

### BCIB GENERAL

Newsletter March 2018

#### HARASSMENT AND BULLYING /UNFAIR **DISMISSAL CLAIMS**

#### **Review Your HR Procedures**

Most of the claim notifications we receive under the Management Liability policy either involve unfair dismissal or bullying and harassment. This is despite workplace legislation introduced over a decade ago that specifically deals with these matters and changing societal attitudes towards unsavoury workplace practices.

Bullying and harassment in the workplace is the cause of 30% of all workers compensation claims for mental stress. These claims cost on average \$27,000 each and lead to an average 10 weeks absence from work. Additionally, claims filed under the Management Liability policy also average \$30,000.

If you believe you are entitled to dismiss an employee, you must follow the steps set out by the Fair Work Act - these should be detailed in your Employee Handbook and HR Procedures Manual. Unfair dismissal notifications to the Fair Work Tribunal will create a large amount of work for you to defend and generally end up being settled for between \$10,000 and \$50,000.

If you do not have any of these documents, contact your State industry association for assistance. For example, Clubs NSW and Community Clubs Victoria have these resources available. It is not enough to just have written



procedures - everyone in a position of authority has to follow them. This means all managers, supervisors and Directors need to be trained in providing a safe working environment and in employment policies and procedures.







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## BCIB INSURANCE BROKERS

#### WORKERS COMPENSATION ENQUIRIES

Our Workers Compensation services are provided Australia-wide by Work Health Options (WHO). No matter which State or Territory you are in, WHO are able to help you with claims reviews and management, return to work and injury management, work health and safety and well being services.



Contact WHO on 1300 423 111 and let them know you are a client of Domina-BCIB

### THE PRIVACY ACT – MANDATORY DATA BREACH REPORTING

As of the 22nd of February 2018, any business with a turnover greater than \$3 million per annum is now required to report any breaches of the Privacy Act 1988 to the Office of the Australian Information Commissioner (OAIC).

Note: Some businesses with less than \$3 million turnover are also required to report – see the OAIC website for more information

What is a data breach? The unauthorised access or to or disclosure of personal information, or loss of personal information, held by a reportable entity where this is likely to cause serious harm to individuals and you are unlikely to be able to prevent that harm from occurring.

What is personal information? The Privacy Act defines 'personal information' as: "Information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not;
  and
- whether the information or opinion is recorded in a material form or not."

**Examples:** "A person's name, signature, home address, email address, telephone number, date of birth, medical records, bank account details and employment details will generally constitute personal information" – your club member records and employee records



"A person's employment details, such as work address and contact details, salary, job title and work practices" - your employee records

What is serious harm? It is not defined in the Act but may include physical, psychological, financial and reputational harm.

What do I do if a breach has occurred? To notify breaches or for more information, go to the OAIC website

https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme

## BCIB INSURANCE BROKERS

#### **BCIB FUTURE OF BOWLS FORUMS**

Last year, BCIB were proud to facilitate a number of "Future of Bowls" forums throughout NSW, Victoria and Queensland. These forums provided valuable information to attendees on the current and future trends in lawn bowls.

Throughout 2018, BCIB will partner with Bowls Australia to take the forums to a wider audience, with planning now underway to reach every State and Territory. More information will be available in the coming months from BA and on our Facebook page.

#### **COMMONWEALTH GAMES 2018**

Best wishes to the Jackaroos competing in the Commonwealth Games next month.

BCIB Ambassadors Karen Murphy (in her 5th Games appearance) and Steve Glasson (Coach) headline a very strong Aussie squad. BCIB will be rinkside at Broadbeach Bowls Club with updates on all the action posted to our Facebook page.





#### **BOWLS PREMIER LEAGUE 07**

The BCIB Sydney Lions will be seeking to defend their winning streak in the Bowls Premier League when they travel to Wellington NZ for the seventh instalment of the tournament in late April.

The Lions from Club Mount Lewis have taken out the past three events – catch all the games on Fox Sports.



# BCIB INSURANCE BROKERS

### SYNTHETIC PLAYING SURFACES – INSURANCE UPDATE

In previous editions of the newsletter we have highlighted the ever shrinking insurance market for synthetic playing surfaces. There are very few insurers left who are willing to provide cover for synthetic surfaces and obtaining full replacement value is extremely rare. Most damage including storm may be limited to \$30,000 although fire damage usually has a higher limit. The cost of insuring a synthetic surface for these limited amounts continues to increase.

There is unlikely to be a change in this stance due to the high cost of synthetic surface claims paid out by insurers over the past five years. These include damage to bowling greens, tennis courts, futsal and hockey surfaces, mostly as a result of storm or malicious acts. If your club is considering the installation of a synthetic



playing surface, remember to factor in the cost and limits of insurance cover by comparison with natural surfaces as part of your risk assessment.

#### **NSW FSL BACKFLIP**

In early 2017, the NSW Government announced the abolishment of the FSL on insurance policies. The FSL is calculated on the premium for property insurance at a rate that varies between 35-45%.

From April 2017 onward most insurers started phasing out collection of the levy, which provided a small benefit to you at a time when insurance premiums were starting to rise.

Unfortunately for policy holders the Government back flipped on the planned abolishment and reintroduced the levy in July 2017.

For those policy holders who had a FSL reprieve for the months of April – July 2017, this year you will not only



feel the impact of the reintroduced levy but also the continued increase in property insurance premiums (which only further compounds the levy).