

# Risk Protection Arrangement

## How Do I?

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## Introduction

This How Do I? document has been created to help and support schools through a number of Risk Protection Arrangement (RPA) processes.

## Who we are working with

### TopMark Claims Management Ltd

[TopMark Claims Management Ltd](#) handle RPA claims on behalf of the Department for Education.

Email: [rpa@topmarkcms.com](mailto:rpa@topmarkcms.com)

Phone for emergencies and urgent incidents (excluding overseas travel) 03300 585 566

Phone for overseas travel emergencies and incidents 020 3475 5031. Please also read the Risk Protection Arrangement – Overseas Travel Support Services document.

## TopMark Customer Promise

TopMark are delighted to have been appointed by the Department for Education (DfE) to administer claims under the (RPA).

We are committed to providing a speedy, effective and high-quality service and will provide all members of the RPA with support, advice and regular communication, both pre, and post, the claims process.

### **In all our dealings with you, we promise to:**

- Communicate clearly, effectively and regularly so you know what is happening, at every stage, and what the key milestones are.
- Tell you what is required of you, from the outset, so quick and accurate decisions can be taken.
- Deliver an excellent customer focused service that is professional, polite, fair and prompt.
- Be objective, flexible and work in partnership with you to resolve claims.
- Promptly respond to any requests or questions you have.
- Speedily make any compensation payments to which you are entitled.
- Protect the security and integrity of your data and information at all times.

### **To achieve this, we will:**

- Provide an efficient, well resourced, customer focused and experienced claims team.
- Measure the quality and speed of our performance regularly to ensure high standards are maintained.
- Invite constructive feedback from you and other stakeholders to continuously improve the customer experience.
- Provide 24-hour ongoing support for your claims and service needs.
- Work with a diverse pool of experts to advise and guide you through every claim scenario.
- Put an infrastructure in place for prompt attendance on site and advice for major and emergency claims.
- Place paramount importance on maintaining your privacy and confidentiality by aligning to the highest security, cyber essentials and GDPR standards.

### **Your role in the claims process**

- Please immediately notify us of any urgent incidents.
- When making a claim, provide your Unique Reference Number (URN), contact information, and as much relevant detail, supporting information and documentation as you have available.
- When contacting us, thereafter, quote your assigned reference number (this will have been provided when we acknowledged receipt of your claim).
- Allow us adequate opportunity to review, consider and respond to any query or request.
- Notify us of any changes to the supplied information, as soon as possible.

### **Claims Process**

Once received, each claim will be added to our system and assigned to a specific claims handler.

An acknowledgement will be sent to you within three working days providing you with your dedicated claims handler's contact details and the assigned claim reference. We will also explain how we intend to progress your claim.

At any point during the claims process, if you require clarification, guidance or information, then please do not hesitate to contact us on 0330 058 5566 or via e-mail to [rpa@topmarkcms.com](mailto:rpa@topmarkcms.com) . We will be happy to assist.

The dedicated RPA email inbox ([rpa@topmarkcms.com](mailto:rpa@topmarkcms.com)) will be monitored 09:00 till 17:00 Monday to Friday and we will acknowledge, by phone or in writing, all member enquiries within two working days.

## Settlement

Subject to meeting various criteria, and while we are accountable to the RPA Administrator, we have delegated authority to settle claims on their behalf.

If we intend to make a payment to someone who is claiming against you, we will do so within our delegated authority limits. Once a claim has been settled, we will notify you of the outcome.

## Complaint Procedure

We aim to provide an excellent service but if you are dissatisfied with our service, then please do not hesitate to contact us. We will do our utmost to explain and quickly arrive at a satisfactory resolution.

Should you wish to make a formal complaint, please submit this in writing to [rpa@topmarkcms.com](mailto:rpa@topmarkcms.com)

The complaints process and the timescales within which we will respond can be found in the [RPA membership rules](#).

## Claims Against You - MoJ Claims Portal

TopMark Claims Management is committed to helping you as a Member of the RPA to contain the costs of any claims made against you.

Third parties and employees who believe that they have been injured through the fault of an RPA Member can make lower value (£1,000 to £25,000) personal injury claims directly against you through a mechanism called the Ministry of Justice (MoJ) "Claims Portal".

The MoJ Claims Portal is a separate and additional system to the two existing portals with which you will already be familiar.

These two existing portals are:

1. The TopMark Claims Management incident reporting online portal. Further information can be found here: <https://www.rpaclaimforms.co.uk>
2. The Willis Risk Management Blue portal. Further information can be found here: <https://access.willis.com/site/education/SitePages/Home.aspx>

Whilst the TopMark Claims Management and Willis portals are for your use as an RPA Member, the MoJ Claims Portal, is used by 'third parties or their solicitors' to submit claims against you the RPA Member (and also non-RPA Academies and local authorities). It is important that claims notified through this Claims Portal mechanism are identified as early as possible by TopMark Claims Management, so that we can investigate thoroughly and mitigate the risk of any cost penalty associated with this claim without any delay. The claimant or representative from the third party or their solicitor will access the Claims Portal directly to submit their claim against you.



A person or organisation making a claim against you must take reasonable steps to understand the details and Portal ID of the defendant to make this claim. As an RPA Member, this will be administered by TopMark Claims Management and we therefore advise that you put something on your website to direct any claimant as appropriate to the correct Portal ID.

We suggest that the following text and link be included on your website:

*“If a Third Party or Third-Party representative wishes to make a Public Liability (injury) or an Employer’s Liability (injury) claim, it should be submitted through the MoJ Claims Portal using the TopMark Claims Management Ltd ID – D00073. The compensator should be marked as ‘Department for Education – RPA only*

*[www.rpaclaimforms.co.uk/mojportal](http://www.rpaclaimforms.co.uk/mojportal)”.*

If anyone has any questions regarding the information above, please email us at [rpa@topmarkcms.com](mailto:rpa@topmarkcms.com)

## How to Notify Incidents

### Urgent Incidents

For urgent incidents please call 03300 585566, a sample of what an urgent incident could be is listed below:

- Significant damage / or loss of property where operations are significantly affected
- Major injuries
- Serious assaults
- Fatality
- Allegations or knowledge of abuse
- Pollution incidents
- Media involvement, or
- If you are in doubt whether something is serious.

We will always have professionals on hand to deal with urgent incidents, such as a serious fire.

If such an event occurs then please dial our main contact number above, the facility provides for 24/7/365 coverage.

If a loss adjuster is required to attend site at any time of day or night, then this can be arranged immediately. In most cases, the loss adjuster will be on site within 2 hours.

### Online Incident Notification

If your incident is less urgent, our online incident facility enables you to access incident forms in a secure manner, meaning you can now notify us of any new incidents 24 hours a day, 7 days a week.

To access the portal please click the following link: [www.rpaclaimforms.co.uk](http://www.rpaclaimforms.co.uk)

You will be taken through a short notification process entering details about the incident. Please have your Unique Reference Number (URN)/Membership Number to hand and relevant contact details.

If you need help gaining access to the portal, please call TopMark Claims Management on 03300 585566.



**Post, Email, Telephone and Fax**

Incidents can be reported by post, email, telephone and fax.

Top Marks Claims Management  
160 Bath Street  
Glasgow  
G2 4TB

Phone: 03300 585566

Email: [rpa@topmarkcms.com](mailto:rpa@topmarkcms.com)

Fax: 0141 353 2250

In the event of an occurrence that may give rise to a claim or legal proceeding under the RPA, the Member shall:

- i) as soon as reasonably practicable notify the Third-Party Administrator (TPA – currently TopMarks) of such occurrence and provide details and information as the TPA requests.
- ii) Immediately:
  - a) Send the TPA every letter, claim, written summons or process connected with it
  - b) Notify the TPA of any impending prosecution, inquest, fatal inquiry or proceedings in any court
- iii) Where appropriate, contact the TPA prior to incurring legal costs



## Overseas Travel Emergencies & Urgent Incidents

Phone: 020 3475 5031

### Overseas Travel Support Services

For details of how to access the pre-travel advice, please see the reverse of your RPA Membership document.

Website: <https://traveltracking.northcottglobalsolutions.com/default.aspx>

For details of TopMark NGS multi-dimensional medical and security model, which as an RPA member you will benefit from, please access the Risk Protection Arrangement – Overseas Travel Support Services which includes:

- ➔ “One Tap” Emergency App – download and usage instructions
- ➔ Instructions on how to access Country Information Profiles & Alerts
- ➔ Information on E-Learning Travel Safety and Security

Please note that you must not access or utilise these services if you are not a member as you may be charged a fee. Access to these services is also subject to a 3G/4G or Wi-Fi internet connectivity.

### Overseas Travel Emergency Helpline Card

Below is an Emergency Helpline card. Event leaders may wish to cut this out, laminate and keep it on their person in case of an emergency. You could also take a picture with your mobile phone and share it with all event organisers.



**Travel Emergency** 

**24-Hour Emergency Helpline for overseas medical and security emergency:**

**+44 (0) 203 475 5031**

- Confirm your location and current situation
- Describe what has happened/when/details of those affected
- Tell us exactly what assistance/help you need
- If real time translation is required, confirm which language is required
- Contact/notify your chain of command - if not possible we will contact them on your behalf

## RPA Cover and Risk Management Queries

Phone: 0117 9769 361 Email: [rpaadvice@willistowerswatsonsecure.com](mailto:rpaadvice@willistowerswatsonsecure.com)

Access to the RPA cover and risk management helpdesk is available 9.00 to 17.00 Monday to Friday, excluding UK bank holidays.

For assistance accessing the RPA Risk Management Portal email: [RMBlueSupport@willis.com](mailto:RMBlueSupport@willis.com)

Please also access the Risk Protection Arrangement – Managing Risk document

## RPA Membership Rules

The RPA Membership Rules can be found on the RPA Guidance page: <https://www.gov.uk/guidance/the-risk-protection-arrangement-rpa-for-schools>

For Academies and Free Schools:

- Standard
- Church

For local authority schools:

- Community schools, nursery schools, community special schools and pupil referral units
- Voluntary aided, foundation and foundation special schools
- Voluntary controlled schools

## Accessing your RPA documentation

You will have been sent a copy of your membership certificate with your confirmation email when you opted into the RPA. You can access and download further copies of your current certificate by accessing the RPA Service through [DfE Sign-in](#).

For help or support with DfE Sign-in <https://help.signin.education.gov.uk/contact>

## RPA Funding Queries

For all funding queries please email [rpa.dfe@education.gov.uk](mailto:rpa.dfe@education.gov.uk)



## Frequently Asked Questions

RPA Frequently asked questions can be found via the following link:

<https://www.rpaclaimforms.co.uk/faqs>

## **Insurance Requirements During Refurbishment**

This note applies to situations where an RPA Member requires alteration or refurbishment work to its property.

### **RPA cover during refurbishment works**

The RPA will continue to provide cover for Member property (buildings and contents) whilst refurbishment works are being undertaken. Cover will continue to be for the full reinstatement value of the property and there is no requirement to notify the RPA that works are being undertaken. The RPA will also extend to cover loss or damage to the contract works, to a limit of £250,000 any one claim.

RPA Members will need to review and amend as necessary any contract terms with its chosen contractor. A number of industry standard clauses in contracts for refurbishment work oblige the RPA Member to take out insurance cover for the existing structures and contract works in joint names with the contractor for the period of the agreed works.

### **Joint Names Insurance/Subrogation**

Subrogation is the right of one person, having indemnified another under a legal obligation to do so, to stand in the place of that person and pursue, in the indemnified person's name, a recovery action against the entity responsible for the insured loss or liability.

Where insurance cover is in joint names or a waiver of subrogation has been provided to a specified third party (e.g. contractor) by the insurer the insurer is prevented from pursuing rights of recovery in the name of the insured party against that specified third party.

Generally, whenever the RPA pays a claim the RPA accepts/assumes the rights of the RPA Member in any rights of recovery that the Member may have. If the damage or loss was not the Member's fault, the RPA can seek to recover the claim value from the third party (e.g. contractor) deemed responsible for causing the damage.

RPA Members cannot agree to insure either the existing structure or contract works in 'joint names' with the contractor, nor can it agree to obtain a waiver of subrogation from its insurer. RPA is not insurance and is unable to provide 'joint names' cover or waive subrogation rights against any party including the contractor.

## Possible Solutions

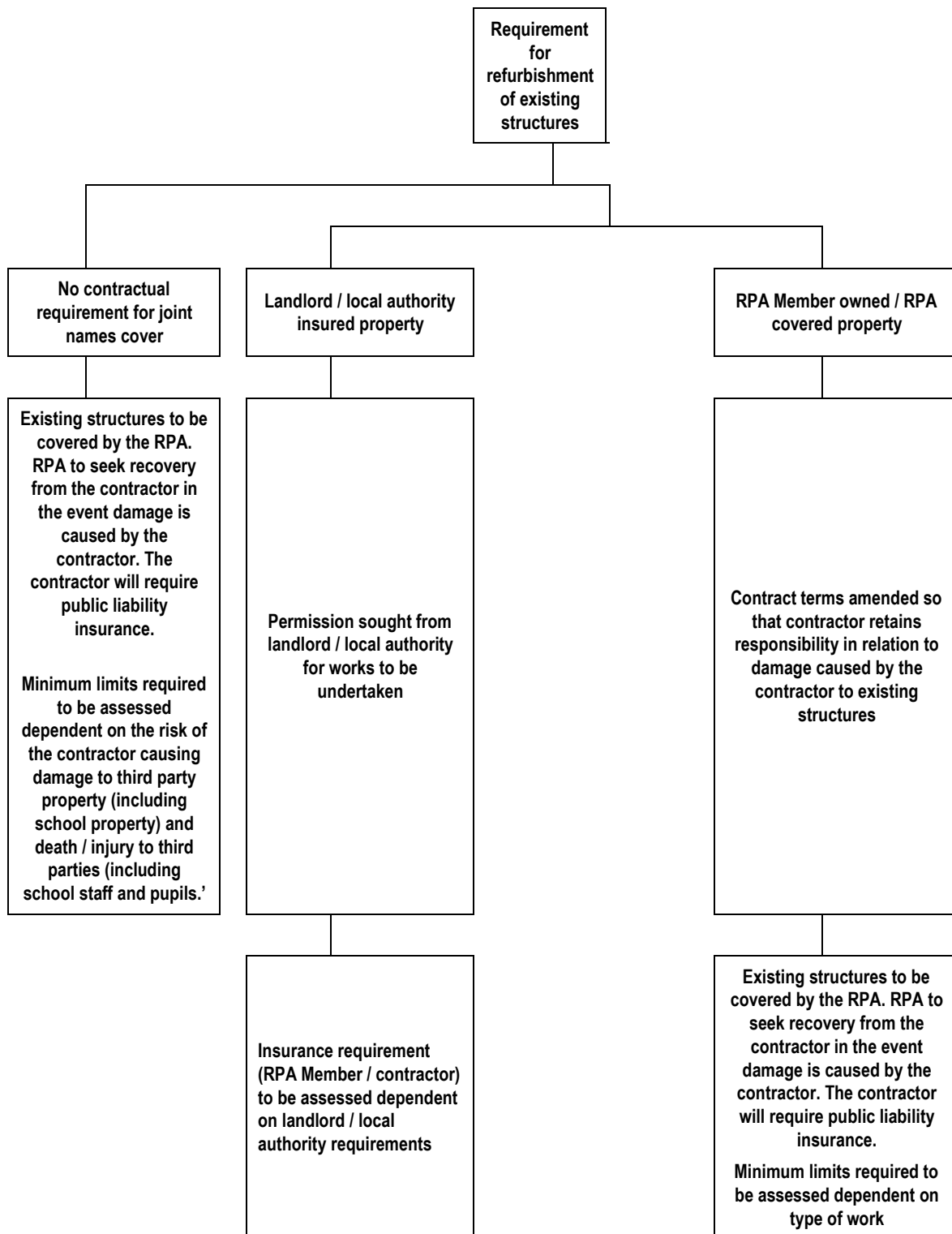
The options available to the RPA Member are as follows:

1. Contract works – either the:
  - a. RPA Member relies on the cover provided by the RPA (limited to £250,000 any one claim) and the contractor to retain any responsibility for any damage that he causes to the works. The contractor can cover this risk by way of a third-party public liability insurance policy; or
  - b. RPA Member takes out separate insurance for the works in the joint names with the contractor to cover the full value of the works for the duration of the works; or
  - c. RPA Member requires that the contractor takes out insurance for the works in joint names with the RPA Member to cover the full value of the works and for the duration of the works.
  
2. Existing Structures



RPA Member to cover the existing structures under the RPA, the contractor to retain any responsibility for any damage that he causes to the existing structure. The contractor can cover this risk by way of a third-party public liability insurance policy. A decision tree in relation to the existing structures follows below:

## Refurbishment – Decision Tree



## **Cultural Assets Valuation Service**

### **How do I determine what a Cultural Asset is?**

Cultural asset means Work of Art, Collectable, Heritage Asset or Antique and may include (list is not exclusive): paintings, sculptures, jewellery, china, curiosities, celebrity items, trophies, rare books, manuscripts, antique furniture, and tapestries.

### **How do I decide if I need a valuation?**

The RPA Cultural Assets Valuation Service has devised a valuation decision tree tool (see below) for the use of RPA members who are considering having a cultural asset (CA) valued. Following the route through the tool will help you decide what action to take for valuing any cultural asset you have identified. It will help your school identify which items do not need a valuation at all, which need to be valued now and which may need a valuation done in the future.

Members can access the valuation service by going to:

[www.rpaclaimforms.co.uk/culturalassetsva](http://www.rpaclaimforms.co.uk/culturalassetsva)

### **How do I know what information is required for the valuation?**

Request for Valuation: This is undertaken by using the RPA portal, which is designed to capture the information about your cultural asset necessary for an initial valuation to take place. Typically, you will need to provide supporting evidence (photographs and documents) as specified in the portal. If the initial assessment indicates that a more detailed assessment is required, the RPA team will contact you to arrange this.

### **How do I know what my assets are worth?**

Once you have submitted your valuation request, your details will be assessed and passed onto a third party fine arts restoration company, who will provide one of three levels of valuation:

- Evidential Desk Valuation (EDV)
- Formal Valuation (FV)
- Valuation site visit or transport of item to valuers

Once the valuation is complete, a report will be produced and issued to your school. This will provide you with a breakdown of each CA in the format of a photograph, description/measurement and valuation. The sum placed against each item or collection of items represents the value that they believe the item or items should be currently insured. This is based on the cost of replacement in the retail market or, where appropriate, in the second-hand retail market with items of a similar nature, age, condition and quality.



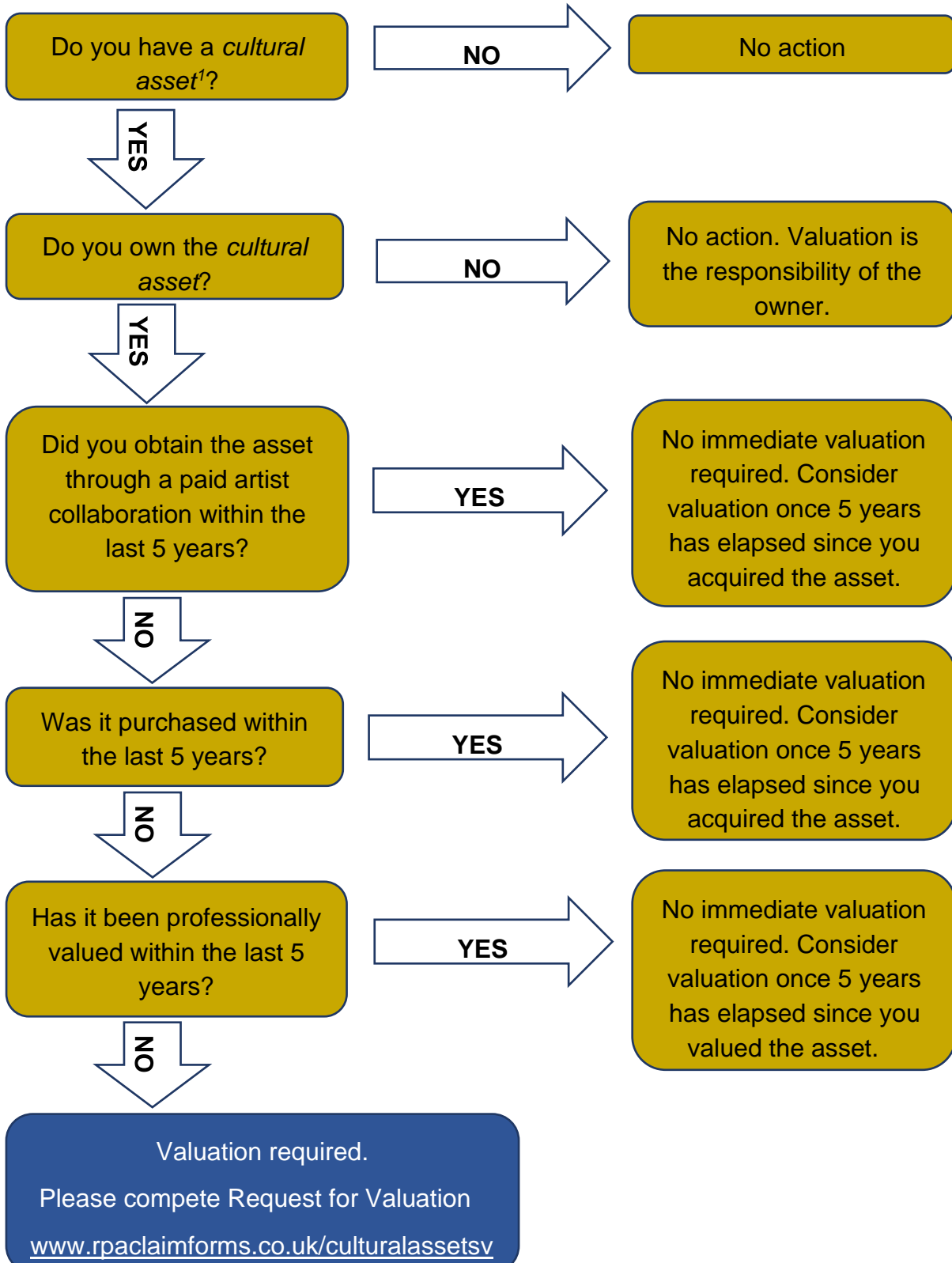


**How can I be assured we have the relevant level of cover for the assets?**

Should your valuation exceed the RPA limit of £10k per item, it will then be your school's decision whether to procure commercial insurance based on your risk assessment.



### Valuation Decision Tree



## Crescent Purchasing Consortium

### RPA+ Insurance

In response to a request from DfE, CPC has developed a quick and easy route to obtaining the insurance policies and related services to cover risks and services not provided by the RPA, these include;

- Motor vehicle and Occasional Business Use Insurance
- Engineering Damage Insurance and Inspection Services
- Contract Works Insurance

This process is easy to use, EU compliant and DfE approved.

CPC also offer Legal Services and Staff Absence Insurance.

For further details of any of the above please see **Annex A**

## Annex A

Crescent Purchasing Consortium

### Further Information

Gary Sadler  
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Date Published: 04.03.20

## RPA+ Insurance

In response to a request from DfE, CPC has developed a quick and easy route to obtaining the insurance policies and related services that are not covered by the ESFA Risk Protection Arrangement (RPA), namely:

- Motor Vehicles and Occasional Business Use
- Engineering Damage Insurance & Inspection services
- Contracts Works for Building Projects



RPA+ is a simple questionnaire-based process that gives you easy access to competitive quotations from our panel of market leading brokers and insurers:

### Key benefits of the agreement include:

- Easy to use - you complete a single questionnaire to obtain proposals from two leading providers
- EU Compliant - the agreement is let under a competitive OJEU tender process
- DfE approved - uses an established academies insurance deal that is endorsed by the DfE on their Deals for schools page <https://www.gov.uk/government/publications/deals-for-schools/deals-for-schools>
- **Help when you need it** - we will guide you through the process and give professional advice about the insurance covers

### How to request quotations?

- Apply for FREE membership at [www.thecpc.ac.uk/register](http://www.thecpc.ac.uk/register)
- A direct download of the RPA+ questionnaire at [www.thecpc.ac.uk/rpa-doc](http://www.thecpc.ac.uk/rpa-doc)
- Use the CPC quote tool or Email the completed questionnaire to our RPA+ providers and CPC at:

academia@aon.co.uk  
rob.nash@uk.zurich.com  
insurance@thecpc.ac.uk

## About CPC

CPC is the only national consortium dedicated to supporting academies, schools, and colleges. Our unique insurance deal is used by around 1,000 academies and free schools.

Our core function is to produce value for money deals compliant with EU regulations, covering an ever-growing range of goods and services including:

- I.T. Hardware
- Furniture
- Staff Absence Insurance
- Software Licences
- Outsourced Cleaning
- Outsourced Catering
- Audio Visual Equipment
- Legal Services

All of our deals have a dedicated Contract Manager who is on-hand to offer support, guidance and answer your technical queries. Visit our website to apply for your free membership at [www.thecpc.ac.uk/register](http://www.thecpc.ac.uk/register)

## Legal Services

This EU Compliant CPC deal covers an organisation's entire need for Legal Services.

Each lot includes a comprehensive suite of Legal Services across the following four categories:

- Property Services
- Human Resource Services
- Academy Conversion and Post Conversion Services
- Other Legal Services - including but not limited to: corporate governance, data protection, freedom of information, commercial contracts, student matters, dispute resolution, immigration, intellectual property and communications.

### Key benefits of the agreement include:

#### Helpdesk:

A dedicated legal services helpdesk that can advise on all aspects of the deal and any contract management questions:

- Phone: 0843 507 6026
- Email: [enquiries@nationaleducationlegalframework.org](mailto:enquiries@nationaleducationlegalframework.org)
- Website: [www.thecpc.ac.uk/legal-services](http://www.thecpc.ac.uk/legal-services)

#### Free of charge legal advice for the initial consultation:

CPC members receive initial advice free of charge through a dedicated legal services helpline:

Submit a query: [www.academies.thecpc.ac.uk/lsh](http://www.academies.thecpc.ac.uk/lsh)

#### Wide choice of suppliers:

A rich and varied choice of national and regional suppliers to choose from.

#### Unlimited scope of services:

The scope of legal services covered is endless, members can purchase any legal service they require.

#### A choice of procurement options is available:

- Further competition: capability based further competition and traditional further competition processes are available
- Direct award: CPC members can award to their supplier of choice without engaging in further competition.

#### The 14 regional lots

Lot 1: East Anglia
Lot 2: East Midlands
Lot 3: London
Lot 4: Northern Ireland
Lot 5: North East England
Lot 6: North West England
Lot 7: Scotland
Lot 8: South East England
Lot 9: South West England
Lot 10: Wales
Lot 11: West Midlands
Lot 12: Yorkshire
Lot 13: Channel Islands
Lot 14: National One-Stop-Shop

### How to request quotations

- 1: Apply for FREE membership at [www.thecpc.ac.uk/join-academies](http://www.thecpc.ac.uk/join-academies)
- 2: Visit [www.thecpc.ac.uk/legal-services](http://www.thecpc.ac.uk/legal-services) to request a quote using either; The [CPC Quote Tool](#) or the supplier contact details in the user guide to contact the suppliers directly

[www.academies.thecpc.ac.uk](http://www.academies.thecpc.ac.uk)

Crescent Purchasing Consortium

Further Information

Gary Sadler  
 G.Sadler@thecpc.ac.uk  
 0161 974 0940

Date Published: 07.09.18

## Staff Absence Insurance

This CPC deal gives schools access to a panel of brokers and insurers who are experts in Staff Absence Insurance.

Schools can achieve significant savings by comparing four major providers through one simple, compliant process.

This deal offers bespoke policies that are tailored to your needs and there are a wide range of extensions and covers available for absences such as:

- Accident
- Bereavement leave
- Ill health retirement
- Jury service
- Maternity leave
- Maternity related illness
- Personal accidental injury
- Reoccurring illness
- Sickness
- Stress related illness

The deal is split into two lots, giving access to the following suppliers:

Lots	Supplier
Lot 1: Staff Absence	   
Lot 2: Budget Overspend Insurance	

### Key benefits of the agreement include:

- Significant savings available through competition
- Easy to use and time-saving
- EU Compliant - the agreement is let under a competitive OJEU tender process
- Advice and guidance provided by CPC and our insurance partner Risk2Value
- Flexibility to tailor the insurance to your needs

To view more information about this deal please visit <http://www.thecpc.ac.uk/ac-staff-absence>

### How to request quotations

- 1: Apply for FREE membership at [www.thecpc.ac.uk/join-academies](http://www.thecpc.ac.uk/join-academies)
- 2: Download and complete the staff absence questionnaire <http://www.thecpc.ac.uk/staff-absence-ifa>
- 3: Log in to your account and get a quote using our [Quote Tool](#) and the completed questionnaire.

## About CPC

CPC is the only national consortium dedicated to supporting academies, schools, and colleges. Our core function is to produce value for money deals compliant with EU regulations, covering an ever-growing range of goods and services including:

- I.T. Hardware
- Employee Screening and DBS Check
- Software Licences
- Outsourced Catering
- Furniture
- RPA+ Insurance for Academies and Free Schools
- Software Licences
- Outsourced Cleaning
- Audio Visual Equipment
- Legal Services

All of our deals have a dedicated Contract Manager who is on-hand to offer support, guidance and answer your technical queries. Visit our website to apply for your free membership at [www.thecpc.ac.uk/register](http://www.thecpc.ac.uk/register)

## Want to Know More?

Our dedicated Helpdesk is ready to answer any questions or issues you might have.

You can contact us at any time during office hours, either by phone 0800 066 2188 or email [helpdesk@thecpc.ac.uk](mailto:helpdesk@thecpc.ac.uk)



@CPCUK



/crescent-purchasing-consortium



/CrescentPurchasing



/theCPCacuk

## CPC are part of CPL Group



## CPL GROUP

CPL Group is an education sector charity making a difference to the sector by offering grant funding and resources.

Visit our website [cpl.group](http://cpl.group) to find out more.