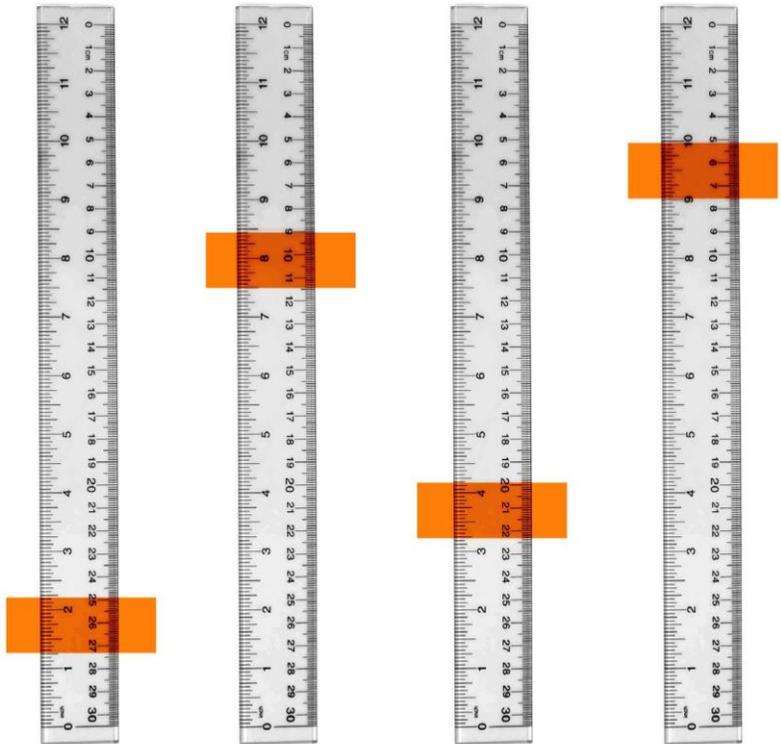
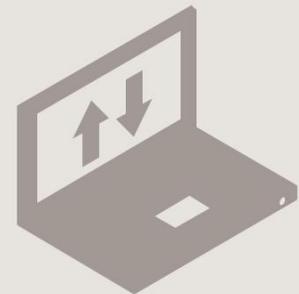




Taking your career to a new level
Contract / Procurement / Negotiation
Specialist - Professional Development
Programme



The programme in summary



What is it?

The role of a contract or procurement manager is wide and varied. Whether you are specialists or generalists, work on single specialised bespoke contracts or multiple contracts where consistency is key, this flexible programme is designed to provide a basic understanding of contract law and help participants develop pragmatic solutions to the challenges faced on a daily basis.

How does it work?

The Contract Manager Professional Development Programme is delivered online using pre-recorded Modules. Each delegate is given personalised access to complete the programme at times to suit them during a 12 month access period.

Delegates can pick and choose Modules relevant to their jobs and common activities. The dedicated training portal contains all the supporting material required to excel on the programme. There is no exam but delegates will receive a certificate of completion detailing the course programme after completing a self-testing questionnaire at the conclusion of each Module.

Why is it useful?

Contract managers, procurement or negotiation specialists who've been through the programme will be better equipped to deal with contractual issues faced on a regular basis. It will provide a base level of understanding and the legal background and authority to decisions. It will assist personal development and facilitate work allocation and succession within teams of contract managers.

Who's behind it?

Eversheds Sutherland is a leading global law firm. Continuous improvement and innovation are two of its core values which have prompted the development of this programme in response to clients' needs. Eversheds Sutherland's commercial lawyers deliver a number of the specialised modules, drawing upon their extensive legal expertise as well as practical experience. Eversheds Sutherland regularly provides bespoke contract training to clients which may be a suitable follow on to this programme for selected delegates.

BPP has been at the forefront of professional education and learning for over 40 years, specialising in vocational, professional education and, since 2007, university degree programmes. BPP are the trusted partners of many organisations across the world, working with 80% of FTSE 100 companies across many disciplines and sectors including financial services, public and civil service, health and social care, industry and commerce, law and the professions. More than 60 UK and global law firms send their trainees exclusively to BPP University Law School and BPP also provide professional development for over 25,000 customers.

Syllabus overview

1. Contract formation

- Offer and Acceptance
- Intention to create legal relations
- Delivery Pre Contract
- Agreements to Agree
- Incorporation of Terms
- Battle of the Forms
- Heads of Terms

2. Contract content (1)

- Price and Payment
- Term
- Termination
- Consequences of Termination
- Repudiation of Contract
- Continuing Obligations
- Endeavours Clauses

3. Contract content (2)

- Warranties
- Indemnities
- Exclusion and Limitation Clauses
- Explanation of different types of loss – direct and indirect

4. Contract content (3)

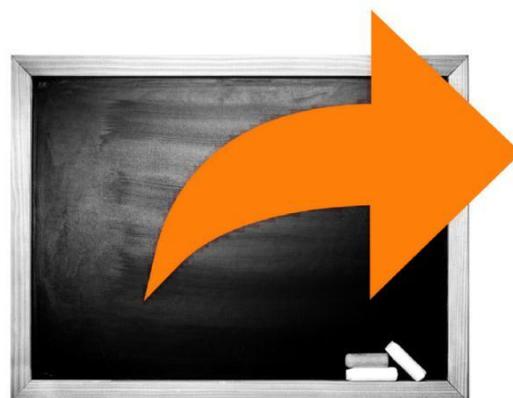
- Contract Interpretation
- Implied Terms
- Course of action and estoppel
- Good Faith
- TUPE

5. Boilerplate issues (1)

- Entire Agreement
- Force Majeure
- Assignment
- Sub Contracting
- Severance
- Notices

6. Boilerplate issues (2)

- Liquidated Damages
- Variation
- Execution Clauses
- E-signatures
- Authority
- Dating Documents
- Waiver
- Applicable Law
- Jurisdiction



7. Sale of Goods Act issues

- Implied Terms
- Acceptance
- Delivery (including Incoterms)
- Risk and Property
- Retention of Title

8. Unfair Contract Terms

- Consumer Rights Act 2015
- Definition of Fairness
- Core Terms Exemption
- CMA Guidance

9. Data Protection

- Basic Principles
- Data Security
- Enforcement Regime
- Data Subject Access Requests
- Direct Marketing
- Transfers of data outside of the EEA

10. Competition Law

- Basic Principles
- Consequences for companies and individuals
- Powers of Investigation
- Restrictive Agreements and Practices
- Information Exchange
- Abuse of Dominance
- Use of Language

11. Intellectual Property

- Overview of different rights and duration
- Protection and Registration
- Dealing with IP rights including Assignment and Licensing
- Enforcement of IP Rights and Remedies
- Practical tips in relation to Brand Development and Protection

12. International Commercial Contracts (1) Jurisdiction and Applicable Law

- Sample Jurisdiction Clause
- Summary of Common Law Rules
- Overview of Brussels Regulation (recast)
- Sample Applicable Law Clause
- Overview of Rome Convention and Rome I
- Summary of Hague Convention

13. International Commercial Contracts (2) International Sale of Goods and International Commercial Agency

- Applicability of Sale of Goods Act
- Applicability of Unfair Contract Terms Act (International Supply Contracts – s26)
- Incoterms
- UNCITRAL – Convention on International Sale of Goods
- Common Law Agency
- Overview of Commercial Agents Regulations 1993 with discussion of topical issues such as payment on termination
- Review of an international distribution agreement

14. Managing Disputes in Commercial Contracts

- Performance of the Contract
- Breach of Contract
- What does the contract say?
- Remedies
- Practical Steps (Best Possible Outcomes, Mitigation, Litigation Risk, ADR / Negotiation)
- Handling Evidence
- Documentary Evidence and Legal Privilege
- Witness Evidence

How to book

Cost: £599 (+ VAT) per delegate to include all Modules.

To register your interest for the programme, please email eversheds-sutherland@bpp.com

From there you will be sent the booking details to sign up online. Access is for 12 months and a Certificate of Completion will be available to download once all modules are completed.

eversheds-sutherland.com

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