

RELIGIOUS INSTITUTIONS

Sexual Misconduct



 Utica National Insurance Group

Protecting Your Religious Institution from Sexual Abuse and Molestation Claims

Sexual abuse and molestation

of children unfortunately happens more frequently than we would like to believe. When sexual misconduct is perpetrated by members of the clergy it is even more troublesome because religious institutions are thought of as safe havens, especially for children. In addition to the frequency of occurrences, there may be multiple victims when a clergy member or other religious institution's staff member has been sexually abusing children over a period of years. The resulting physical and mental damage inflicted as a result of these incidents may be so severe that the victim(s) or members of their families seek justice via criminal action against the perpetrator and/or civil litigation against the church, temple, mosque or synagogue.

We may not be able to prevent or predict all occurrences

of sexual abuse or molestation. However, in many of the complaints of sexual abuse and molestation brought against religious institutions it has been alleged that an employee or clergy member of the religious institution had knowledge of the abuse, or they should have known it had been taking place, and yet they did not take appropriate action.

You can take steps to limit the frequency, severity and liability associated with sexual misconduct.

The following 12 questions

have been developed to assist you and your organization in preventing sexual misconduct and limiting the damages that result from these occurrences. You should be able to answer "YES" to each of the 12 questions listed below:

-  Does your religious institution currently have sexual misconduct liability insurance coverage (including abuse, molestation and harassment)?
-  Do you have a written policy and supporting procedures that address sexual misconduct?
-  Is your policy communicated annually to all clergy, staff, parents and volunteers?
-  Do you annually train all employees and volunteers to observe the signs of physical abuse and report them appropriately?
-  Have you designated someone to be responsible for handling and directing all complaints or concerns of sexual misconduct?



- ❧ Does your designated complaint officer/coordinator receive adequate training in his/her duties and responsibilities?
- ❧ Do you screen all prospective employees before they are hired or permitted to work, or have contact with, children? (Note: documentation should include a signed, dated application; reference check; fingerprints; and criminal record check, where permitted by law).
- ❧ Do you require, at minimum, a signed application and references from all volunteers prior to allowing them to work or have extensive contact with children?
- ❧ Do all volunteers and prospective employees receive approval from your organization's governing body?

- ❧ Are all allegations of sexual misconduct (abuse, molestation, harassment) investigated, documented and reported?
- ❧ Do you immediately notify your liability insurance carrier of all allegations of sexual misconduct regardless of the outcome of any inquiries/investigations?
- ❧ Do you document all communication and training regarding your sexual misconduct policy?

This brochure is not intended to imply coverage for sexual misconduct. Please check with your Independent Insurance Agent to verify coverages, and your attorney to determine which local and federal laws apply to your institution.

Important: Your religious institution should be able to answer "YES" to all of these questions.

If your organization is not currently in a position to answer "YES" to each of these questions, **please** seek assistance from your Attorney, Independent Insurance Agent and local Utica National Loss Control Representative. Each can assist you in finding resources to better position you to more effectively address instances of sexual misconduct.



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