



**Insurance**  
INSTITUTE OF EAST AFRICA

# LIABILITY INSURANCE PRACTICES



**In-House  
Training**



| Accredited |

# Introduction

Liability Insurance Practices is a course that provides a broad understanding of the main issues involved in liability claims. It examines the claim representative's role in determining coverage and legal liability for third-party claims, including those affected by homeowners policies and commercial general liability (CGL) coverage. Claim investigation, damages evaluation, and settlement practices are explained in detail, as is the management of claims that are litigated.

Particular attention is paid to specific claim issues involving the most common types of liability claims: auto liability and premises liability. Throughout, the course alerts claim representatives to potential problem areas and provides suggestions for dealing with some of the more complicated claims.

## Course Outcomes

After completing this course, participants will be able to:

- Discuss the legal relationship among the parties involved in liability claims and identify common types of claims;
- Explain how to establish coverage and determine liability for a loss;
- Identify specific policy provisions in homeowners, CGL, and auto policies that may present coverage determination issues;
- Follow appropriate claim investigation procedures for liability claims;
- Determine the correct amount of damages to pay on claims;
- Select the appropriate options for settling, paying, and obtaining releases on claims;
- Describe the methods used by insurance companies to recover amounts paid on claims;
- Describe processes used to manage claims that are in litigation and control litigation costs; and
- Discuss specific issues that are relevant when investigating auto and premises liability claims.

## Suitability

This course is suitable for:

- Claim professionals
- Underwriters
- Risk Managers
- Legal reps
- Customer service teams

# What is Covered

## Day One

### Module 1:

#### Basic Liability Claims Practice Issues

#### Learning Objectives

After completing this module, participants will be able to:

- Identify the parties involved in a liability insurance claim;
- Describe the various types of liability claims;
- Explain how liability claims are reported and processed; and
- Provide examples of how ethics and professionalism, technology, and changing legal and regulatory dynamics impact liability claims practices

### Module 2:

#### Determining Coverage and Legal Liability: In General

#### Learning Objectives

After completing this module, learners will be able to:

- Identify sections of an insurance policy that determine whether a liability insurance loss is covered;
- Describe common mistakes made by claim representatives when making coverage decisions;
- Explain how an insurer's duty to defend arises and may result in coverage disputes;
- Describe the processes that should be followed when issuing denials of coverage;
- Identify the areas of tort law used to determine if an insured was legally liable for a loss;
- Describe the four elements needed to establish a charge of negligence;
- Discuss defenses that may be used against a charge of negligence;
- Explain how legal liability may result from breach of contract; and
- Provide examples of statutes that impose legal obligations on individuals and organizations.

## Module 3:

### └ Determining Coverage: Homeowners and CGL Policies

#### Learning Objectives

After completing this module, participants will be able to explain how the following policy provisions may present coverage determination issues for homeowners and/or CGL claims:

- Definitions;
- Duty to defend;
- Coverage for punitive damages;
- Exclusions;
- Additional coverages;
- Conditions; and
- Limits of liability.

## Module 4:

### └ Investigating the Claim

#### Learning Objectives

After completing this module, learners will be able to:

- Identify the basic steps involved in a claim investigation;
- Describe the factors used to establish the scope of an investigation;
- Define the various types of evidence and provide an example of each;
- Describe the three criteria used to determine if evidence is admissible; and
- Determine if hearsay evidence is admissible in court.

# Day Two

## Module 5:

### Evaluating Damages

#### Learning Objectives

After completing this module, participants will be able to:

- Identify sections of an insurance policy that may affect the amount of damages paid on a claim;
- Define special damages and provide examples of special damages commonly associated with liability claims;
- Define general damages and provide examples of general damages commonly associated with liability claims;
- Explain how settlement ranges are used to determine the value of liability claims;
- Describe the various formulas or methods used to calculate general damages and identify the disadvantages associated with each one;
- Identify factors in addition to general and special damages that may be considered when determining settlement value, including factors for claims involving fatalities;
- Describe valuation methods used to calculate property damages; and
- Explain the purpose of loss reserves and settlement values and the methods used to calculate them

## Module 6:

### Settling the Claim

#### Learning Objectives

After completing this module, participants will be able to:

- Describe the four options for settling claims and identify situations where each option is appropriate;
- Compare and contrast the various alternative dispute resolution methods;
- Explain the purpose of drop drafts and advance payments;
- Discuss the advantages and disadvantages of using structured settlements to pay claim settlements;
- Explain why insurance companies obtain releases from claimants; for each type of release discussed in this unit, describe the types of claims for which they are used, the parties who should be listed on the release, and any special considerations that must be addressed to ensure the release is legally binding;
- Identify circumstances in which a properly drafted release may be overturned;
- Explain why a claim representative should be able to recognize claims with potential for recovery; and
- Explain how the subrogation process is initiated.

## Module 7:

### Specific Claim Issues: Auto Liability

#### Learning Objectives

After completing module, participants will be able to:

- Point out policy provisions in the personal and business auto policies that may present coverage determination issues for auto liability claims;
- Explain how legal liability for an auto accident is determined; and
- Describe the types of information that should be obtained when investigating auto accidents

## Module 8:

### Specific Claim Issues: Premises Liability

#### Learning Objectives

After completing this module, participants will be able to:

- Explain how negligence is established for premises liability claims;
- Describe the following for each type of premises liability claim discussed in this module (slip and fall, dog bite, and premises security):
- The types of information that should be obtained during the claim investigation;
- Any laws or legal theories that may affect the determination of liability; and
- Any defenses that may apply.

#### Course Delivery

This course combines formal but highly interactive lectures and discussions with dynamic exercises. Delegates will also be examined at the end of the training to qualify for a Certificate of Participation.

#### Course Summary

<b>Location:</b>	To be provided by Client
<b>Duration:</b>	2 Days
<b>Fee:</b>	Ksh 520,000 + VAT Per Group-Max 30
<b>Dates:</b>	Open



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