

CLAIMS FOCUS



THE CHARTERED INSTITUTE OF LOSS ADJUSTERS

• June 2016 Issue • Read and gain one hour of CPD



Studying through the storms

by Malcolm Hyde, CILA Executive Director

The Institute is delighted to report a record turnout for the April exam sitting with 170 papers sat. We are incredibly proud of those members who maintained their studies and commitment to CILA qualifications whilst also responding to the demands of the winter storm and flood claims in the UK.

The April exam sitting included papers for our Diploma, Advanced Diploma and Associate level qualifications.

This reflects the growing appetite from members to achieve the highest qualification in claims, with 30 members successfully attaining Chartered or Certified status in 2015.

Having our Associate level qualification assessed by Bournemouth University as level 7 (i.e. masters level) was an important step and we are pleased to continue working with the University to maintain this standard. In our President's words we should be "Proud & Shout" about these achievements.

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FORTHCOMING EVENTS

Property SIG Seminar

Thursday 16th June
Novotel London Tower Bridge
10 Pepys Street
London EC3N 2NR

Liability SIG Seminar

Tuesday 21st June
Double Tree by Hilton
2 Wharf Approach
Leeds LS1 4BR

Liability SIG Seminar

Thursday 1st September
The Lighthouse
11 Mitchell Lane
Glasgow G1 3NU

CILA Conference 2016

Wednesday 14th September
The Midland hotel
16 Peter Street
Manchester M60 2DS

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313 members attained a CILA qualification in 2015 and the number of members with a CILA qualification is now just under 2,000, as per the breakdown below:

Fellows	679
Associate/Certified	408
Advanced Diploma	101
Diploma	87
Certificate	664

Exam support from the CILA community

CILA exams are being sat throughout the world on a daily basis and the April exams included sittings in locations such as Australia, Hong Kong, Kenya and the Cayman Islands. This would not be possible without the tremendous support of CILA volunteers who write and mark our exam papers, as well as invigilate exams. We would also like to thank those members who are mentoring and supporting others in their efforts to attain CILA qualifications.

Feedback from exam candidates

The Institute team continue with our mantra of “Treating the Candidate Fairly” and, having listened to feedback from candidates last year, we have changed several exam venues and made improvements to the exam process. This work will continue.



Susan Kelly of QuestGates with her Associate certificate

Finally, results and entry to the October examinations... We expect results to be out by 30th June 2016 and the closing date for October sittings will be 31st July 2016. We wish our members every success and look forward to publishing details of further qualification successes in the next edition of Claims Focus.





The Third Parties (Rights Against Insurers) Act 2010

The Third Parties (Rights Against Insurers) Act 2010 (the “Act”), which received Royal Assent in March 2010, is finally due to come into force on 1 August 2016 following the recent Commencement Order that was made on 28 April 2016.

The bringing into force of the Act has been long awaited, with the Act having been delayed by some six years following the discovery of a number of omissions found after its enactment (such as the Act’s failure to apply in certain insolvency situations).

The Act, which replaces the existing regime set out in the Third Parties (Rights Against Insurers) Act 1930 (the “1930 Act”), will bring about an important change for claimants seeking to bring claims against the insurer of an insolvent wrongdoer.

Most significantly, the Act introduces a simplified procedure for claiming directly against the insurer – i.e. ‘skipping out the middle man’ in what was previously a two-stage process. The 1930 Act required the claimant to first establish liability (and quantum) against the insolvent

wrongdoer, before commencing a claim against the insurer of that insolvent entity, thereby requiring the claimant to fund two pieces of litigation.

However, under the new Act, the claimant will be entitled to bring a claim directly against the insurer of the insolvent wrongdoer in the first instance. This is because the Act provides that the rights of the insolvent wrongdoer under the contract against the insurer in respect of liability shall be transferred, and vest in, the wronged third party, thereby allowing the wronged third party to bring a claim to enforce those rights directly against the insurer. This means that the claimant need only commence one set of proceedings, and such proceedings may be used to seek a declaration as to the insured’s liability and/or a declaration as to the insurer’s potential liability.

The declaration will bind the insurer but not the insured, unless the insured is also a party to those proceedings. The Act also imposes a requirement for the disclosure of certain information relating to the existence, scope and terms of the insurance contract, for example.

It is anticipated that this simplified process, together with the increased transparency afforded by the disclosure obligations, will enable third parties to pursue matters more efficiently, thereby also potentially reducing costs. That said, and whilst the changes improve the position for third party claimants, it is worth noting that the insurer will be entitled to rely on any defence that would have been available to the insured against the claim (such as contributory negligence and/or arguments concerning limitation, for example).

*If you would like more information, please contact **Roger Franklin – Partner, Grace Harrison – Associate, or any member of the Edwin Coe Insurance Litigation Team.***

Edwin Coe, Lead sponsors of the CILA Claimant SIG.



Qualification Success

Elevations since the February 2016 edition of Claims Focus

Associate & Certified Members

- Gary Chiu
- Kwun Chow Crawford (Hong Kong) Ltd
- Ciaran Nash Thornton & Partners
- Matthew Poyner Cunningham Lindsey UK
- April Stowers Cunningham Lindsey UK



Diploma Holders

- Jane Bellamy Crawford & Company
- Glenn Cotton Cunningham Lindsey UK
- Susan McCafferty Crawford & Company
- Laura Moir Davies Managed Systems
- Anthony Simons Zurich General Insurance
- Adam Sparrow Teden & Co
- Steven Webster Crawford & Company

Certificate Holders

- Neil Coulson Cunningham Lindsey UK
- Steven Crawford Matthews Daniel
- Lesley Daly Crawford & Company
- Ben Dellow MWA Arboriculture Limited
- Adrian Evans Cunningham Lindsey UK
- Stephanie Ford Cunningham Lindsey UK
- Peter Fox Davies Group Limited
- Cheah Goon Insight Adjusters & Surveyors Pte Ltd
- Syed Haider
- Jason Harley Farcroft UK Ltd
- Darren Hawkins Davies Managed Systems
- Lisa James Crawford & Company
- Bethany Kent Davies Group Limited
- Rachel Laker Cunningham Lindsey UK
- Aaron Langley
- Claire Lees Crawford & Company
- Frank Lewandowski Zurich General Insurance
- Deborah Lloyd McLarens
- Sarah Locker Davies Managed Systems
- Nicola Malone McLarens



Certificate Holders

• Emily McAllistair	Direct Line Group	• Yuta Takanoha	
• James Miley	Cunningham Lindsey UK	• Robert Taylor	Cunningham Lindsey UK
• Gemma Morse	Davies Group Limited	• Janice Tierney	Cunningham Lindsey UK
• John Murdoch	Lucas Associates Loss Adjusters	• Matthew Vale	Cunningham Lindsey UK
• Thanh Nguyen Ngoc	Viet Adjusters	• Jeremy van Kralingen	Cunningham Lindsey UK
• Beth Pearce	Davies Managed Systems	• Vasileios Vichas	Mentor SA Insurance Brokers
• Charles Pool			
• Thayef Rahman	Davies Group Limited		
• Mohammad Rehman	Crawford & Company		
• Panagiotis Rousakis			
• Vikneswaran Sheekar	Crawford & Company		



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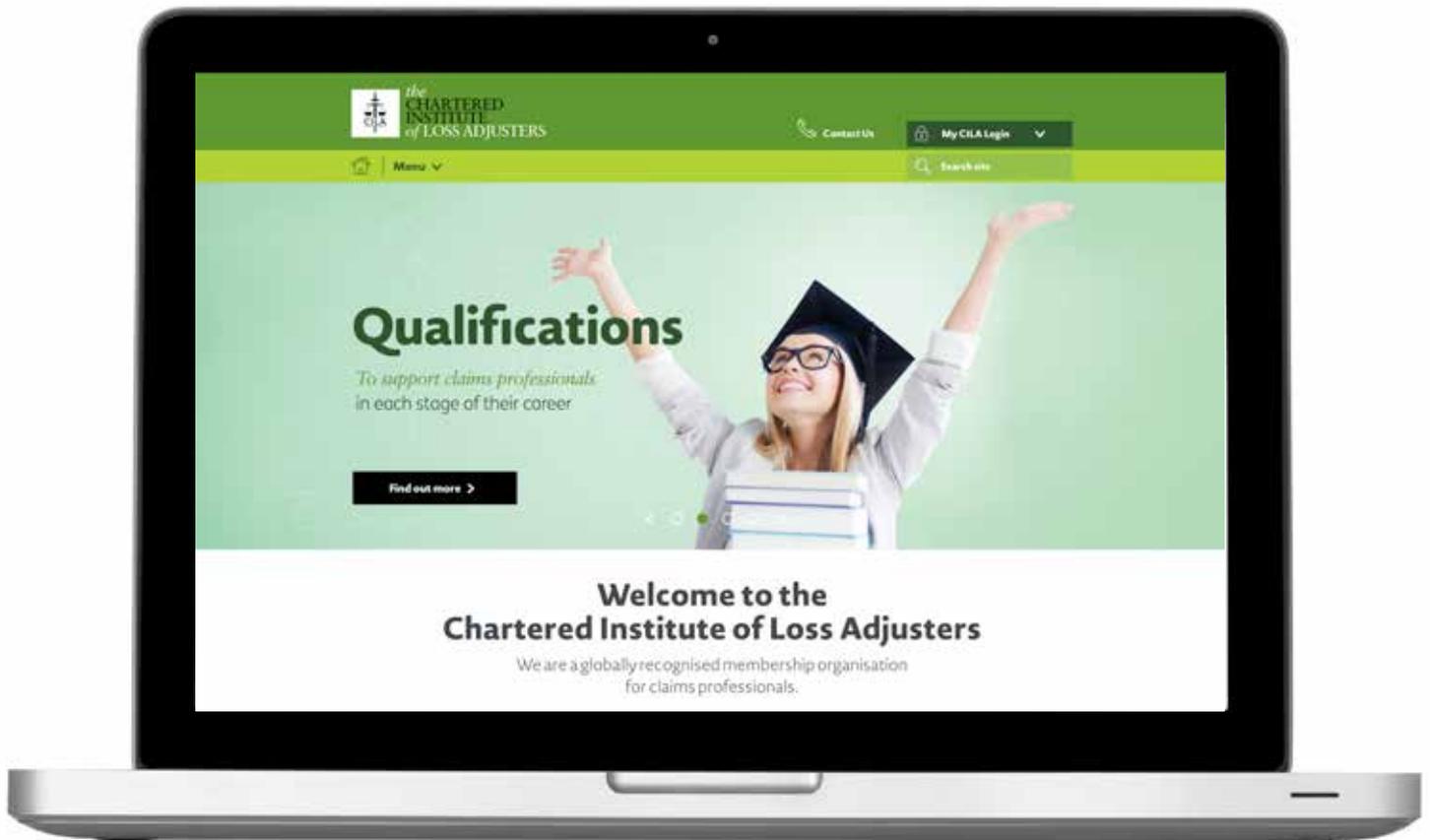
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New CILA website



The Institute is delighted to advise that we have completed phase one of a project to renew the CILA website.

For some time we have been aware that the styling of our website had become dated and not reflective of our vibrant membership and evolving profession. Feedback and enquiries into the Institute also indicated that our website was difficult to navigate and did not answer commonly asked questions.

The aims of this two phase project have therefore been to create a website which reflects the values of our Institute, provides useful and reliable information and is simple to navigate on both a desktop computer and mobile device.

Highlights of phase one

- Prominent homepage links to the most popular sections of our website
- Simple animation which explains the CILA route to qualification
- New layout for event information with essential details highlighted

- Up to date careers section with a job board for positions in loss adjusting
- Central location for Institute & members news, CILA president's blog & Claims Focus
- Frequently asked questions (FAQs) format for Advice for Policyholders section

Features of phase two

The next phase of the project is already underway and will include the development of a new technical library for CILA members. We want to support and assist members in their professional development by providing a central point to search for technical material relevant to claims. We also recognise the importance of providing material that is properly referenced so that members are confident of its source and date. We are incredibly grateful to the volunteers from our SIG committees who are currently reviewing our existing material and collating content for our new library.

We hope that members will enjoy the benefits of our new website which can be found at www.cila.co.uk

International recognition of CILA qualifications and member expertise

In this article the CILA President, Benedict Burke, shares his thoughts on the Institute's international strategy and the outcomes of the CILA's recent visit to the Far East.

In August 2013 the Institute conducted a survey of members of the CILA International Special Interest Group (SIG), which has helped us shape our strategies over the last few years.

Why is this so important?

Well our community of adjusters working overseas, supporting their own local markets and also frequently the Lloyd's and London Market, continues to grow.

Some interesting facts:

- 13% of our membership is international
- 12% of members who gained CILA qualifications last year were international members.

The Institute has recognised the message coming from some of our international members, particularly in the Middle East and Asia, that there has been a decline of the CILA qualifications and "brand" in the region. At the same time members remain committed to supporting the CILA in the region but seek better alignment and "re-energising" of the CILA strategies.

The response from the CILA has been both sincere and meaningful. This inevitably involves a need to continue to "listen" and navigate the challenges facing the Institute, in ensuring real value is provided to our overseas membership.

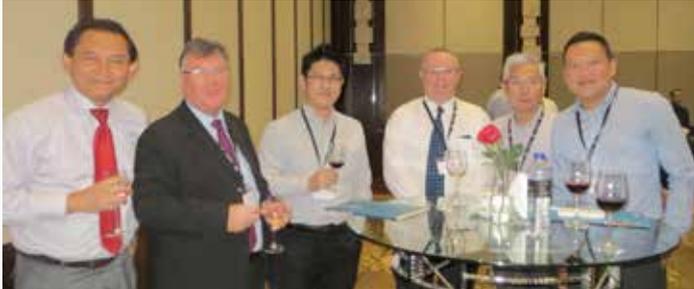
Malcolm Hyde, our Executive Director and I, as your President, have recently returned from a two week visit to Asia where we met and presented to members in some of our key markets. We visited Hong Kong, Malaysia and Singapore. Over and above, the CILA took the opportunity to hold professional development workshops which were very well attended and appreciated by our members. These complement the remote learning that the CILA now provides on a more consistent basis.

I am delighted to advise that the level of increased support is fully recognised by members, as is acceptance that the CILA qualifications remain the gold standard of professional accreditation.

13% of our membership is international

12% of members who gained CILA qualifications last year were international members





This is something we can feel very proud about.

Malcolm and I also held strategic discussions around our international development strategies with representatives from Lloyd's (both in Hong Kong and Singapore), Post Magazine's Claims Club Asia, the Association of Malaysian Loss Adjusters, The Malaysian Insurance Institute, and the Singapore College of Insurance. There is real potential for us to align as these very professional bodies seek to evolve locally and internationally. This is something we are keen to explore further.

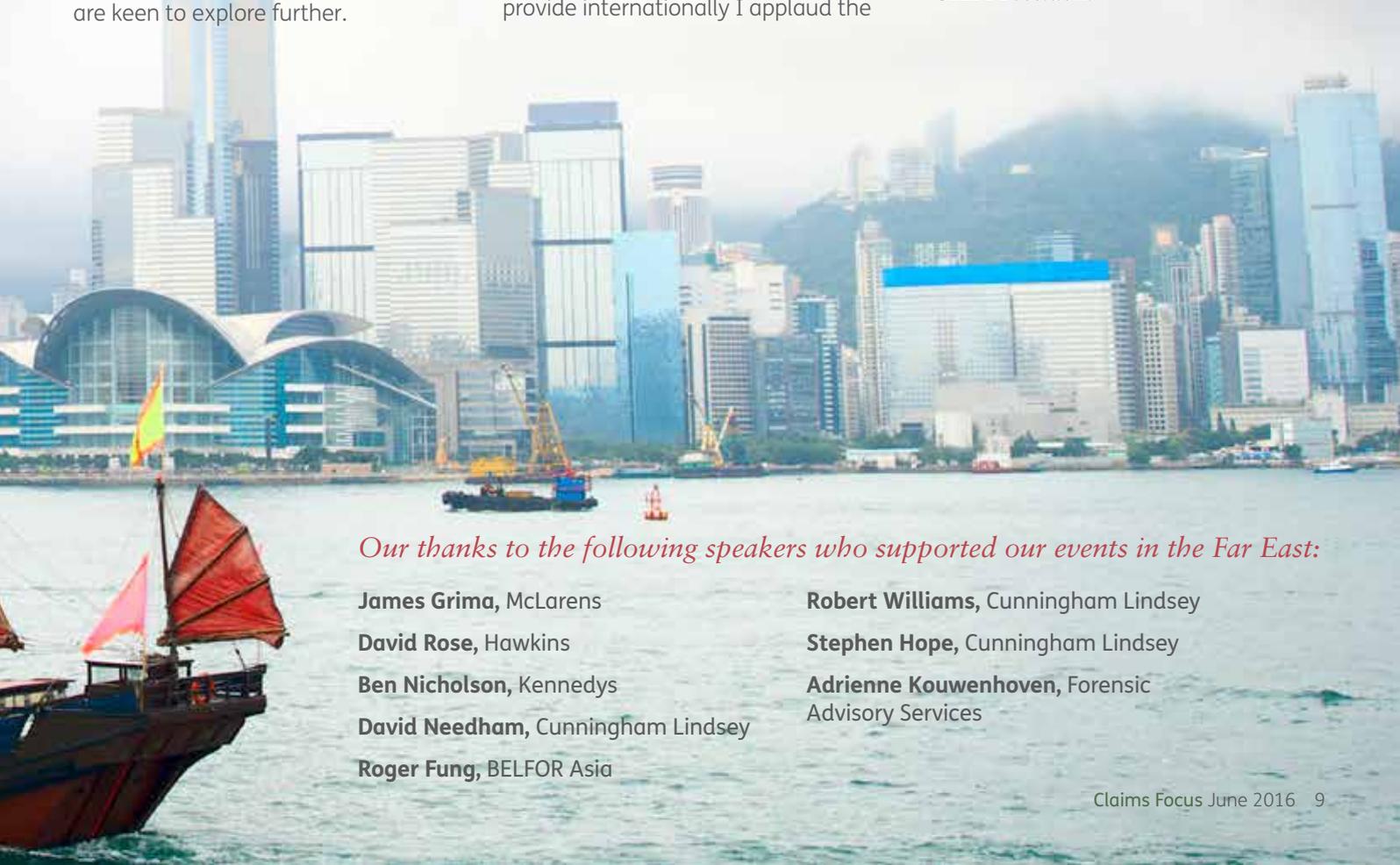
We also took the opportunity to meet with representatives of the Australasian Institute of Chartered Loss Adjusters (AICLA) who coincidentally were also visiting the region. For some time I have been "uncomfortable" with what has emerged in Asia – namely competing Institutes who offer alternative routes to professional qualifications and at differing standards. This is a challenge I will encourage both Institutes to consider how best to navigate through.

When I also look at what members from all the adjusting companies provide internationally I applaud the

innovation and richness of value they bring to their markets. I applaud not just the expert management of our clients' capital, via the indemnities they provide, but the creativity in how adjusters work. We must continue to learn and collaborate with each other for the common good and in the advancement of professionalism and expertise.

We have so much to be **Proud & Shout** about our Institute.

Benedict Burke
CILA President



Our thanks to the following speakers who supported our events in the Far East:

James Grima, McLaren's
David Rose, Hawkins
Ben Nicholson, Kennedys
David Needham, Cunningham Lindsey
Roger Fung, BELFOR Asia

Robert Williams, Cunningham Lindsey
Stephen Hope, Cunningham Lindsey
Adrienne Kouwenhoven, Forensic Advisory Services

Commitment to Continuing Professional Development (CPD)

All members with a CILA qualification are required to undertake 35 hours of CPD per year. This requirement continues to be monitored and compliance is reported to the CILA Council.

It is with considerable pride that we are able to say that our members hold the highest qualifications in claims. As members of the CILA not only do we have the most highly accredited qualifications but we also commit to maintaining our level of expertise through continued learning. Your Institute is always pleased to highlight our members' dedication to technical knowledge, professionalism and continued advancement. CPD is part of that message.

For those who have already submitted their CPD records this year, thank you, you are maintaining the very highest standard and enable us to promote our members as the very best in claims. To all members, remember that you can continuously log your CPD activity via your online My CILA account which is simple to do. When asked to submit CPD records, our members respond most positively with over 90% immediate submission. A testament to our members professionalism.

CPD activities may include:

- Completion of internal/external training courses or workshops
- Attendance at conferences/seminars/webinars

- Studying for a CILA (or other) professional qualification relevant to role
- Attendance at Institute meetings
- Reading trade publications, journals, technical papers etc.
- Listening/viewing pod casts, videos etc. relevant to role
- Mentoring/coaching activity



Free webinars from PT&C/LWG

June 30th	Transformer failure claims management
July 28th	Building code & design standards: Implications for structural damage assessment
September 29th	Fire origin & cause investigations
October 27th	Catastrophic structural damage claims
November 24th	Strategies for handling reinstatement following data centre claims



Contact PT&C/LWG to learn more and to register your attendance www.ptclwg.co.uk

PT&C/LWG webinar contact:

Richard Kempster, 0800 319 6161 or 020 3696 7996, Richard.kempster@ptclwg.com

CILA celebrates women in loss adjusting



International
Women's Day

International Women's Day (March 8) is a global day celebrating the social, economic, cultural and political achievements of women. The day also marks a call to action for accelerating gender parity.

The Women in CILA group knew that this would be a great date to celebrate women in our profession and so they hosted an afternoon seminar at the Lloyd's Old Library in London. The event was opened by the CILA President, Benedict Burke and the CILA Executive Director, Malcolm Hyde who both confirmed their personal commitment and aspirations for diversity and inclusion within the CILA.

The first female CILA President, Candy Holland, then described her career story including the working environments she encountered and how she has succeeded in the

workplace. Alexandra Bayfield, Diversity & Inclusion Officer at CMS Cameron McKenna LLP, provided an insight into the latest developments across numerous professions to address inequality and outlined their own initiative, the CMS Athena Project.

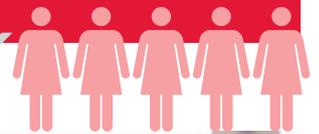
Attendees were then able to share their experiences and views, in conjunction with a panel comprising:

- Candy Holland, Managing Director, Echelon Claims Consultants
- Maggie Cowing, Major & Complex Loss Technical Director, Crawford & Company
- Alexandra Bayfield, Diversity & Inclusion Officer, CMS Cameron McKenna LLP
- Kevin Wood, Director, Camford Sutton Associates & former CILA President

Jo Spreckley, Learning & Development Manager at Davies Group Ltd, successfully chaired the passionate discussion and debate by attendees. The Institute was delighted that over 50 individuals took part and the common feedback from the day is for the Institute to hold more events of this nature, with extra time for networking and discussion. Our thanks to Candy Holland and the other members of the Women in CILA group for making this event happen.

Save the date

Next Women in CILA event,
Wednesday 5th October,
3pm-5pm, Lloyds Old Library,
London



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CILA promotes member expertise at industry conferences

The Institute was delighted to attend and exhibit at the BIBA Conference 2016.



This annual event attracts over 7,000 attendees from the insurance industry and is a great opportunity to make new contacts and reinforce existing relationships. Over two days the Institute team were able to explain to brokers and insurers the CILA route to qualification, highlighting that our Associate level qualification is benchmarked as a level 7 qualification and the gold standard in claims.

We were also pleased to see CILA members participating at the conference, again promoting the expertise and value that loss adjusters bring to claims. We also enjoyed their creative and fun ways of attracting attendees to their stands, including a Doctor Who phone box, a value at risk competition and Krispy Kreme doughnuts!

Our thanks to the British Insurance Broker Association (BIBA) for inviting us to attend this important industry event.

Please note the Institute will also be attending the forthcoming AIRMIC conference in Harrogate on 6th to 8th June. Members are welcome to visit us at stand 22.



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