

Institute of  
Certified Secretaries  
*'The Governance Profession'*



IN CONJUNCTION WITH



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*ICS- A member of Corporate Secretaries International Association*

*CI Arb Kenya- A member of Association of Professional Societies of East Africa*

**EVENT:** CIArb Kenya & ICS Course on Governance Disputes Resolution  
**DATE:** 18<sup>th</sup> & 19<sup>th</sup> May 2022  
**TIME:** 8:00 am to 4:30 pm Daily  
**VENUE:** In Person at the Sarova Panafric Hotel In Nairobi

## 1. ABOUT THE ICS

The Institute of Certified Secretaries (ICS) is a professional membership organization established under the Certified Public Secretaries of Kenya Act, Cap 534, with its core mandate being to promote the practice of good governance in both the public and private sectors. ICS is a member of the Corporate Secretaries International Association (CSIA), a global umbrella body representing corporate secretaries and governance professionals in more than 70 countries across the world.

## 2. ABOUT CIARB KENYA

The Chartered Institute of Arbitrators is a leading Professional Membership Organization representing the interests of Alternative Dispute Resolution practitioners worldwide.

The Institute has over 14,000 members spread out in about 133 countries in the world with branches in England, Wales, Scotland, Hongkong, Europe, Nigeria, Kenya, Zambia, Mauritius, Australia, India, and North America among other countries. It has affiliations with arbitration bodies and institutions in other countries across the world and with the London Court of International Arbitration and the International Chamber of Commerce in Paris. It is a not-for-profit organization and gained charitable status in 1990.

The Chartered Institute of Arbitrators Kenya Branch (CIARB-KENYA) established in 1984 is one of the main Branches of CIArb. It promotes and facilitates the determination of disputes by Arbitration and other forms of Alternative Dispute Resolution (ADR), which includes Mediation and Adjudication.

Its core mandate is training in ADR, empowerment of practitioners through mentorship & capacity Building, Appointment of Dispute Resolvers, and regulation of the practice of Alternative Dispute Resolution.

## 3. ABOUT THE COURSE

Unresolved disputes can be extremely expensive to any organization: reputational costs, emotional drain, time misappropriation, injurious relationships, and financial cost. It is therefore in the best interest of any organization to deal with any potential disputes amicably and timeously.

This course will focus on several techniques, including alternative dispute resolution (ADR) methods of preventing and resolving governance-related disputes. The Course will be a build on the delegates' existing knowledge in the areas of governance and dispute resolutions. The Course is based on a wide range of published literature in governance and ADR.

Accomplished academics, professionals, practitioners, and policymakers in these areas will share their knowledge during the Course.

The aim of the course is to equip leaders at all levels, board members, executives, corporate secretaries, and other professionals with relevant skills to identify and efficiently resolve governance disputes.

## **4. FOCUS AREAS**

The course will focus on eight pertinent issues as follows:

### **Introduction**

- a) Definition of conflicts and disputes
- b) Sources of conflicts
- c) Conflict process
- d) Conflict avoidance and conflict management
- e) Definition of Alternative Disputes Resolution Mechanism (ADR)
- f) Constitutional and legal framework on ADR
- g) Pros and cons of ADR
- (i) Appeal of ADR

### **4.1 Governance Disputes**

- a) An overview of corporate governance
- b) Areas of potential dispute in governance
- c) Definition of governance disputes
- d) Internal disputes
- e) External disputes
- f) Boardroom disputes
- g) Disputes in family-owned business
- h) Disputes in public owned entities
- i) Disputes in professional firms
- j) Disputes in other organisations

### **4.2 Consequence of Governance Disputes**

- a) Disputes as an enterprise risk
- b) Cost of dispute
- c) Cost of court litigation

### **4.3 Alternative Disputes Resolution (ADR) Techniques**

1. ADR 1:
  - a. Negotiation
  - b. Mediation
  - c. Conciliation
  - d. Traditional Dispute Resolution Methods

2. ADR 2:
  - a. Arbitration
  - b. Adjudication
  - c. Administrative Tribunals

Under each of the above techniques, the following topics will be discussed: Definition; Legal framework; Process; Approaches; Examples; Pros and cons; Essential skills; and Ethical issues.

#### **4.4 Governance disputes and strategy**

- a) Effect of governance dispute on corporate strategy
- b) Scanning the environment
- c) Governance dispute resolution policy
- d) Governance dispute resolution strategy
- e) Governance dispute resolution resourcing
- f) Monitoring and evaluation of dispute resolution strategies

#### **4.5 Stakeholders Relations in Conflicts Management**

- g) Stakeholder mapping
- a) Stakeholder prioritization framework
- b) Managing resistance
- c) Persuasion and influencing skills in building relationships
- d) Effective stakeholder engagement and communication
- e) Importance of strong stakeholder relationships in disputes mitigation and conflict management
- f) Importance of emotional intelligence in stakeholder relations and conflict management
- g) Importance of self-awareness in stakeholder relations and conflict management

#### **4.6 Managing Boardroom Disputes**

- a) The right persons in the Boardroom
- b) Clarity of roles
- c) Effective Board processes and procedures
- d) Managing Board communication
- e) Creating an open environment
- f) Team building activities
- g) Role of Board evaluation in managing Boardroom disputes
- h) Governance Disputes Self-Assessment Tool
- i) Role of the Chair in resolving Boardroom disputes
- j) Role of the Corporate Secretary in resolving Boardroom disputes
- k) The place of external parties in resolving Boardroom disputes

#### **4.7 Opportunities in Governance Dispute**

- a) Turning threats and risks into opportunities
- b) Providing corporate governance dispute resolution services
- c) Providing training services on governance dispute resolution
- d) Research and publication
- e) Positioning yourself and sharpening your skills

## 4.8 Evaluation

This course is a non-evaluation course, participants will however get a soft copy certificate of participation

## 5. REGISTRATION

[Click below link to register](#)

## 6. PAYMENTS

The cost of training shall be Kshs. 30,000 for in-person training at the Sarova Panafric payable either via the CI Arb Kenya or ICS depending on where registration is submitted. Fees are payable in advance of the Course and cover facilitation, certificate, and training materials. You are only required to submit your registration to either one of the organizations and complete the registration to the respective institute and not to both.

### 5.1 Payment options

ICS Bank Details

- a) Institute of Certified Public Secretaries of Kenya. A/c No: 1103151045, SWIFT CODE: KLENX, Kenya Commercial Bank, Capitol Hill Branch. Send the deposit slip to [accounts@ics.ke](mailto:accounts@ics.ke) & [Training@ics.ke](mailto:Training@ics.ke) indicating name of the event and participants' details.
- b) Mpesa Pay Bill No: 533800. Account Number: Name of the event.

CI Arb Kenya Bank Details

- a) Chartered Institute of Arbitrators Kenya Branch, NCBA Bank Mama Ngina Branch KES Ac No; 6435390017 SWIFT CODE: CBAFKENX Send payment advise to [accounts@ciarbkenya.org](mailto:accounts@ciarbkenya.org) cc [kimanievelyne@ciarbkenya.org](mailto:kimanievelyne@ciarbkenya.org)
- b) Mpesa Paybill No: 975743 Ac GOVERNANCE

### 5.2 Discounts

- a) Group discounts for organizations sponsoring participants as follows:
  - (i) 5 participants, 5% discount.
  - (ii) 10 participants, 10% discount.
  - (iii) 15 and more participants, 20% discount.
- b) For an organization to enjoy a group discount, bookings for participants from the organization must have been done at least a week to the event.
- c) Refer to the CPD Policy for discounts applicable to different categories of members and students.
- d) No participant shall benefit from more than one category of discounts.

## 7. CANCELLATIONS:

Prior cancellation or transfer of payment is allowed subject to the following conditions:

- a) All cancellations or transfer of payment requests must be notified to the RESPECTIVE Secretariat in writing (addressed to ACCOUNTS on [accounts@ics.ke](mailto:accounts@ics.ke) and [accounts@ciarbkenya.org](mailto:accounts@ciarbkenya.org) with a copy to [Training@ics.ke](mailto:Training@ics.ke) and [kimanievelyne@ciarbkenya.org](mailto:kimanievelyne@ciarbkenya.org)
- b) Cancellation or transfer of payment request must be done at least 72 hours before the date of the Course;
- c) Cancellations or transfer of payment request done after the expiry of 72 hours or after the event will not be granted;
- d) The amount paid is non-refundable but the funds can only be transferred to any upcoming event of your choice within the calendar year 2022;
- e) Indicate the event you wish the payment to be allocated to at the time of cancellation;

## 8. PROGRAM

Day & Date	Time	Topic
<b>18<sup>th</sup> May</b>	8.15 am – 8.30 am	Registration & Early Morning Tea
	8.30 am- 9.00am	Introductions, Opening Remarks & About the Course
	9.00 am-10.15 am	Session 1
	10.15am- 10.30 am	Tea Break
	10.30am- 11.50 am	Session 2
	11.50am - 13.10 pm	Session 3
	13.10pm-2.00 pm	Lunch Break
	2.00pm- 3.30 pm	Session 4
	3.30pm- 4.10 pm	Plenary
	4.10pm- 4.30 pm	Tea Break
<b>19<sup>th</sup> May</b>	8.15 am – 8.30 am	Registration & Early Morning Tea
	8.30 am- 9.00am	Introductions, Opening Remarks & About the Course
	9.00 am-10.15 am	Session 5
	10.15am- 10.30 am	Tea Break
	10.30am- 11.50 am	Session 6
	11.50am - 13.10 pm	Session 7
	13.10pm-2.00 pm	Lunch Break
	2.00pm- 3.30 pm	Session 8
	3.30pm- 4.30 pm	Plenary & Awarding of Certificates
	4.30 pm	Tea Break
		<b><i>Participants leave at their own pleasure</i></b>

## 9. FOR MORE INFORMATION

The Institute of Certified Secretaries (ICS)  
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Website: [www.ciarbkenya.org](http://www.ciarbkenya.org)

### **CPD Credits Hours: CPDs.**

CIArb Members will be awarded 4 CPDs

ICS Members will be awarded 6 CPDs

### **NITA Reg. No: NITA/TRN/406**