

The CIPFA Insurance Network

Contracts/ Outsourcing – Insurance Liabilities and Indemnities

26th March 2014 (London) & 27th March 2014 – (Leeds)

A **New Spring Series** of Insurance Practitioner workshops presented by the CIPFA Insurance Network which will take an in-depth look at the changing face of public sector organisations in commissioning increasing number of services from external contractors and the resulting widening scope of risks they are exposed to. The recent landmark Supreme Court decision is a wake-up to all public bodies of the importance of ensuring that all contracts entered into with third party contractors include appropriate terms to carry insurance which indemnifies the public authority in the event of negligence on the part of the third party. Attend these events and get an update from leading experts, take part in practitioner sessions to leave at the end with an action plan for practical implementation in your organisation.

09.30 – 10.00 Registration and Refreshments

10.00 – 10.05 Introductions and Overview of the Day

10.05– 11.15 Reviewing Relationships with External Contractors

This session will offer delegates a legal review of the recent landmark Supreme Court Decision in *Woodland v Essex CC* which now requires public bodies to re-assess their relationship with external contractors to avoid future liability. This session will cover:

- What is vicarious liability?
- Exception to the rule – non-delegable duty
- How/ when to check and review indemnities
- Other examples where the public sector may have a 'duty to perform'?
- Limitations on the extent of delegable duty
- How the new duty sits with the Enterprise and Regulatory Reform Act

Sarah Erwin-Jones, Partner & Craig Elder, Partner, Browne Jacobson

11.15 – 11.30 Refreshments

11.30 – 12.10 Procurement Pitfalls: Don't Let This Happen To You!

Procurement in the public sector can be complex, highly structured and sometimes complicated. Robust and effective procurement processes will be designed to manage risk as well as money from the public purse so it is natural to see why the purchasing process seems daunting. But what is the alternative? There are many pitfalls in the procurement process and a strong procurement structure is designed to protect officers and help them consider all eventualities. This session will consider areas in the procurement process that attract the most risk, along with some of the cases that defined processes and how we can avoid the pitfalls.

Stephen Regalado, Corporate Procurement Officer, London Borough of Lambeth

12.10 – 12.45 Managing Your Outsourcing Liability!

This session will offer delegates best practice in public sector risk management around outsourcing of services and what other options public bodies have, including the need to develop robust contingency plans and how all of these factors need to be built into your insurance arrangements.

12.45 – 13.45 Lunch

13.45 – 14.15 Detailed Review of Indemnity/ Limitations of Liability Clauses

This session will take a brief look at drafting and reviewing typical clauses in contracts relating to limitations of liability and indemnity. It will include key tips to avoid unduly agreeing with contractors to retain risks with the authority.

14.15 – 15.25

Plenary & Roundtable Insurance Practitioner Forum

The afternoon session will consist of a plenary and roundtable session that will cover a broad range of content and discussion following on from this morning's formal presentations. There will be an interactive group session identifying further possible issues to address and offer examples of best practice, practitioner advice and Q&A sessions.

Session Facilitators: Mark Nicholson, Head of Improvement, Risk & Insurance Governance & Democracy, London Borough of Lambeth

14.45 – 14.55

Refreshment Break

15.25 – 15.30

Summary & Close

Bookings:

Given the huge demand for previous CIPFA IN events, we do expect demand for places to be very strong indeed. There will be a strict limit of 25 delegates for the events, therefore please book early to avoid disappointment.

Further Information: www.cipfa.org/Services/Networks/Insurance-Network

Enquiries:

If you have any questions about bookings or have any questions regarding the programme, please do not hesitate to contact Mohamed Hans – **E:** Mohamed.hans@cipfa.org.uk

M: 07717345188

CIPFA Sustainability Policy

CIPFA Business Ltd. is delivering all of our training courses, workshops and seminars in accordance with our sustainability strategy. We do not provide hardcopy course materials to delegates and these are now distributed by email. We are striving to reduce our carbon footprint in every way that we can, and we hope that we can count on your support.

We reserve the right to alter the timing or content of sessions where circumstances require