

CLT In House Training and Professional Consultancy

# The latest news

October 2011

This month's newsletter invites you to take a look at some of our masterclasses. Each one can be specifically designed and tailored to the needs of your firm or business. From highly practical to comprehensive updates these courses provide an invaluable opportunity to study each subject in great detail. Our experienced practitioners will assist with the fine detail and offer the benefit of their vast experience.

## **Drafting from A-Z: A Practical Case-Study Based Approach**

This highly practical one day course provides a comprehensive insight into current best practice in contract drafting. An invaluable opportunity to hone your drafting skills and keep fully up to date with the latest developments. See over for full details.



## **Data Protection Masterclass**

A comprehensive update in the area of data protection, this course can be tailored to 3 hours or taken over 12 hours depending on the need of your firm. This outline covers a wide range of topical issues and problem areas. Our bank of speakers are highly regarded as data protection experts and regular speakers for CLT Conferences. See over for full details.



## **Partnership and LLP Masterclass**

This masterclass will examine all the important legal, management and financial issues – from the ways to retain your best talent through to the effecting handling of disputes and the impact of ABS's. See over for full details.



## Would your firm benefit from:

- Cost effective training delivered at your firm
- First class speakers with practical experience
- Innovative and cutting edge courses
- Bespoke programmes
- Free consultancy and training needs analysis
- Full account management and administrative support for all in house course programmes

## Then contact our In House Team on:

Call: 0121 362 7707

Email: [inhouseall@centlaw.com](mailto:inhouseall@centlaw.com)

Visit: [www.clt.co.uk/CLT-in-house](http://www.clt.co.uk/CLT-in-house)

Prefer to receive this by email?

Email **Lucy Davies** with your details at [ldavies@clt.co.uk](mailto:ldavies@clt.co.uk)



## Drafting from A-Z: A Practical Case-Study Based Approach

**How to Get Off the Starting Blocks** • Commencement date • Acceptance • Delivery • Price • Interest **Performance and Obligation Terms** • KPI • Tools to measure • Time limits • Conditions/warranties • Endeavours **Exclusion and Caps** • Limitations of liability • Direct/indirect loss • New developments of responsibility • UCTA • Caps • Insurance **Boiler Plates** • Jurisdiction • Entire agreements • Force majeure **Guarantees and Indemnities** • How to draft • The interpretation of indemnities • Which loss is covered • New cases “**Let Me Out**” - **Drafting the Termination Clause** • The right to repudiate • What is “material breach”? • What is “persistent breach”? • Defining the breach • Waiver • Defining the consequences **Remedies Clauses** • Drafting effective remedies clauses • The assessment of loss or a penalty clause? • Quantifying damages • Using self-help mechanisms • Other means of obtaining relief.

---

## Data Protection Masterclass

**Data Protection Law: Overview & Key Concepts** • Overview of the main Directives & relevant provisions of the European Convention on Human Rights • Overview of UK legislation • Understand the key concepts: personal data, data controllers and processors, processing **Penalties and Consequences of Non-Compliance** • Understand the sanctions for breach: monetary penalties, enforcement notices & undertakings • Which breaches are criminal offences • Review of enforcement: what lessons can be learnt **Perspective from the Information Commissioner’s Office. Data Controller’s Obligations** • Fairness, transparency and other data protection principles • Registration requirements • Wrongful disclosure **Individual’s Rights** • What information does an individual have the right to access? • Impact of *Duran & Ezsias v Welsh Ministers* and *CSA v Scottish Commissioner* **Review of Data Protection Cases** • **Transborder Data Flows** • The prohibition on transborder data flows • Compliance strategies - Safe harbour - Consent - Contractual necessity - Model contracts - Binding corporate rules **Data Protection Online** • Understand the new rules for cookies • How techniques such as viral marketing and behavioural marketing fit in with data protection • Understand opt-ins & opt-outs **Online Case Study** • Running a Promotional Campaign Online. **Data Protection in Employment The Commissioner’s Code of Practice - overview** • Recruitment and selection • Record keeping • Disclosure of data to third parties • Information about worker’s health **Case Study** • Handling a Subject Access Requests **The Practical Side of Data Protection Compliance** • The role and authority of the Data Protection Officer • The data protection survey • Risk assessment: documenting decisions • Compliance through DP Policies **Case Study** • Handling a Security Breach **Up and Coming Issues** • Changes to the e-Privacy Directive and the main Directive • What topics are being considered by the ICO and the Article 29 Working Party at the moment? • What next?

---

## Partnership and LLP Masterclass

**Drafting the LLP/Partnership Agreement 1 - Key Issues** • **Drafting the LLP/Partnership Agreement 2 - Disaster Scenarios** • **Locking in Partners - A Management Perspective** • What are firms really trying to achieve by the use of restrictive covenants, garden leave, notice periods and bars on giving notice? • How effective are these? • Emotions vs clear thinking **Managing Out and Removing Difficult Partners - A blueprint** • **People Retention and Development Workshop** How effective is your people and productivity management? - A workshop designed to help firms get the best out of their people **This workshop will look at the ways firms can:** • Build mechanisms to prevent the loss of high quality performers and to help attract the best talent to their firms • Invest in their people to realise their financial value to the business • Manage the people risks to the businesses • Build greater profitability through effective people management **Discrimination - An Age Old Problem** • Application to partners • Removal of default age • Objective justification **Operational Compliance - Key to Successful Use of an LLP** • How to integrate the operation of your LLP into your overall risk management strategy • How to build risk management into your LLP members agreement • Steps to take on conversion and in relation to your on going day to day operations to manage your risks **ABSs; Threats and Opportunities** • **A New Regulatory Framework: The Challenges of Reporting and Complying In The New Legal Regulation Framework** • Move towards a principles based system • Financial reporting for LLPs and ABSs • Building a best practice internal controls monitoring system • Financial assurance reporting to the SRA **Distressed Partnerships** • Avoiding partnership disputes • Understanding the insolvency regimes • Trading in distressed circumstances and succession issues • The LLP member and insolvency **Key Tax Implications** • Tax transparency - the basic of LLP taxation - Tax issues on conversion to a LLP - Tax treatment of annuities - Tax treatment of salaried members - Impact of accounting standards & GAAP **Performance Workshop** Building higher performance is now a top priority for many law firms who are asking the question “How much is underperformance costing us?” This is a practical workshop designed to help law firms tackle partner underperformance and to build high performance cultures to gain competitive advantage to meet the challenging times ahead. The workshop will examine topics including: • How should we define and measure performance? • What is underperformance? • How to establish and obtain buy-in for higher performance standards • How can techniques such as 360 degree feedback assist? • The choices available to firms when faced with issues of underperformance • Linking performance to reward.