not only the alleged victim's / family's needs, but also time-sensitive state laws about abuse and molestation reporting.

Not only must the incident and the staff member or volunteer involved be reported to the authorities, they must also be reported to your insurance carrier as soon as possible.

Aside from the legal obligation to involve your carrier, your insurer can also provide assistance in interacting with the media, as well as proper legal counsel.



**James (Jamie) Barth**  
Vice President  
Insurance Office  
of America



No church can afford to try and "make it go away" when an abuse allegation arises — and for so many reasons, it shouldn't try.

## #4: Know the difference between "claims made" and "occurrence"

Essentially, there are two forms of coverage: *claims-made* and *occurrence*. Stated as simply as possible, the danger for a church lies in switching from *claims-made* to *occurrence*, writing a new policy, as this can create a gap in coverage.

In many states, the statute of limitations for reporting abuse and molestation is now 30-plus years.

Some years ago, many denominations were covered by master policies, many of them written on a *claims-made* basis.

As such, the switch might mean your church potentially wouldn't have coverage for an incident that happened decades ago.

Be sure to talk with your agent about *claims-made* and *occurrence* before making any policy changes.

## #5: Take a hard look at your current insurance policies, coverage

Buying insurance on a cost-first basis is common in churches, and rife with risk. It's especially dangerous when it comes to your church's abuse and molestation liability.

I advise purchasing the highest possible limits — no less than a \$1-million limit per period. For medium-size churches, I'd recommend \$2 million or higher. For larger churches, I'd suggest \$5 million-plus.

Also ask about the possibility of purchasing a higher limit on an umbrella policy's abuse sublimit. Doing so will expand your coverage. Of course, at IOA, our responsibilities are inclusive of securing the most comprehensive coverages and limits; however, we're also aggressive in getting competitive pricing.

Be aware that abuse and molestation is a complex coverage area, and — in my experience — not every insurer writes it correctly. As this is the most serious and potentially damaging threat facing churches today, be sure to seek out a carrier or broker that specializes in working with churches. Aside from abuse and molestation policies, these providers will be familiar with other exposures considered in the policies, including crime policies and employee dishonesty. At IOA, we're committed to "making the complex simple."

Although sexual abuse is something no one in the Church wants to think about or talk about, we *must* protect the children in our care. And we can. **CE**



# Review your child abuse prevention plan

This year has been a season of disruption.

And in a time of disruption, it's more important than ever to ensure your ministry is following its policies and procedures — especially when it comes to staff who work with children.

A key aspect of risk management is safeguarding the physical and spiritual wellbeing of the children, youth and vulnerable adults in your ministry. There's a heightened legal duty when you're ministering to children. You have a duty to protect and keep them from harm. This duty exists regardless of where children's ministry takes place — whether it's in-person at church, off campus, or via online or web platforms.

As you focus on staying connected with your people, you must also remember to protect them. At times like this, a predator can take advantage of the turnover happening in your staffing because of lax screening measures, delayed child abuse prevention training, a loss of supervisory staff, or relaxed digital communication procedures. Don't let this time of disruption be a sexual predator's point of entry into your children's and youth ministry.

## What's the plan?

Ministries tend to do a good job in understanding basic procedures to screen out predators. But screening alone isn't enough. A formal abuse prevention document establishes a culture of safety and accountability with a written record of policies, practices, guidelines and procedures designed to protect the vulnerable. The following are just a few key areas to consider including in your child abuse prevention plan:

**Six-month rule** — Consider a requirement that individuals interested in volunteering with children attend your church for at least six months. Sexual predators seek easy access to children and typically won't wait a long period of time to gain contact.

**Strengthen screening processes** — Unless a sexual predator has been previously convicted, the individual most likely won't show up on a criminal background check. That's why you need a multilayered

screening process that includes a written application, a reference check and interview, a background check, and a personal interview. Everyone working with the vulnerable — both paid and volunteer — should be screened, even if you know them well.

When doing a background check, you'll want to work with a reputable provider to do a national criminal record check and a local background check. A local background check will often cover a five-year period, looking at the county and city in which the applicant lives. Not all local jurisdictions report to the national database — so, a local check is important.

**Training and education** — Educate anyone who will be working with children 18 years and younger in your ministry. Have training in place that empowers your volunteers and employees to recognize the signs of predatory and grooming behaviors.

**Supervision** — Good supervision helps to deter abuse. The goal is to prevent situations that leave one employee or volunteer alone with minors in rooms, vehicles, restrooms or via technology.

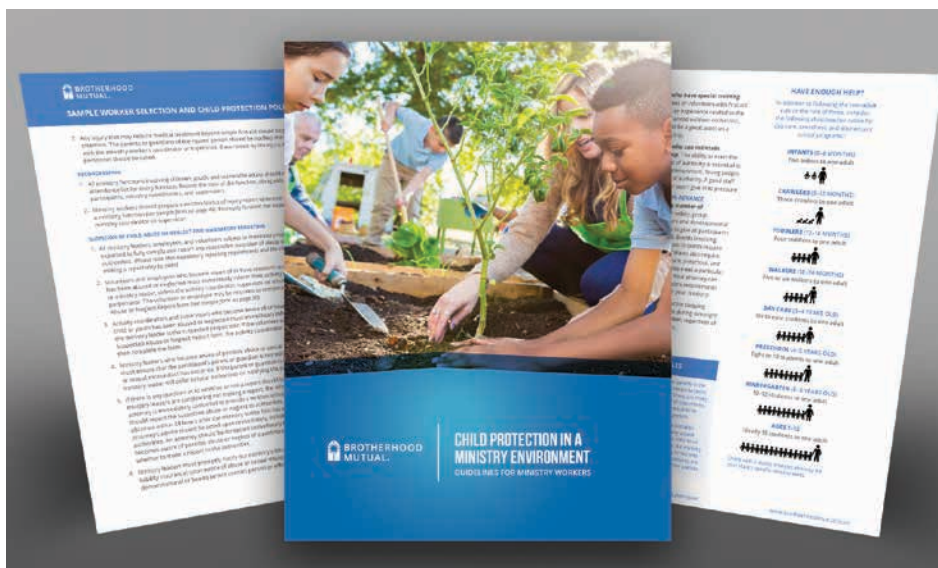
## Guidelines for ministry workers

To help churches create a safe ministry environment, Brotherhood Mutual® has developed a digital booklet that goes into greater detail about the points above and more. *Child Protection in a Ministry Environment — Guidelines for Ministry Workers* lays the groundwork for developing and enhancing your child protection and screening program. (It's available at [brotherhoodmutual.com/guidelines](http://brotherhoodmutual.com/guidelines).)

The booklet covers awareness and the importance of training and offers instructions for developing a screening and supervision program within your ministry. It also includes a sample policy manual with 16 forms and checklists.



**Steve Case**  
Assistant Vice  
President, Senior  
Corporate Counsel  
Brotherhood Mutual  
Insurance Company



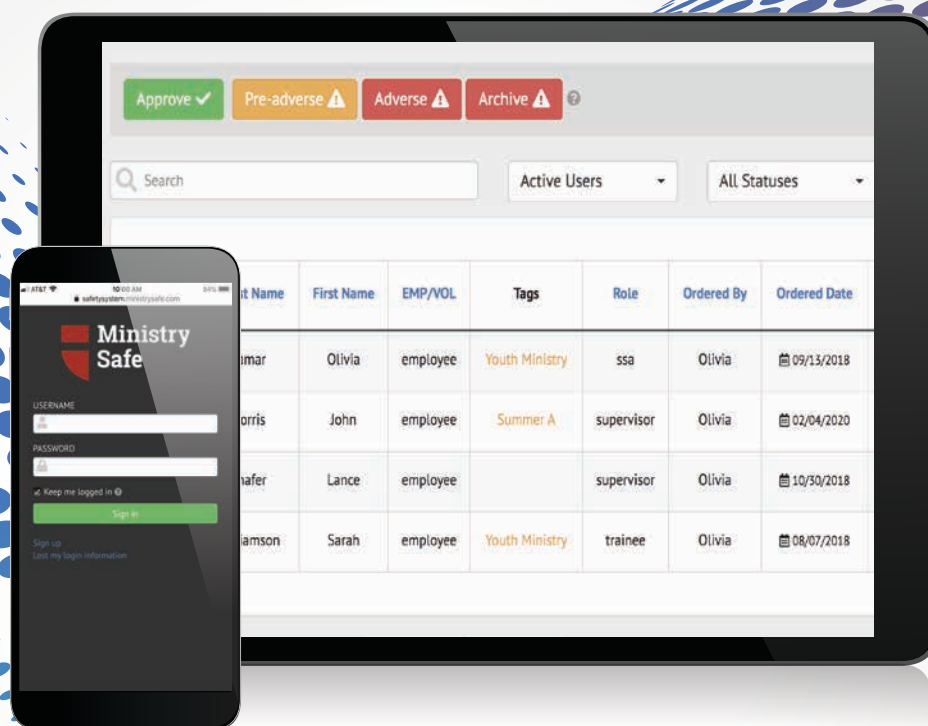
## Contact Legal Assist®

As your ministry works on implementing or updating your child abuse prevention plan, feel free to reach out to our Legal Assist team. We can review your plan and provide risk management guidance on this topic. This free service is provided by our inhouse attorneys and is available to all ministries. Visit [brotherhoodmutual.com/legalassist](http://brotherhoodmutual.com/legalassist). **CE**

\*The services offered through Legal Assist are intended to provide general legal information. It does not constitute legal advice. The free service is intended to provide information that is helpful but is not a substitute for the advice of a licensed attorney in your area.

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# THE RISK OF SEXUAL ABUSE IS **REAL**



## Background checks are not enough

Many organizations make use of background checks to help ensure their employees and volunteers are fit to serve children and youth. While background checks are helpful, Church Mutual recommends that they not serve as the sole means of applicant screening.

The solution? A comprehensive system that meets legal standards of care and reduces the risk of sexual abuse through preventative measures tailored to your organization's unique needs. We have partnered with **MinistrySafe®** and **Trusted Employees** to help you take proactive steps in reducing the risk of child sexual abuse.

## The issue of sexual abuse

Sexual abuse is a highly sensitive topic with far-reaching implications and devastating outcomes. Victims and organizations alike are often left reeling in the wake of abuse. Recognizing the serious nature of the issue is the first step toward reducing the risk. Take a look at our **10 Essentials of Sexual Abuse Prevention** to find out how your organization can begin protecting those most vulnerable.

While awareness and knowledge of the risk of sexual abuse are good places to start, Church Mutual wants you and your organization to have a solid system in place that provides layers of protection.



Our **Sexual Abuse Prevention Assessment** is meant to provide you with a starting point to discover strengths and weaknesses related to the risk of sexual abuse and establish how effective, well-thought-out prevention can keep your people safe.

## Learn more

Visit [churchmutual.com/abuse](https://churchmutual.com/abuse) to learn more about the risk of sexual abuse and what you can do to establish an all-encompassing safety system for your organization.

## Not a Church Mutual policyholder?

Find out how you can **become a customer today**.

## We're here to help!

If you have additional questions on the risk of sexual abuse or need help with any sexual abuse-related topics, call our Risk Control Central team at **(800) 554-2642**, ext. 5213, or email [riskconsulting@churchmutual.com](mailto:riskconsulting@churchmutual.com).







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# 4 action steps for effective child safety policies and procedures

## How to create a successful abuse prevention program

Setting child safety policies and procedures is one of the most practical, and effective, ways to reduce the risk of child sexual abuse in your ministry — and that's why it's a priority for us at GuideStone®.

Our strategic alliance with **Brotherhood Mutual Insurance Company**® and partnership with **MinistrySafe**® uniquely position us to help your church put a plan in place to protect those you serve in children's and youth ministry.

We have compiled four action steps for your ministry to take that are essential in creating a successful child abuse prevention program.

### Appoint

A culture of safety requires leadership. So your first step toward child protection is to appoint a Child Safety Team. Team members should understand and value child safety, be completely background checked and screened as well as be familiar with the church's mission and programs. Brotherhood Mutual, a company that has been insuring churches for more than 100 years and understands the unique needs of ministry, recommends your team develop a written **Child Safety Plan**. This plan should include safety policies and procedures for your church with the goal of making child safety an integral part of the church's ministry. Your team should also create a strategy for implementing the plan within a reasonable amount of time.

As the leaders of this important piece of your ministry, the team should appoint a central representative from the team — a pastor, staff member or member — as safety coordinator to report regularly to the staff and administrative body with updates, issues, concerns and needs. This person may also provide leadership for congregational education in safety, security and risk issues.

Of prominent importance, this team should embody and create a culture of caring well for victims. The Ethics and Religious Liberty Commission of the Southern Baptist Convention recently released great resources via their **Caring Well** program. We recommend these resources to you and your church or ministry.

### Train

Training your employees and volunteers is one of the best ways to safeguard your ministry and those you serve. Yearly or bi-yearly training sessions will keep your team well informed on how to identify potential misconduct, updates in policies and procedures as well as the latest developments in reporting. Make sure your Child Safety Team keeps updated records of who has completed training and who needs to renew. Additionally, consider specific screening training for staff members in charge of hiring or volunteer coordinators in charge of onboarding and assigning volunteers. Your staff and volunteers are your eyes and ears on the ground and are often the first to sound the alarm should something be amiss, so putting in the effort to keep them up-to-date on what to do and how to do it is paramount.

If you are looking for a training partner, we recommend you check out **MinistrySafe**. MinistrySafe is an organization focused on helping churches and ministries understand and address the risks of sexual abuse. They can provide your church with direct access to abuse prevention training and program assessment to help you recognize, prevent and respond to sexual abuse. They offer both in-person and video options depending on what works best for you.



### Screen

As part of your Child Safety Plan, you should carefully craft a **screening process** that includes high-risk response questions for both staff and volunteer position applications. Your church should also conduct an up-to-date criminal background check for these positions — as it can provide information about an individual's past pattern of lawful and ethical behavior. However, background checks don't always provide a complete picture. This can lead to a false sense of security when considering a candidate. More than 90% of sexual abusers have no criminal record, and, if they do, their record may show a "plea down" to a lesser offense.

If your church is looking for help with a screening process, we again recommend MinistrySafe. They provide guidelines for **effective criminal background checks** and sample application questions that will help you screen successfully.

Caring Well just released the **Caring Well Hiring Guide**, which can also provide guidance in this area.

### Monitor

Once you have a team, a training program and a screening process set in place, the final step is to remain vigilant. Just because these policies and procedures have been set in motion doesn't mean it's time to relax. Make sure your church:

- Continues to set regular meetings with your Child Safety Team to monitor progress and review the effectiveness of your plan.
- Encourages open and honest communication within your team, staff, volunteers and the congregation as a whole.
- Seeks professional legal advice on how to best comply with state and local requirements. All reporting to the proper authorities must be made by the church, and in many cases by the witness, in a swift and timely manner. Governmental requirements on reporting can change quickly, so take advantage of this helpful guide from Brotherhood Mutual with **state-by-state guidelines on mandatory reporting**.

As perpetrators adapt and circumstances change, it's important that your church never gets too comfortable. Check out GuideStone's most recent **Risk Management Review** for additional tips on how to safeguard your ministry and those you serve.

We've said it before, but it's worth repeating — you'll never regret taking extra steps to protect your people.

And GuideStone wants to help. We would welcome the opportunity to talk with you about your church's specific needs and provide guidance for your church or ministry's prevention policies, procedures and coverage. Visit **GuideStonePropertyCasualty.org** to learn more.

# WE UNDERSTAND YOUR MISSION BECAUSE WE SHARE YOUR MISSION

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*Now, let us help you  
protect it.*

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LEARN MORE



GuideStone®



# Risk Management in 2020

By Jerry Sparks, CIC, CRM

A global pandemic has given birth to change, and it's been inspiring to watch churches innovate and find new ways to spread the gospel and reach their communities.

In this excerpt of the new *Church Risk Management in 2020* eBook, I'll share a few of the new trends seen in churches across the country and the related risk management opportunities that should be addressed.

## Review your Insurance Policy

Regardless of a pandemic, it is always a good idea to review your church's insurance policy and ensure you have proper coverages. As your ministry grows, your insurance needs may grow as well.

But with a global pandemic that involves a new disease, it's important to review your policy and understand specific coverage. For instance, does your General Liability have a Virus/Communicable Disease exclusion? BEWARE — many insurance policies have this exclusion and if the church is sued by someone alleging contracting COVID-19, no insurance would apply.

## Government Guidelines and the Church

In this time of ever-changing COVID-19 policies and ordinances, the topic of how much a church should abide by local governance has become highly debatable. However, I'd like to offer two simple perspectives for your consideration.

First, it is a biblical principle to act responsibly under the authority of government. Paul offers wisdom and encouragement on this topic in Romans 13.

Second, your insurance coverage may be adversely affected if you do not abide by the policies provided by your local governing authorities. Did you know the majority of church general liability policies has language that excludes coverage for a willful violation of a penal statute or ordinance committed by or with the knowledge of the insured? Your church could be at risk of losing coverage and defense coverage if there is such a willful violation.

## Infectious Disease Plan

If you don't already have an infectious disease plan established for your church, now is the time to create one. This plan will help your leadership know exactly what to do if and when an infectious disease spreads in your church.

Here are some considerations in developing your church's Infectious Disease Plan:

- Refer to the latest information provided by the CDC.
- Create a section for church staff, which could include details on travel restrictions, not coming to work if feeling ill, working from home, and social distancing guidelines for the workplace.
- List the steps necessary to ensure a safe gathering at your church — sanitization practices, communication to congregants to do their part, expectations for children and workers in the children's area, etc.



- Include information on Children's Ministry, establishing clarity on what is expected of children and parents and what events would necessitate that area to temporarily close.
- Create clear communication to congregants that explains the precautions they are expected to take (e.g., social distancing, face coverings, awareness of symptoms) and who to talk to if there are questions.

To see the full list of new risk management considerations, including sanitation best practices and day care guidelines for churches hosting students for virtual schooling, download the free *Church Risk Management in 2020* eBook [here](#).

**Jerry Sparks, CIC, CRM** is Senior Vice President at AGFinancial. This article is excerpted from the new ebook, CHURCH RISK MANAGEMENT IN 2020. For more great Insurance and Church Risk Management articles and videos, check out our [resource library](#) dedicated to helping churches like yours. To ensure your church has the proper insurance coverage or for more information regarding risk management, contact our Insurance team at 866.662.8210 or [info@agfinancialinsurance.org](mailto:info@agfinancialinsurance.org).

AGFinancial is one of the largest financial institutions in America dedicated to serving churches. Our focus has always been the financial health of churches and ministers, offering an array of services including ministry loans, investments, retirement planning, planned giving, and insurance. For more information on how **AGFinancial** can help you or your ministry, contact us at 866-621-1787 or [info@agfinancial.org](mailto:info@agfinancial.org).



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# Religious organizations can benefit from Philadelphia Insurance Companies' (PHLY) broad expertise providing dozens of insurance solutions to niche businesses.

PHLY's Human Services insurance products are tailored for mental health, non-profit, substance abuse, and childcare organizations. But even beyond Human Services, PHLY provides insurance solutions for shelters, schools, camps, and sports teams and leagues. This eclectic collection of insurance products positions us to know the unique exposures and risks faced by churches and other religious organizations.

PHLY recognizes that religious organizations have a very unique set of exposures, yet even among themselves, no two ministries are alike. That means there shouldn't be a one-size-fits-all approach to their risk management needs. The single Baptist church with a nursery during services may have different risk management needs than a multi-state Methodist Conference with a thrift store and foodbank. But combining a comprehensive risk management plan with insurance coverage is a vital element of a comprehensive protection strategy for both ministries.

It may be difficult for some religious organizations to know where they are exposed to risk; maybe because they provide so many services or maybe they simply haven't considered the implications of certain exposures. PHLY Risk Management Services (RMS) consultants are specially trained across all of our products and risk functions. They understand the risks involved with abuse situations, camps, schools, aquatics, auto, building maintenance, and more. They can then apply this breadth of knowledge to the organization's benefit.

RMS consultants can assist with reviewing policies and current exposures and provide recommendations on how to strengthen risk management practices. These services are included in the insurance premium. Consultants can also help organizations navigate access to an array of risk management tools from our partners, many at no or low cost, to help with:

## Auto Risks:

- Free GPS tracking units installed (valued at \$300 each) and use of the proprietary **PHLYTRAC telematics** tool
- Defensive driver training

## Abuse Risks:

- Online abuse prevention training and policy support through **Ministry Safe**

## Safety Risks:

- Building and site inspections and recommendations for repairs, upkeep, and preservation
- Identification of hazards including physical, environmental, financial, and emotional
- Armed intruder strategies and violent assault response programs

PHLY also provides clients with **SmarterNow**, a learning management system for online training and reporting capabilities for driver training, workplace discrimination, security awareness, and more. Watch the short video [here](#), and find the complete list of online risk tools and services available [here](#).

PHLY provides various tools and resources to help religious organizations understand and mitigate their risk. This includes our **PHLY Blog** that dives into specific topics. Past articles include:

- **Coronavirus Information for Individuals and Organizations**
- **Protecting Children in the Virtual World**
- **Understanding Child Sexual Abuse Risk**
- **Work from Home Tips for Safety and Productivity**
- **Vehicle Telematics: Improving Driver Behavior**
- **Holiday Fire Safety Tips**
- **Risk Management for Vacant or Unoccupied Buildings**

So whether it is an intimate congregation or a multifaceted ministry with multiple programs and locations, PHLY, along with our Risk Management Services team, is uniquely prepared to partner and provide expertise and support that can help organization leaders fulfill one of their most important missions: providing a safe environment to connect and worship.





HUMAN SERVICES PROTECTION NON-PROFIT/FOR PROFIT

## FOR DECADES, WE'VE INSURED ORGANIZATIONS WHOSE REWARDS ARE MEASURED IN SMILES.



PHLY works with our Human Services partners to ensure that they are able to continue to make a meaningful difference in the lives of those in need. We offer customizable package policies, along with superior customer service, and a free risk management plan toolkit to help human services providers navigate the perils of an ever changing world.

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# Protect the Children of Your Church

## *Sexual abuse prevention resources from GuideOne Insurance.*

An allegation of sexual abuse can be devastating to not only the victim and their family, but it can significantly impact the reputation you've worked so hard to build for your church. GuideOne offers a wide variety of free resources to help you proactively protect your church, and the people you serve, from incidents of sexual abuse and misconduct.



### ABUSE PREVENTION WEBINAR SERIES

Having policies and procedures in place can significantly help reduce the risk of abuse in your church. Learn how to build a framework for abuse prevention in our free, two-part webinar series.

[WATCH NOW](#)



### CHILD SAFETY EBOOK

Our free child safety eBook provides guidance on a variety of topics ranging from playground safety, to nursery inspections, as well as how to prevent and handle child sexual abuse.

[DOWNLOAD](#)



### SAFETY RESOURCE LIBRARY

We have an extensive safety resource library full of articles, fact sheets, checklist and more over a variety of risk management topics, including child sexual abuse.

[VIEW NOW](#)

# ► *We're more than insurance.*

Become a GuideOne customer to access more abuse prevention resources. Start your free, no-pressure quote at [GuideOne.com](https://www.GuideOne.com).



# Nonprofit Organizations

Get risk experts who know and appreciate what you do.

## Overview

With **IOA**, you will find a team of professionals that understands the special needs of nonprofit and religious organizations. We understand how important nonprofit organizations are and the role they play in our society today. Our job is to provide you with the tools to make your work a lot less stressful — making it easier to give back.

Our leading nonprofit experts will thoroughly evaluate current and future liabilities to assist them in better understanding your company's specific needs. Building on this evaluation, IOA takes a creative approach to placing coverage that instills sustainable solutions for nonprofit exposure.

## OUR FOCUS

- Church denominations (including large independent churches)
- Human service organizations
- Nonprofit educational organizations
- Nonprofit hospice organizations
- Nonprofit medical organizations
- Large nonprofit organizations
- Large parachurch organizations
- Religious industry associations

## OUR CUSTOM SOLUTIONS

In addition to strategic brokerage and consulting services, the IOA team can design unique programs for your organization including:

- Custom-designed programs available to association members
- Ministry-owned captive insurance companies, group captives, and “rent-a-captives”
- Risk retention groups
- Self-insurance and consumer-driven benefit programs
- Specialized loss/claims control



## OUR SERVICES & PRODUCTS

- Crime
- Directors and officers liability
- Employment practices liability
- Evacuation and political/economic instability
- Fiduciary
- Foreign/Domestic workers compensation
- Foreign liability
- International operations in sensitive locations
- Kidnap and ransom
- Professional liability
- Property and casualty
- Sexual misconduct liability
- Special events
- Travel accident policies
- Internet liability
- Media liability
- Pollution liability
- Privacy/Network security
- Umbrella/Excess coverage

For up-to-date information, support, and resources, check out our **COVID-19** and **Reopening America** Resource Centers.

# PROTECTING *the vulnerable*

One of the most important responsibilities of any ministry



**Steve Case**, Assistant Vice President, Senior Corporate Counsel  
Brotherhood Mutual Insurance Company

In a previous article I talked about the importance of creating a formal abuse prevention plan that establishes a culture of safety and accountability. This includes a written record of policies, practices, guidelines, and procedures to protect the children, youth, and the vulnerable. The six-month rule,

training and education, and supervision are all key. Strengthening screening processes also is integral. This is a topic our Legal Assist team gets a lot of questions about. Following are a few questions along with risk management guidance.

## Why should our ministry screen?

Conducting thorough background checks on potential employees and volunteers is an important part of protecting your ministry's people and its financial assets. While you cannot rely on a background check alone to ensure the safety of those you serve, when used in conjunction with other safety and risk management procedures, your ministry will be a safer place.

## Who should our ministry screen?

Screen all employees regardless of position and all volunteers who will work with children, youth, or vulnerable adults. Carefully screening people before allowing them to work in your ministry is one of the best ways to protect children and

vulnerable adults from harm. A screening should include a written application, a reference check, a background check, and personal interview.

## How do I choose a background screening provider?

Choose a reputable background screening provider who provides comprehensive services. Some questions to take into consideration while doing your research include:

- What is this company's reputation as a background screening provider?
- What are other clients saying about this company?
- What type of service area does this company serve?
- What type of organizations does this company serve?
- Does this company specialize in working with churches and related ministries?
- How quickly does this company turn around screening requests?
- How does this company deliver screening reports?
- What type of customer service does this company offer?
- Does this company offer different screening options?
- How long has this company been in business?



### Is a check of my state's sex offender registry enough?

Most states have public sex offender registries that can be valuable tools for evaluating a suspicious person. However, sex offender registries include only individuals convicted of specific sexual offenses. There are a number of criminal offenses that may not result in someone being placed on a registry, but those other convictions may disqualify the individual just the same. There is no substitute for obtaining a thorough background check from a reputable provider.

### Do I need written permission to screen a potential employee or volunteer?

Yes. Federal law requires that job candidates and volunteers give written permission before a background check can be conducted.

For more information on child safety and abuse prevention visit the Brotherhood Mutual Safety Library at [brotherhoodmutual.com/safety](https://brotherhoodmutual.com/safety).

### GUIDELINES FOR MINISTRY WORKERS

To help churches create a safe ministry environment, Brotherhood Mutual® has developed a digital booklet. [\*Child Protection in a Ministry Environment — Guidelines for Ministry Workers\*](#) lays the groundwork for developing and enhancing your child protection and screening program. The booklet covers awareness and the importance of

training and offers instructions for developing a screening and supervision program within your ministry. It also includes a sample policy manual with 16 forms and checklists.

### CONTACT LEGAL ASSIST\*

As your ministry works on implementing or updating your child abuse prevention plan, feel free to reach out to our Legal Assist team. We can review your plan and provide risk management guidance on this topic. This free service is provided by our inhouse attorneys and is available to all ministries. Visit [brotherhoodmutual.com/legalassist](https://brotherhoodmutual.com/legalassist)

\*The services offered through Legal Assist are intended to provide general legal information. It does not constitute legal advice. The free service is intended to provide information that is helpful but is not a substitute for the advice of a licensed attorney in your area.

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**ABOUT THE AUTHOR** Steve Case has been with Brotherhood Mutual since 2014. He leads a team that helps ministries manage their legal and reputational risks. His areas of focus include child protection, worker screening, faith-based decisions, safety and security, and employment issues.

Headquartered in Fort Wayne, IN, Brotherhood Mutual is a national property and casualty insurance company with a heart for helping ministries thrive. As a leader in the industry, Brotherhood Mutual provides innovative insurance coverage and risk management resources, specifically designed to help ministries operate safely and effectively. Brotherhood Mutual is licensed in most states.

## REVIEW YOUR CHILD ABUSE PREVENTION PLAN

*Child Protection in a Ministry Environment: Guidelines for Ministry Workers* is a **free**, 50+ page resource for ministries packed with vital information about:

- Identifying abuse
- Preventing abuse
- Screening guidelines
- Mandatory reporting
- Creating safe spaces
- Communicating your plan
- Sample policies and forms

Download for **free** today at [brotherhoodmutual.com/guidelines](https://brotherhoodmutual.com/guidelines)

