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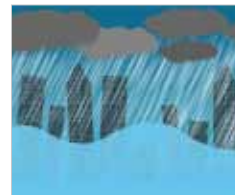
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PRESIDENT'S MESSAGE

BARRY HAGGIS



By now we are all back into the swing of things after a long and hot summer. I hope most of you were able to get away or at least take some time for yourselves to escape the hustle of the broker game. I spent two weeks in Newfoundland in early August and had myself a true Newfoundland experience—being out in a boat in the Atlantic ocean, catching fish while four whales were breaching around us. I had to take a step back and think about where I was and take it all in. That was a first for me!

Another first that I decided to try was not checking or responding to any emails while I was away. I would give myself a 90% pass rate on this task. I caught myself checking emails when I had a few spare moments. I forwarded a few and may have responded to the odd one, but overall it worked out OK (while trying to avoid dirty looks from my loving wife).

This got me thinking about work/life balance, where the lines are getting a bit blurred with our society moving more and more to the “I need it now!” mentality. As brokers, there is an unspoken pressure to be on call for our clients after hours, on weekends or even when we are on holidays. I am guilty of this and I am sure a lot of you are too. We strive to provide the best customer service, sometimes at the cost of our own mental health.

Things are not getting any easier for us on the broker side either. We are doing a lot of our own processing, dealing with more strict underwriting guidelines and appetites, having to be more involved in claims and, as an industry as a whole, we seem to be struggling with service levels on claims. Additionally, clients don't seem to be as understanding as they were in the past (meaning clients seem to be a lot more cranky). But who can blame them? Financial pressures from the pandemic still persisting, inflation on the cost of everyday goods, insurance premiums increasing and then claims being denied or not being settled quickly, can weigh on a person. And we, the brokers, are stuck in the middle. I am not taking a stab at any market; I know they

are all doing everything they can to assist with any claims struggles, and adjusters are feeling it too. Combine all of this with adjusting to changing work environments—from hybrid work-from-home situations, being asked to come back to an office or dealing with the isolation of working from home full time—the pressures of being an insurance broker are at an all time high, and we need to be aware of that.

Recently, I have been hearing a lot about “quiet quitting,” where employees are starting to work their expected hours, not answer emails after hours and not take on any duties above and beyond their job description. I don't know about you, but that sounds like any regular job to me. If an employee is showing up on time, fulfilling their duties to the best of their ability and clocking out on time and, as a result, has a better mental state and quality of life, I don't see anything wrong with that.

“As brokers, there is an unspoken pressure to be on call for our clients after hours, on weekends or even when we are on holidays. I am guilty of this and I am sure a lot of you are too.”

There is nothing wrong with the “rise and grind,” “eat what you kill” mentality, but it is not for everyone. The important thing is that as brokers, we are adapting to the way our clients want to deal with their insurance policies, but not at the expense of our own lives. We have enough trouble getting talent into the industry as it is; we don't need to be burning employees out with

expectations of never shutting off work and forcing them out of the industry. There are automation programs out there that offer self-service client portals for your brokerage's clients, chatbots that can be running 24/7 to answer basic questions, and the ability for clients to get pink cards and documents at their leisure. There are ways to offer that service that means so much to our clients, without having CSR's, for example, answering emails at 9:00 p.m. I should really learn to practice what I preach, as it is not often that I don't look at my emails way past office hours, but I am trying. Take it easy on each other and look for solutions that help your brokerage and staff be the best they can be.



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Portage Mutual Insurance CEO and President, John Mitchell set to retire



After nearly 40 years in the industry, John Mitchell is saying farewell. John has spent 39 years with Portage Mutual Insurance, including assuming his current position of CEO and president in 2010.

John's love of, and devotion to, the industry brought about many changes in the company. He was instrumental in their successful legacy IT projects, migrating the company to a best in class technology platform. He helped infuse a company-wide commitment to customer service excellence. During his tenure the company realized strong financial growth while continuing to grow its customer base. John is very proud of Portage's commitment to mutuality evidenced by the contribution of over \$1,000,000 to local community organizations across the country over the last five years.

John was kind enough to take the time to answer some questions before his much-deserved retirement in December of 2022.

Q: Name one thing you learned in your 39 years in the insurance industry?

A: It is a great industry to be in, and one where you never know what tomorrow will bring.

Q: Do you remember your first day at the office or is there a memory that really stands out from when you started at Portage Mutual?

A: I started in the computer department and I used to back up data onto large disks on the weekends. One such weekend, I found the backup device on the floor. I picked it up, dusted it off, turned the machine on to spin up the disk, only to hear a horrible screeching and see smoke coming from the machine. Who knew that data storage machines were so sensitive? Apparently, my boss did. He was not exactly enamoured with my work that day, but he eventually got over it.

Q: What words or phrase best describes you professionally?

A: I am passionate about our company, the people I work with, and our industry as a whole.

Q: What were your guiding principles through your years of business?

A: I really believed you should work hard, have fun, and help others around you to succeed and enjoy their careers.

Q: What are you most proud of from your time at the company?

A: Watching people grow and develop both personally and professionally. I am very proud of the commitment and personal investments that our employees have made on behalf of Portage Mutual.

Q: If you had not entered the insurance community, where do you think you would have been today?

A: I would either be an entrepreneur or a retired rodeo clown.

Q: What advice do you have for young people looking to enter the insurance industry?

A: I would tell them to get a mentor, help your boss be successful, and engage in your own personal professional development. If you do not find the work interesting and rewarding, then saddle up and move on.

Q: What will you miss most about working in insurance?

A: Some of the weird and wonderful characters, friends and peers I have met over the years.

Q: What part of retirement are you looking forward to the most?

A: Teaching the grandchildren bad habits and trying to explore different hobbies I might like.

Thank you John for answering our questions. We all wish you the best in the next stage of your adventures!

FROM ASSOCIATES AND COLLEAGUES

"John Mitchell is one of those people that the insurance industry has been lucky to have working for it. With common sense, intelligence, compassion and fairness, he made Portage Mutual and everyone around him better. John's support of brokers and customers is second to none, and he will be missed in this industry so much. Thank you for everything you have done John, and I hope you and Maureen enjoy a long and happy retirement."

Brett McGregor, IBAM Past-President and Chair

"John is an icon in the industry and will be greatly missed. He consistently livens up IBAM events and is among the very best panelists in the country. We have appreciated his can-do attitude and strong support of brokers and IBAM over the years. We all wish him well in retirement and good luck on the golf course— he is going to need it!"

Grant Wainikka, IBAM CEO

"John took over Portage Mutual at a challenging time. Like peers in the market, Portage was seeking a path for the future as they faced fundamental challenges such as brand differentiation, technology upgrades, distribution channels and relevance. Through John's stewardship, Portage now has a clear direction and focus for the foreseeable future. Fundamental to crafting this clarity of purpose is John's inclusive leadership style. This is important for a 138-year-old organization such as Portage Mutual, as it straddles a position between tradition and modern; staff need to be contributing to the success of the organization.

John always ensures that the views of others are heard and considered."

Rob Scott, AON Reinsurance Solutions

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AFFORDABILITY. CHOICE. SUSTAINABILITY.

Making the case for auto insurance reforms in Alberta

By Aaron Sutherland

As many pandemic restrictions have lifted, Albertans have returned to the roadways in record numbers, whether it's for work or pleasure. And that's a very good indication that life is returning to normal after a few challenging years. The latest data from Environics Analytics—one of Canada's leading data and analytics firms—shows that consumer driving habits in Alberta now well exceed pre-pandemic levels.

However, with this increase in driving comes an increase in the number of collisions and a subsequent rise in insurance claims. It's what our industry is here for, and while Alberta's auto insurance market is functioning well today, the industry isn't immune to the ongoing disruptions across the economy.

All of these trends will ultimately put pressure on consumer premiums. As we look down the road, there are storm clouds on the horizon, and the system is beginning to show signs of strain.

Record inflation and continued supply chain disruptions are having an outsized impact on Alberta's auto insurers. According to recent Statistics Canada data, the cost for vehicle parts,

maintenance and repairs has increased by 7.9% year-over-year. The cost for rental vehicles, when available, has risen 28.5%. Prices for new vehicles are up 8.2%. In short, the accelerating cost to repair or replace vehicles is having an outsized impact on claims costs.

At the same time, legal costs and the costs associated with treating injuries continue to rise. Despite recent reforms, the government's own projections suggest that bodily injury costs (which include legal fees) and accident benefits for medical and rehabilitation services, will grow in the year ahead by 5% and 12%, respectively.

To ensure premiums remain accessible and affordable over the long term, Albertans need an auto insurance system that provides more choice, more control over their premiums and more benefits to help them recover from a collision. This can only be achieved through significant reforms to the auto insurance system, rather than the small, short-term solutions that we saw come into effect in 2020.

To assist, Insurance Bureau of Canada (IBC) and its members are beginning to put forward their proposal for how to improve the auto

insurance market for Alberta drivers. Titled *Enhancing Care & Expanding Choice*, it is a blueprint for creating a more sustainable insurance system that enhances benefits and gives drivers the choices they deserve. It closely aligns with many of the changes that the Insurance Brokers Association of Alberta has put forward.

What's *Enhancing Care & Expanding Choice*?

IBC's proposal is a made-in-Alberta solution that provides more care to those injured in collisions and gives drivers the ability to tailor their insurance policy to better meet their needs.

Currently, Albertans who sue for minor injuries sustained in a vehicle collision are limited to \$5,488 in financial compensation. Under IBC's proposal:

- Drivers could choose to pay a lower premium by waiving the ability to receive financial compensation if they sustain a minor injury.
- Injuries suffered in a collision would be eligible for twice the amount of the pre-approved treatment they

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receive today, including specific programs of care based on the most up-to-date medical literature.

- If an injury is serious, everyone would continue to have legal recourse after a collision, just as they do today.

Importantly, with current cost pressures, the average required premium—the premium needed to cover claims costs, operating expenses and premium taxes—is expected to rise to an average of \$1,707 in 2023. *Enhancing Care & Expanding Choice* would reduce it to \$1,529, greatly improving the affordability of coverage and providing significant savings to consumers.

Modernizing the regulatory system

While Alberta has begun to modernize its regulatory environment and cut red tape, much more remains to be done. IBC continues to advocate that Alberta modernize its regulatory system by adopting best practices from other jurisdictions to safeguard affordability in the long term.

Let's consider Alberta's grid framework. Unique in Canada, the grid was created to ensure that new drivers have access to affordable premiums—an important goal. Over time, however, it has grown far beyond this intent and now caps the rates for many experienced drivers with a history of collisions and infractions. As a result, the grid forces those with a good driving record to pay more to subsidize premiums for drivers with a bad driving record.

In 2021 alone, it is estimated that the grid cost each driver in Alberta \$65, on average, to subsidize drivers with a bad driving record and those at higher risk. This simply doesn't make sense. Instead, Alberta should remove the grid and introduce mandatory discounts for new drivers (similar to what is done in other jurisdictions) to ensure that new drivers have more affordable premiums.

Another way to improve efficiencies in the system and cut red tape is to continue to improve the province's

rate filing guidance and to fully adopt a file-and-use rate filing system. The current regulatory regime overseeing auto insurance rate changes is complex, expensive and, at times, extremely lengthy. In contrast, file-and-use rating systems are an efficient, effective tool that requires fewer resources for both regulators and insurers, while still maintaining the same level of government oversight of insurance premiums.

Lastly, IBC sees an opportunity to improve the efficiencies of the courts and to speed the settlements of claims. Today, lengthy, drawn-out court processes are creating excessive costs that ultimately are passed along to drivers through their premiums. If the government introduces legal reforms that simplify the existing legal processes, Albertans can expect to see claims settlements move at a faster, more efficient pace.

Improving insurers' ability to fight fraud

While Alberta's insurance regulations are well-intentioned, some are overly restrictive and prevent insurers from fighting fraud and crime. These regulations invite more illegal activity and ultimately lead to higher costs that are borne by Alberta drivers. With honest drivers ultimately paying the costs of fraud and criminal activity in the auto insurance system, it's time these oversights are addressed.

For example, insurers are legally required to offer insurance to any driver with a valid licence—even if the driver has a history of fraud or illegal activity, or when they have reasonable grounds to believe that the individual is purchasing insurance for illegal purposes, such as vehicle smuggling or staged collisions. If insurers could adopt the same rules that govern Canada's banking sector, they would be permitted to decline or refuse these contracts, cutting down on illegal activity in the marketplace and the costs these activities create for everyone.

Another opportunity to prevent insurance fraud in the province is to introduce an insurance validation program (IVP). This would give law enforcement the ability to check a vehicle's insurance status at the roadside. When the Ontario government took action and implemented an IVP in 2010, the number of uninsured drivers on the road dropped by 54% over an eight-year period. A similar improvement could come to Alberta as well.

Continuing the conversation

The best auto insurance systems provide more care and recovery benefits for those injured in a collision, while giving drivers more choice and control over their policy and the premiums they pay. Long-term reform is needed to ensure that premiums stay affordable and Albertans have access to the care they need following a collision.

Brokers are a critical partner for our industry, and your voices will add weight to the conversation on auto insurance reform. You are the industry's closest link to consumers, and your opinions are invaluable in the communities you serve. The conversations you have with clients and the people you meet while conducting business can help educate them on these issues and increase consumer support for change.

With inflation and increases in the cost of living impacting all of us, improving consumer affordability will be key to helping Canadians manage in this period of economic uncertainty. *Enhancing Care & Expanding Choice* can play an important role by providing the system improvements needed to drive lasting, positive change for Albertans.

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IBAA AT WORK

WHAT'S GOING ON BEHIND THE SCENES AT IBAA?

Summer has officially come to a close. Aside from a few well-earned vacations and some relaxing time off, our team used the summer months to set the foundation for some exciting new projects.

WEBSITE

Our technology and communications team has been afloat on their own little island of code and colour all summer, streamlining and modernizing the IBAA website. We're sure, or rather we hope, you've had a chance to visit ibaa.ca and have noticed the difference. We will be moving to a new member management system and website provider over the course of the year, so expect to see some new and exciting things happening within our virtual community in 2023. If you have any suggestions for our web team regarding the current or new site, please feel free to connect with them via email at communications@ibaa.ca.

PROFESSIONAL DEVELOPMENT (PD)

Similarly, our professional development (PD) team used the sunny season to source a new professional certificate program focused on building the skills necessary to develop commercial lines business. Our on-demand virtual Commercial Boot Camp certificate that launched September 6 helps participants build the skills necessary to successfully grow their commercial business and develop lasting best practices. The boot camp is hosted by the team at

MRD Training & Consulting and is facilitated by IBAA PD regular Melanie Needham. Visit ibaa.ca or contact us at education@ibaa.ca for more information.

ADVOCACY

The advocacy team, mostly comprised of the CEO and board executive, spent the summer chipping away at a very packed political calendar. With a productive few months of provincial and national meetings under its belt, the advocacy team's main focus going forward is to make sure candidate platforms within the upcoming election address the most pressing industry concerns. We have prepared a white paper and plan to meet with as many of the candidates as possible to ensure the brokers' voice remains top of mind. Visit ibaa.ca to read the latest white paper and contact communications@ibaa.ca to receive weekly advocacy and industry updates.

STRATEGIC PLANNING/BOARD

As mentioned last issue of Alberta Broker, our board executive and management team met in July to review our strategic direction. This annual review process is an important part of the board and management team's responsibility to IBAA members. Annual strategic planning ensures that we adapt our policies and operations to the needs of our members. Our new board will use the IBAA 2023 Strategic Directions document as their foundation for the

government relations, community outreach, and member engagement work they conduct throughout their term. Our 2023 strategic directions are primarily, and unsurprisingly, focused on ensuring IBAA members get the most out of their membership.

This year will be dedicated to reevaluating the professional development needs of our brokers—both big and small—streamlining the user experience across our virtual platforms and doing a better job of communicating all of the exclusive perks our members can access.

MEMBER PERKS

Speaking of member perks, we're excited to announce that we have partnered with the Silverberg Group to bring your "employee benefits into focus." The Silverberg Group is offering IBAA members a complimentary review of their current benefits program. Visit our Member Perks page at ibaa.ca to take advantage of this deal along with so many other IBAA exclusive opportunities.

As sad as it is that warm weather is past us, we're really looking forward to the year ahead. Our new professional development team is bringing new and unique offerings to the table, convention 2023 is on the horizon, and we have a full year of in-person networking and advocacy to enjoy. Remember to follow us on social media so you don't miss out!



Saskatchewan Mutual Insurance
is playing in a new Sandbox.

November 2022



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COMMERCIAL PULSE CHECK

By Annette Hubick

“In transition.” That seems to be the most often-used phrase to describe the state of Alberta’s commercial insurance market. The market is showing signs of emerging from the hard market that has posed significant challenges for insurance brokers and their clients for the last several years. “Improved insurer profitability has provided relief in rates and increased capacity. These good results have catapulted companies to increase their written premium goals,” says Rosetta Bilodeau, VP of brokering and insurer relations, Rogers Insurance. “We are starting to see the light at the end of the tunnel,” adds Scott Treasure vice-chair / CEO of Excel / Treasures Insurance & Risk Management.

Insurance Bureau of Canada’s (IBC) metrics indicate market improvement. “In Alberta, calls and concerns coming into IBC’s consumer information centre are down and our risk management team—which helps find coverage for challenged risks—has seen a noticeable reduction in case loads,” reports Aaron Sunderland, IBC vice president, western & pacific.

That’s the good news.

The Challenges

The bad news is that there is still a long way to go—a lot of rubble to clear to reach the other side of that tunnel, so to speak. That “rubble” includes damaged broker-client and broker-underwriter relationships, evolving expectations of both insurers and clients, a battle-fatigued workforce and newly entrenched client behaviours created by the cost saving measures they had adopted in response to the hard market. “Hard markets always create an awareness and acceptance of higher self-insured retention or deductible approaches with clients,” explains Doug Morrow, CEO, managing director, RiskTech Insurance Services. “This volume will never return to the marketplace. After self-insuring an exposure or accepting a higher deductible strategy, clients will never buy that extra protection again.”

Rising claims costs, increased frequency of weather-related losses and low interest rates contributed to the erosion of insurers’ profits that led to this hard market. These factors persist. The commercial P&C industry isn’t just contending with the hard market, it is also impacted by inflation, regulation, new exposures and the consolidation or sale of brokerages and insurers. Add in the impact of the COVID-19 pandemic on all businesses, including brokers and insurers—many of whom weren’t around during the last hard market over 15 years ago—the result is a perfect storm of challenge.

Most challenges facing the insurance industry are common across country, if not the globe, but some are unique to Alberta. Catastrophic weather losses continue to rise and now exceed \$2 billion annually in Canada, “No where is this more true than in Alberta, where we continue to see a dramatic increase in the number and size of storms and hail events where insured losses are measured in the hundreds of millions of dollars, year after year.” offers Sunderland.

Thank you to the following industry professionals whose input formed the basis of this article.



ROSETTA BILODEAU
VP of Broking and Insurer Relations
ROGERS INSURANCE



DOUG LAIRD
President
ROGERS MCLEAN SHAW INSURANCE BROKERS LTD.



KEVIN LEA
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Vice President, Western & Pacific
INSURANCE BUREAU OF CANADA



SCOTT TREASURE
Vice-Chair / CEO
EXCEL / TREASURES INSURANCE & RISK MANAGEMENT

Another made-in-Alberta challenge has been the provincial government’s introduction of Direct Compensation for Property Damage (DCPD). “With insurers only able to draw on experience from other jurisdictions, rate setting for DCPD has not been consistent across insurers. This is more pronounced in commercial lines versus personal, as commercial generally has less data to draw on,” says Kevin Lea, president of Fuse Insurance. “As time passes and Alberta claims data is generated, this should help rates stabilize and encourage insurer competition for DCPD.”

Brokers are also having to navigate the inconsistent pace of market stabilization across lines, industries and client status. “We are still seeing conservativeness on the renewal book of business, however new business is being looked at very aggressively in certain segments of business,” observes Doug Laird, president, Rogers McLean Shaw Insurance Brokers. “Certain classes of business, including hospitality, transportation and realty, are still in a market where underwriters want to hold their pricing, while classes that are historically profitable including contractors, retail and other small business segments are being heavily targeted.”

“The rise of cyber-insurance coverage has drastically increased the role of the broker in educating the client in this area and therefore also in our own understanding of the coverage and the extensive underwriting requirements that go along with it,”

says Treasure. However, at the same time as more clients are gaining an appreciation for the need for cyber insurance, “Cyber insurers are being hit with many losses, driving premiums up and capacity down,” adds Bilodeau.

The Opportunities

The silver lining is that when challenges abound, so do opportunities. “Insurers and brokers have an opportunity to help inform customers of these risks, what can be done to help mitigate them and the important role insurance plays in an overall cyber risk mitigation strategy,” explains Sunderland. The hard market forced many customers to become aware of and embrace the concept of risk mitigation, which presents brokers with an opportunity to underscore their value as a trusted source of advice and expertise.

To be candid, one provider’s disloyal client is another’s prospect. There’s nothing like a huge cost increase to spur re-examination of needs and expenses. “This means that they are more willing to dive into the details and look to find coverage improvements and premium savings,” explains Lea. Also, when there’s disruption caused by consolidation or sale of brokerages, “Many files in transition creates opportunity for well positioned ‘tuned-in’ brokers to grow,” says Treasure.

Alberta’s economic recovery also fosters opportunity. “Growing economies mean growing businesses, which means more assets and exposures to insure, leading to higher premiums for insurers. This can help Alberta outperform other Canadian jurisdictions,” says Lea. Beyond Alberta’s rebounding oil and gas industry, brokers can look for business opportunities by observing which industries the provincial



government is targeting to attract and grow, e.g., technology, renewable energy, entertainment, etc.

Although the Alberta market is in transition, a return to the “good old days” isn’t expected. “Insurers are no longer willing to accept poor loss ratios in exchange for volume, so they are pushing their underwriters to only accept best-in-class risks even if that means dropping industry sectors or coverages. Alternatively, some carriers are still accepting previously poor risks, but are now charging a much higher rate in hopes of returning to profitability,” says Lea.

Clients, too, have changed. As Laird articulates, “They are more educated and astute when it comes to premiums, coverage and rate increases. COVID-19 has had an impact on bottom line for many clients, and as a result, we are seeing frustration, push back, and questioning. As a result, our brokers are being challenged with finding the right solution and the right insurer.” Client expectations have also changed, he advises. “Communication and touch points have always been important, but a service deficiency in this area will leave a broker with a lost client. Clients expect more from their brokers, and we must be prepared to meet their needs. Otherwise, they will seek service elsewhere.”

Looking Ahead

Despite all the challenges facing the commercial insurance market, the brokers I talked to have a positive outlook for the future.

Treasure expects the consolidation trend to continue, “Not just the large brokers continuing to get larger, but between insurance companies, as well as insurers buying brokers. That said, I believe the death of the independent locally owned broker has been greatly exaggerated. There has always been room in relationship-based industries like ours for smaller, innovative and nimble operations that also include local ownership.”

Insurers adopting a risk sharing approach is anticipated. “Carriers will look to ‘ventilate’ liability limits; subscribe or go primary/ excess on casualty;

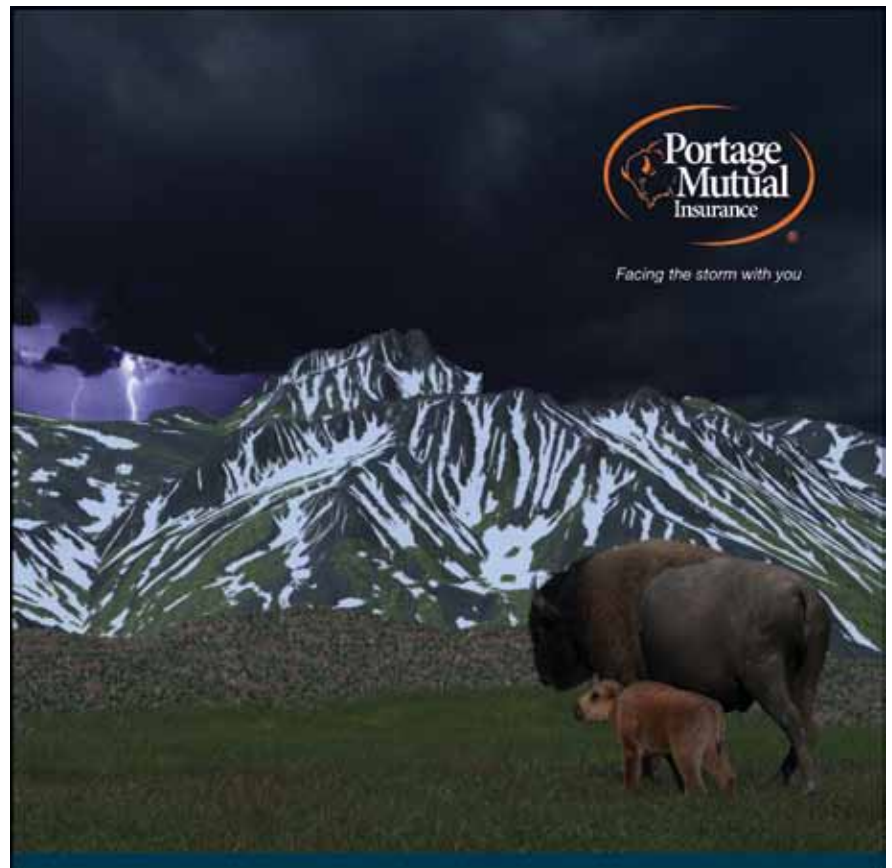
subscribe equipment breakdown; and others. The business will get more complex in order to spread risk. It will be lots of work but good for the industry in Canada generally,” believes Morrow.

“As long as we see sustainable and profitable improvement with insurer results, insurance capacity and a softening approach to rates is forecasted,” says Laird. For his part, Lea is hopeful but cautious. “I anticipate a slight easing of hard market conditions, but further global financial shocks or localized disasters

could derail that process. Hopefully better claims outcomes lead to better insurance coverage and pricing for Alberta’s commercial policyholders.”

After conducting this commercial pulse check, if I had to choose a phrase to sum up the prevailing prognosis, it is “cautiously optimistic.”

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Improve the CL Customer Experience With Real-Time Quoting



BY KATHRYN SINCLAIR

What if there was a way to enhance the customer experience by expediting the commercial lines (CL) quoting process at no extra cost to your brokerage?

You can do that by partnering with insurers and vendors who have programmed CSIO's commercial lines data standards that have been developed by CSIO's commercial lines working group. A CSIO member survey revealed that:

- 85% of brokers expect CL data standards will mean faster and more accurate quotes
- 91% of brokers said they are more likely to work with insurers who have implemented CL data standards

- 90% of members agree that CL data standards are important, and
 - 94% support the move towards industry-wide implementation of data standards in commercial lines
- Here's an overview of why CL data standards are so beneficial to the P&C broker channel and the steps CSIO's CL working group has taken to ensure CL data standards provide exceptional value to our broker, insurer and vendor members.

continued on page 20

Trevor, a National Property Appraiser, is also a licensed drone pilot.

So when Hurricane Dorian swept through Nova Scotia, Trevor had an idea.

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What are CL Data Standards?

Data standards are programmable codes that facilitate communication between insurers’ systems and broker management systems (BMS). Standardizing the data exchanged between brokers and insurers results in real-time quoting, consistent workflows, greater accuracy, reduced double-entry and the automatic generation of electronic policy documents (eDocs) by a BMS.

Introducing the CL Data Standards Working Group

At the end of 2017, CSIO commissioned the Conference Board of Canada to research the best ways of facilitating the industry-wide adoption of CL data standards. “Broad industry participation” was among the board’s main recommendations, which CSIO implemented by forming

- Finalizing questions for additional small CL segments, namely hospitality and transportation services.
- Defining Java Script Object Notation (JSON) standards, which allow for larger amounts of information to move faster between insurers’ systems and BMS, and use cases for CL quoting.
- Consulting and supporting insurers and vendors with implementing CL data standards.

CSIO also invests vast time and effort into supporting insurers and vendors who implement the CL data standards—in fact, we have an entire program dedicated to implementation.

CSIO’s Commercial Lines Certification Program Leads to Success

CSIO’s CL Certification Program ensures that if an organization wants to demonstrate their commitment to

certification program in 2021 and deserve congratulations for their accomplishment. CSIO looks forward to more insurers and vendors achieving certification.

Learn more about—and benefit from—CL Data standards

Now that you’re familiar with the CL Data standards and the teams that work on them, here are three ways your brokerage can realize the value of CL Data standards.

1. Visit CSIO website’s Commercial Lines Standard page

A breakdown of the commercial lines minimum data set, a helpful video, more info on the CL working group and a handful of commercial lines resources all in the same place. A great place to go for a better understanding of how CL data standards can help your brokerage.

2. Take CSIO’s, free, accredited Commercial Lines course

Get a more in-depth look at the value of CL data standards and earn a continuing education (CE) credit in the process, by taking CSIO’s The Future of Commercial Lines with Real-Time Quoting course. Being an IBAA member automatically qualifies you for CSIO membership, which means you can access all our professional development content free of charge!

3. Talk to your insurer and vendor partners about getting certified

When insurers and vendors complete CSIO’s CL certification program, everyone benefits. Share this article and link (csio.com/solutions-tools/csio-certification) with your insurer and vendor partners to help them get started.

“The standards they created automate small business commercial quotes to be delivered in minutes, not days, improving the customer experience while saving brokers time and money.”

the commercial lines working group in 2018, comprised of insurers, vendors and broker representation. This talented team has accomplished a lot in the last four and a half years. They reached industry consensus on the common data set and streamlined data exchange for real-time quote and bind for five small business commercial segments: contractors, retailers, business and professional services, multi-operations and real estate. The standards they created automate small business commercial quotes to be delivered in minutes, not days, improving the customer experience while saving brokers time and money. The working group will continue building on their accomplishments by:

CL data standards, we are with them every step of the way as they move towards that goal. Certification is our guarantee that an insurer or vendor has successfully adopted CL data standards and is compliant with industry best practices. There are three levels of certification:

- Level I – Foundational: Set the groundwork for real-time quoting
- Level II – Verified: Demonstrate successful data exchange in test scenarios
- Level III – Certified: Launch real-time quoting

Unica Insurance and Vertafore were the first insurer and vendor to complete all three levels of the

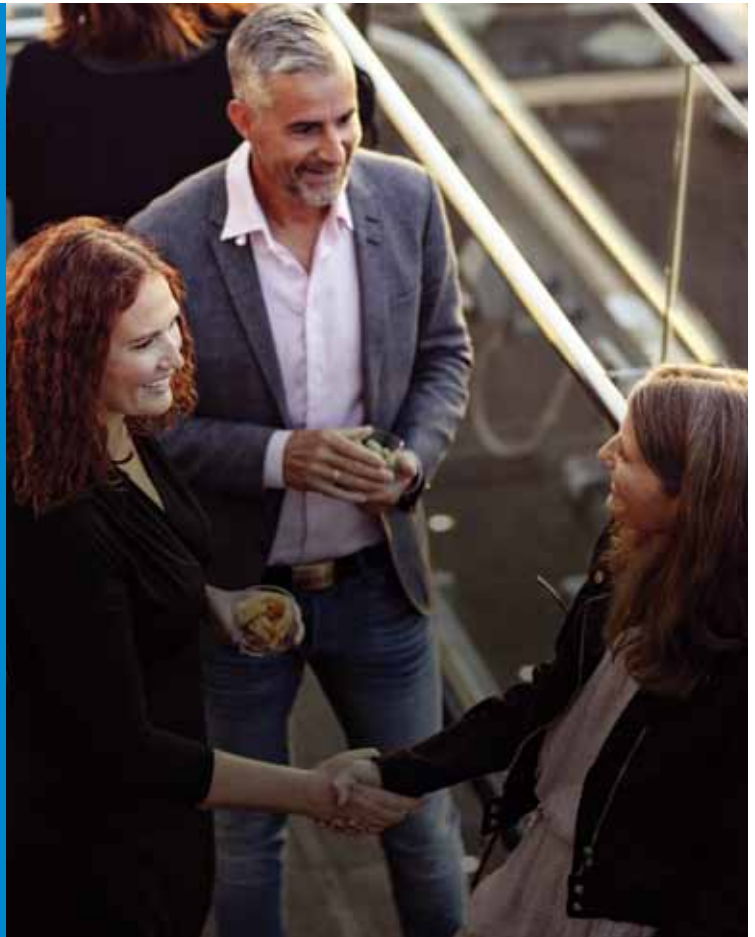
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SERVING TODAY'S COMMERCIAL CLIENT

A Q&A with award-winning insurance education specialist and instructor of IBAA's Commercial Boot Camp Melanie Needham



BY ANNETTE HUBICK

What are today's commercial clients' needs and expectations?

We have seen a trend towards specialization in commercial—brokers and carriers are expected to be industry experts for larger commercial clients and to provide products and service that can support client growth.

The landscape of coverage is also forever evolving, especially on the commercial side. I look back ten years ago when coverages such as cyber, trade credit and even political risk insurance were not “popular” coverage and now these coverages are in the forefront of brokers' minds.

The pandemic has created economic shock for many commercial clients. Clients are under financial duress, which shifts their focus from growth to reducing costs, creating challenges when they want to remove coverage that is needed. They rely on brokers to assist them in developing their account in the best and most cost-effective way possible while they rebuild.

Why do CL clients choose, or stay with, their insurance broker?

Working with a broker provides confidence that the client will be

treated fairly and that the broker will always represent their best interests. A broker's primary responsibility is to serve the client's insurance needs and ensure that it has the best coverage at the best possible rate. This relationship is also important in a claim, as the broker can assist in managing the client's expectations surrounding the claim process and advocate on their behalf with the adjuster.

There is so much competition with insurance brokerages/brokers that it is really important to find a way to stand out from the crowd. Obviously, customers expect you to be highly educated, so it is imperative that you are always learning and upgrading your skills. But the question really becomes: What makes you better than the broker down the street? It is imperative for brokers to really think about their own personal branding and what they bring to the table and to own it.

Are any industries more promising or challenging in terms of opportunities?

This hard market has been one of the toughest I have ever seen and has been challenging for all brokers.

Obviously, increasing premiums is always tough to explain to clients, but the difficulty of placing business has become even more challenging as of late; brokers are really feeling it, and that filters down to the client. Industries such as hospitality, cannabis, manufacturing, almost any client that needs ransomware coverage, are all difficult. The list goes on.

What are the greatest challenges in building a successful commercial book of business and how can brokers overcome them?

I personally believe knowledge and experience are the biggest challenges for most brokers. In the commercial world there is so much to learn, and every risk is so different. Brokers today require an extremely high level of expertise to interact with clients every day, and there is a lot of pressure to deliver very fast yet accurate service. As we all know, knowledge is power—the more comfortable you are with the products and the industry, the easier it is to meet these expectations while protecting your E&O. Making sure you are comfortable with each product and what is available in the marketplace

will reduce the chance of having an E&O claim. Understanding we don't have to be everything to everyone and utilizing each other for skill sets we may not have acquired can make a big difference to the client. It is OK to identify where our weaknesses are and reach out to fellow brokers that fill that gap and ask for assistance. This is the way to learn and become a stronger broker.

How has the COVID-19 pandemic impacted the CL business?

The pandemic has changed the way we do business and I think there are a lot of positive outcomes. Using platforms such as Zoom or Teams allows us to meet multiple people at one time or do a quick one-on-one meeting with our clients, which can reduce the decision-making time frame while also eliminating travel time and still being personal. This can increase productivity as you should, in theory, be able to connect with more clients in a day.

The pandemic forced a lot of insurers and regulatory bodies to make immediate changes to allow digital support while still paying attention to supporting customers that have limited access to digital channels. Really this was an opportunity to accelerate digital strategies that were just waiting in the wings with most organizations.

The massive increase in virtual training, whether it be a live class or an on-demand program, allows people in remote areas to access training that they otherwise maybe would not have been able to attend.

The pandemic also put an emphasis on the role insurance plays in times of catastrophic events by supplying financial relief and helping clients navigate the storm.

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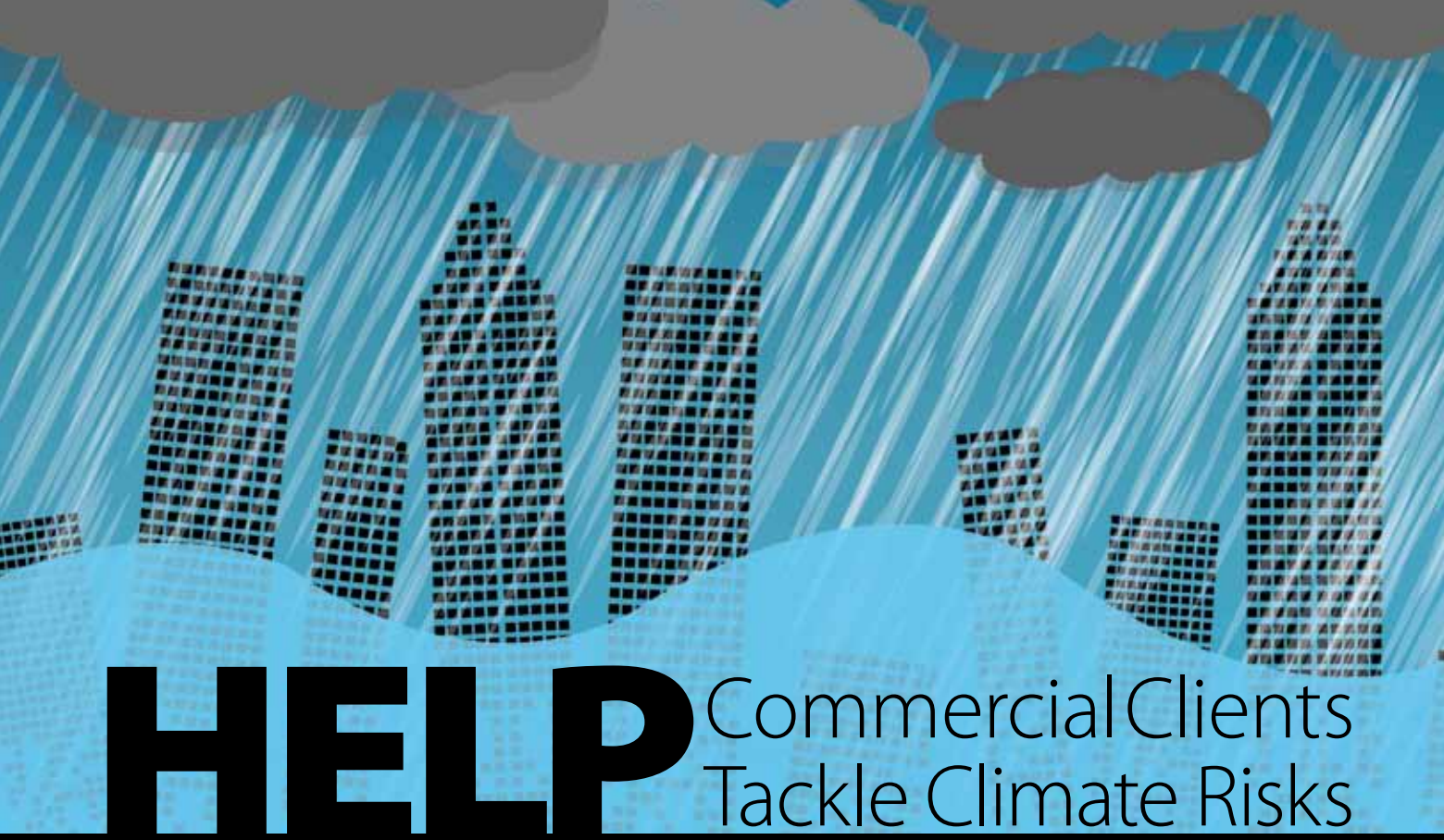
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HELP Commercial Clients Tackle Climate Risks

BY JOANNA EYQUEM & KATHRYN BAKOS

With climate disasters constantly hitting the headlines, including the deadly heat waves, wildfires and catastrophic flooding that have recently ravaged Canada, Europe, the US, Pakistan and many others, it is impossible to ignore the growing risk of extreme weather events.

The Bad News

The bad news is that more intense and frequent events like these are already part of our future, with serious implications for insurers and their commercial clients. Even if we manage to significantly reduce greenhouse gas emissions now (which we need to do), disastrous extremes will continue for years to come, and some changes, like sea level rise, are irreversible for centuries to millennia. Businesses need to get ready for these changes. The consequences of unpreparedness include costly damages to property, disruption of business continuity and supply chains, and potential harm to employees and customers. This is all bad news for

cash flow, financial performance, and insurance premiums and claims.

Rising costs of climate change

According to the Insurance Bureau of Canada, the new normal for yearly insured catastrophic losses in Canada has become around \$2 billion, most of it due to water-related damage (see Catastrophic Insurable Claims on page 24). This is compared to the period between 1983 and 2008, when Canadian insurers averaged only \$422 million a year in severe weather-related losses. Other trends contributing to the upward curve include the loss of climate resilience provided by natural habitats, such as wetlands and forests, aging public infrastructure and the fact that past construction did not consider a changing climate.

The Good News

The good news is guidance and tools are already available to help businesses reduce key physical climate risks in Canada—flooding, wildfire and extreme heat. And with an up-close view of the

impacts of climate extremes, insurance brokers are well-positioned to help their commercial clients understand the potential risks and ways to reduce them.

Flood resilience

Bespoke flood resilience guidance for commercial real-estate has already been developed for Canada, including 20 practical actions to help businesses get their property portfolios climate ready. Actions include plans and procedures, equipment and supplies, and major retrofits, as well as what to do during and after a flood (see Key Flood Resilience Measures). The full guidance “Ahead of the Storm”¹ and an easy to use brochure² are freely available for brokers to share with their clients, and were developed by the Intact Centre with the support of the commercial real-estate associations REALPac and BOMA. Commercial clients may also benefit from home flood resilience resources³ that they can share with their own clients and employees to help keep their people safe.

continued on page 26



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Key Flood Resilience Measures

Plans & Procedures

- Emergency plans
- Practice drills
- Emergency funds
- Tenant communication channels
- Emergency operations centres
- Emergency response supply
- Emergency contact information
- Insurance documentation

Equipment & Supplies

- Critical equipment and supplies
- Portable flood barriers and sandbags
- Back-up generation
- Emergency lighting
- Elevator water sensors
- Backwater valves
- Hazardous materials storage

Major Retrofits

- Elevating and floodproofing critical equipment
- Protecting server rooms
- Protecting high-voltage and telecommunication pull rooms
- Isolating electrical circuits
- Electrical panel upgrade

Wildfire resilience

For clients located in the wildland-urban interface (WUI), where development meets wildland vegetation, a wealth of wildfire resilience information is available from FireSmart Canada. Guidance and basic training⁴ on property-level wildfire resilience and landscaping may benefit many commercial clients, as well as their employees. More detailed advice is also available on how to undertake a wildfire exposure assessment,⁵ with specific guidance for the oil and gas industry.⁶

Extreme heat resilience

Extreme heat events can be deadly for people, including business employees and clients. In view of the deadly Western Canada heat wave in 2021,

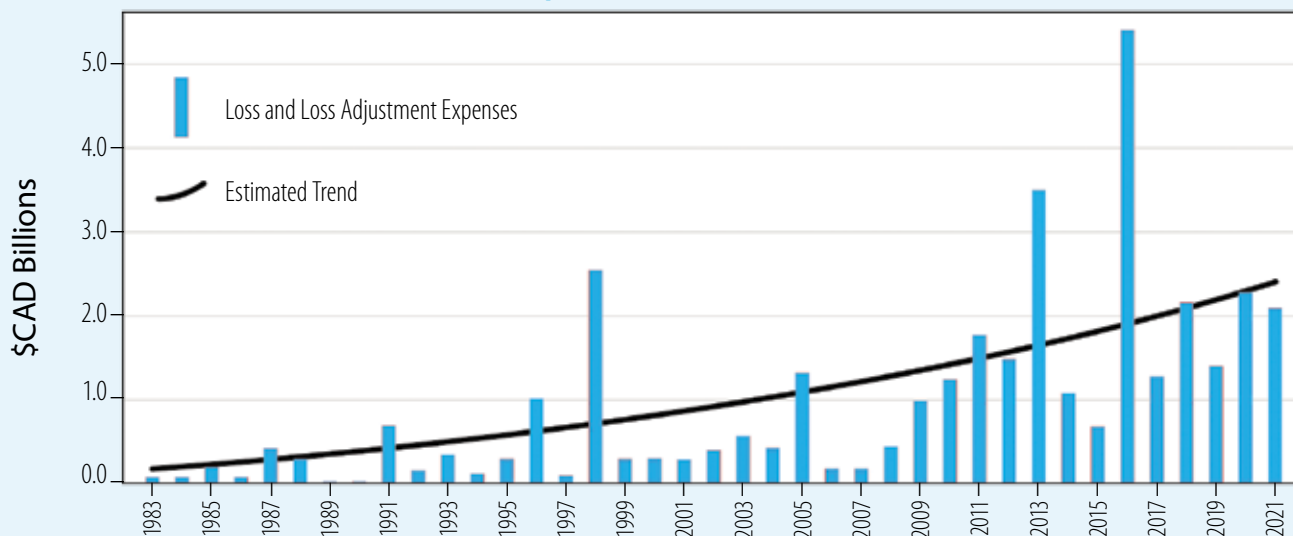
commercial clients located in urban areas are likely to be increasingly aware of the dangers but may be unsure how they can reduce risks. Specific actions for property owners and managers were recently identified in the national guidance document, *Irreversible Extreme Heat: Protecting Canadians and Communities from a Lethal Future*,⁷ including behavioural change and planning, green infrastructure solutions using nature and grey infrastructure upgrades for commercial buildings. It is particularly important to balance cooling needs and energy usage by employing passive cooling measures that do not require electricity and can improve energy efficiency. Provision of backup power generation during potential power outages and

upgrading car parks to reduce the urban heat island effect are other key considerations for commercial clients.

Identifying industry-specific risks

While all industry sectors are impacted in some way by climate change, vulnerabilities to climate extremes vary by sector. The Intact Centre has developed a practical framework, climate risk matrices, that identify the top material risks within a particular industry sector, while also presenting actions to reduce impacts. The matrices are a useful tool for insurers, investors and businesses disclosing climate risks under the Taskforce for Climate-related Financial Disclosure (TCFD)⁸ framework. The report *Factoring Climate Risk*

Catastrophic Insurable Claims



Catastrophic Insurable Claims (\$ Can/billions) in Canada, 1983-2021. Green bars represent loss + loss adjusted expenses. \$1 in insured loss reflects an "insurance gap" of \$3-4. Data source: IBC (2022) and CatIQ (2022). Note: Claims have been normalized for inflation (\$2021) and per capita wealth accumulation.

into *Financial Valuation*,⁹ contains climate risk matrices for commercial real-estate and electrical transmission and distribution. Four new matrices for property and casualty insurance, banking, hydroelectricity generation and wind electricity generation will be issued later this year!

The Even Better News

While preparing for climate change often focuses on the “doom and gloom” of impending disasters, many other positive benefits can be achieved through climate adaptation, particularly when we work with nature. For example, businesses that invest in vegetation and wetlands to reduce their vulnerability to flooding and extreme heat, could also increase carbon storage, contribute to local biodiversity and improve the wellbeing of their employees or clients. Such “nature-positive” action will likely become even more important to businesses as the Taskforce for Nature-related Financial Disclosures (TNFD)¹⁰ framework is refined and implemented. Insurance brokers can be there to help their commercial clients maximize the win-win benefits of reducing climate and nature-related risks, hand-in-hand. 🌱

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Talking to Your Clients About Cyber Risk

BY TRACEY PAISH

With cyber claims on the rise, cyber-insurance rates have gone up by at least 20% and in some cases; some markets have stopped writing cyber insurance all together.

Educating your staff and clients will better enable them to recognize cyber threats such as phishing, ransomware and more. Sixty per cent of security incidents are related to human error.

Talk about the impacts of cyber risks. According to the April 2022 KPMG report, *Fraud, cyber & compliance: A triple threat for Canadian organizations*¹, 67 per cent say they experienced external fraud in the last 12 months, with 61 per cent suffering an economic impact (loss of money, loss of customers or physical damage), 41 per cent citing legal or compliance impacts (review or investigation by regulators) and 21 per cent experiencing reputational impact (such as negative coverage in the media). It is vitally important to talk to your commercial clients about these impacts, so they become aware that cyber protection is not a cost, but an investment in the sustainability of their organization.

Talk about cyber protection. According to TransUnion, the top three small-to-medium enterprise (SME) commercial cyber claims in 2021 were: system hacks, ransomware and social

engineering. Fifty-three per cent of cases closed without payment, and the average cost per claim with a payment was \$16,087; when including claims closed without payments, the average cost was \$7,678.

The protection offered by a cyber-risk insurance policy is about much more than financial coverage in case of a ransomware attack on an organization and the leakage of its customers' personal data. I recall reading in a report by IBM Security that over half of the costs reimbursed under a cyber security insurance policy are related to legal advice and services. The next largest categories were victim restitution, regulatory fines and data recovery technologies, with ransomware trailing.

Talk about the support provided in the insurance contracts. Does your customer know how to react in case of a cyberattack? Many insurance policies offer support from the very beginning of a fraud. Whether it's assistance with ransom negotiations or public relations support, your clients will be supported throughout the process.

As no business is ever safe from a cyberattack, insurance coverage is essential to help support a business in the event of an attack. Here are the top benefits of cyber insurance:

- Business interruption due to a full or partial shutdown of the computer system results in additional expenses, a decline in revenues and can quickly lead to enormous losses. Business interruptions are included in cyber coverage and will limit the financial damages caused to one's business.
- Digital asset destruction coverage: covers the cost to restore or recreate data caused by a mistake in the use of or a breach of the insured's computer system.
- Incident response expenses: costs related to cyber incidents expand beyond data restoration or business interruption. Insurance policies may also cover costs to manage a data breach including IT forensic costs, public relations and legal expenses as well as the cost of notifying customers of the situation and providing credit or monitoring to them.
- Regulatory defense and penalties are covered, taking into account fines and penalties resulting from a regulatory action following a security breach of the computer system or privacy.
- If a business does not comply with payment card industry security standards, businesses may receive a fine relating to any breach due to the

non-compliance to the standards in place. Having the right insurance will enable businesses to get these costs covered.

- Your security, privacy and multimedia liability are important. In case of a breach, insurance will cover defense costs incurred because of a cyber incident.

In addition to education, it is important to also have a cyber disaster plan in place. According to a study conducted by the Canadian Federation of Independent Businesses (CFIB), there is a one in two chance of being targeted by a cyberattack. Preparing for this eventuality has become a vital issue for organizations; failing to do so can become costly and jeopardize the company's financial health.

Here are some actions that your clients (and you) can take to limit cyber risk:

- **Train your employees regularly and inform them of the risks.**

The majority of cyberattacks come from an employee's mistake. It is important to make your employees aware of their role and responsibility when you are targeted by an attack. Your employees should also be able to recognize malicious emails and phishing attempts.

- **Secure your data.** Many companies manage and store customer data. This data must be secured in systems that require multi-factor authentication to limit the risk of leakage. Also, conduct regular vulnerability scans and address these issues to avoid a system breach. It is also recommended to use filters that block malicious emails.

- **Update your systems.** When an update is available, install it to fix existing problems. If possible, allow automatic updates to avoid an oversight that could lead to a security breach.

- **Back up your data.** Secure your important data on an external server and/or cloud outside of the main one to enable recovery in case of an attack. Regularly secure your updated data and test it to make sure you can restore it in case of an attack.

- **Prepare your cyber disaster recovery plan.** This plan allows you to be immediately responsive to any problem, including cyberattacks. Start by identifying representatives for each department in your organization. Conduct cyberattack tests regularly to identify training needs and document which data, technologies and tools are vital to your organization. Every department stores data, and an attack can take down your servers. By defining the representatives beforehand, they will be the most likely to react quickly to get these tools back up and running. Also

create a communication plan that outlines how the organization will communicate transparently with your customers, suppliers or partners whose data may have been leaked.

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¹ KPMG "Fraud, cyber & compliance: A triple threat for Canadian organizations," March 30, 2022, home.kpmg/ca/en/home/insights/2022/03/fraud-cyber-and-compliance.html

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5 BEST PRACTICES FOR B2B SOCIAL MEDIA MARKETING

Social media is a natural channel to focus on for business-to-consumer (B2C) companies. At the same time, it's one that many business-to-business (B2B) companies tend to overlook. This is unfortunate since there are a lot of B2B social media strategies that can be extremely effective.

Even when you're selling to other businesses, it's important to remember that your audience members are still people. They can be just as receptive to social media marketing techniques as the average consumer—if not more so. By adapting your approach to focus on connecting with your target companies' key decision makers, you can build relationships and drive conversions.

Why social media is an essential marketing tool for B2B companies

At this point, it's hard to argue the relevance of social media marketing for consumer-focused businesses. The widespread popularity of social platforms and the high levels of engagement they encourage make them ideal for enhancing visibility and building an audience.

Still, it's easy to assume that social media is less crucial in the B2B world. It's tempting to focus on more traditional strategies, such as cold

calling and attending networking events. However, your target isn't really businesses. It's the key decision makers within those businesses, and they're likely to be just as engaged with social media as anyone else.

As a B2B company, your target audience is almost certainly smaller than most B2C companies. This means you have to work extra hard to locate buyers and get their attention. Fortunately, developing a B2B social media strategy can make the task a good deal easier.

When it comes to B2B social media, you'll want to consider your approach carefully. In many ways, you can benefit from the same techniques that are useful in any social media marketing campaign (regardless of business type).

However, to really make your mark you'll also want to keep your B2B goals and target audience firmly in mind. Let's look at five of the best practices you can follow when putting together your B2B social media strategy.

Develop a Brand Personality

When B2C companies use social media, they tend to naturally gravitate towards sharing fun and engaging posts. On the other hand, B2B companies often make the mistake of being boring. Since you're targeting professionals and not the average

consumer, you may feel that personality and style are inconsequential.

However, nothing could be further from the truth. Sharing bland, dry content on social media isn't an effective way to get anyone's attention, whether they're a 20-something college student or a high-powered executive. Brand personality is just as important in B2B social media marketing as anywhere else—perhaps even more so.

As such, before starting up your next campaign, take some time to consider what your brand should look and sound like. If you haven't already, now is the perfect time to put together a brand style guide. Your specific approach will depend on your niche and audience, but some good general rules to follow include:

- Write in first person—this makes your brand feel a lot more “human.”
- Don't be afraid to use humour and have a little fun with your content.
- Remain consistent throughout all your social media channels—you want buyers to have the same experience no matter where you encounter them.

Above all, the goal is to not be boring—even if you work in an industry or sell a subjectively dull product. This is one of your best ways to attract the attention of your ideal buyers.

continued on page 32



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Know Who You're Targeting

Another often-overlooked aspect of B2B social media marketing is audience research. Before you can create conversion-focused content, you need to know who you're talking to. Again, it's vital to remember that your audience is made up of people, not companies.

In other words, you don't want to target industries or types of companies, but the specific decision makers inside those businesses. These are the people who will be choosing whether or not to purchase your products and/or services. For example, if you sell office supplies, your customers aren't the businesses themselves or even their CEOs; they're office managers, or possibly individual employees.

To put this best practice into action, here are the general steps you'll want to follow:

- Find out (with as much detail as possible) who the decision makers are in your industry, as there will often be multiple people involved in the purchasing process.
- Conduct research on these decision makers and develop a thorough buyer persona. Determine what their demographics, interests and needs are.
- Create and share social media content that speaks to those interests and needs.

Regarding the last point, you don't want to simply create direct advertisements targeted at your audience. Instead, it's often best to speak to their needs in a broader sense. To clarify what we mean, let's look at the next B2B social media best practice on our list.

Create Educational and Informative Content

While direct advertising can be effective, social media is all about communication and engagement. Therefore, it's often better to attract your audience's attention by sharing fun and interesting content, rather than trying to sell to them right away. This is especially pertinent to B2B companies, for a number of reasons.

As an example, B2B buyers tend to be a bit savvier overall and may simply overlook direct advertisements. They also tend to conduct a lot of research before making a purchase and to want to make highly informed decisions.

The data backs this up—B2B buyers want content to educate and inform them, not content that's just trying to sell them something. In particular, they seek out white papers, webinars and case studies, along with (to a somewhat lesser extent) e-books, infographics and blog posts.

In a nutshell, when creating content for your own B2B buyers you'll want to stay away from straightforward promotion and "salesy" language. Instead, you need to provide educational content to inform and provide value. This can include:

- Sharing data, insights, interviews and anything relevant to your buyers' industry.
- Creating content that teaches buyers something new about one of their core interests—whether or not it's directly relevant to their business.
- Providing tutorials and other resources to help buyers complete tasks and learn new skills (with or without the use of your products/services).

Naturally, you won't want to publish this content in full on your social media profiles—B2B buyers are busy people. A better strategy is to house it on your website, and to post small teasers on social media with links out to the full versions. You can even automate the sharing of your blog posts to various social platforms, which is an excellent way to provide a lot of quality content with minimal effort.

Choose Your Target Platforms Carefully

So far, we've been talking about social media in a general sense. Of course, the social media landscape is made up of numerous platforms, each with its own style, audience and unique set of advantages and drawbacks.

Your own time is limited, so you probably won't be able to market your business on every available platform. Instead, you'll need to choose a few key

sites to focus your efforts on. There are three main ways to do this:

- Find out what social sites your ideal buyers spend their time on and direct your efforts accordingly.
- Target platforms that are traditionally effective for B2B marketers.
- Focus on lesser-used sites to attract under-served audiences.

Let's look at each strategy in turn, as it's often best to employ a mix of all three. First and foremost, you'll want to take a close look at the buyer persona we talked about earlier. The demographics and interests within should help direct you towards the social platforms your buyers are likely already using. Focusing on those sites enables you to meet your audience where they're already at.

It's also worth considering traditionally-useful platforms within B2B marketing—especially LinkedIn. Time and time again, LinkedIn is rated as the most effective B2B social media site, which makes sense. After all, it's the only major platform focused specifically on business professionals and is a place your buyers will gravitate towards to make connections and discover new partners.

On the other hand, LinkedIn—along with Facebook and Twitter—is so popular for B2B marketers that other platforms often get overlooked. This can make it well worth your while to target at least one less obvious platform, particularly if it's a site your ideal buyers frequent. It can be far easier to stand out and drive conversions on a platform not already saturated by your competitors' messaging.

For example, Snapchat and Instagram are two sites with a lot of potential. They may have a younger audience, but 73% of millennials are involved in purchasing decisions at their companies. These buyers may very well represent an under-served market in your industry, so they're worth seeking out.

Focus on Building Relationships

It's right there in the name—social media shines at connecting people and enabling communication. This is one

of the primary reasons social media is such an indispensable channel for B2B marketers.

While many B2C companies can thrive on one-and-done purchases, what you're selling likely requires further investment. Your products may be more expensive, or you might be offering long-term services. Either way, you'll see a better return on your marketing expenses if you can build a relationship with businesses who come back time and time again.

In a practical sense, this means you don't simply want to send your message out into the void and wait to see what happens. Instead, your B2B social media strategy should be focused around forging connections and creating loyal customers. There are many ways to do this, but some of the best ways to start are:

- Check your messages and responses regularly on every platform—and respond to each one. Try to establish ongoing conversations where possible—ask questions and share valuable information.
- Seek out potential buyers in your industry and engage with them through their own profiles. In other words, don't wait for your audience to come to you.
- Maintain a friendly, helpful tone throughout all of your interactions.

Above all, remember that relationships (even online) are a two-way street. To put yourself in the right mindset, don't just focus on what your potential customers can do for your business. Instead, make it clear how you can benefit them as well, whether that's through your products or services directly, or simply by offering information and sharing your insights.

Conclusion

As a B2B marketer, it can be challenging to find and connect with your target audience. Fortunately, there's a place you can go to meet them, where they're already happily engaged. Your potential buyers are using social media—all you need to do is reach out to them. To do so, you can implement the five best practices we've introduced for B2B social media marketing:

1. Develop a brand personality
2. Know who you're targeting
3. Create educational and informative content
4. Choose your target platforms carefully
5. Focus on building relationships

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Introducing IBAC's New President



I am very pleased and honored to take on the role of president of the Insurance Brokers Association of Canada (IBAC) for the 2022-2023 term. I will be following in the footsteps of Robyn Young, IBAC's first woman president in over 20 years. Robyn has been a tremendous leader, and hopefully I will be able to do as great a job as she did.



I have been an insurance broker for 35 years and own Alport Insurance Agencies Inc., located in Port Alberni on Vancouver Island, B.C. I live in a beautiful part of Canada, but with all the provinces I have visited, every part of Canada has its own beauty. I am married, have three children, four grandchildren and another grandchild on the way.



I have been a business owner since 1997 and have served on many local boards, the last one being the West Coast Hospital Foundation where our mandate was to raise money to purchase much needed hospital equipment. In 2011, I joined the IBABC board and was president in 2016. I also have been a Rotarian and try to heed their mission statement of "Is it fair to all concerned?" when I am approached with a difficult situation.

Most of you will be familiar with the work that IBAC does to promote the broker channel and deliver on our four pillars: federal advocacy, professional development, the broker identity program and technology. I would like to tell you about another facet of IBAC's role that you may not be aware of—our participation in the World Federation of Insurance Intermediaries (WFII).

Founded in 1999, WFII represents insurance agents and brokers from over 100 national associations in over 80 countries around the world. IBAC has been a member since the beginning, and we are grateful to Lloyd's for sponsoring our participation for the past three years.

WFII enables and empowers our industry to speak with one voice to international bodies that impact insurance brokers and to leverage our collective influence to promote the insurance intermediary perspective at the global level. It is also a forum for detecting and responding to international trends in the industry and sharing information and best practices. With issues such as market consolidation, open banking, cyber risk, climate change and regulatory frameworks, it is important for IBAC to be at the international table.

This year IBAC delegates traveled to Amsterdam for the first in-person WFII conference in three years, after the cancellation of the 2020 and 2021 meetings due to COVID-19. I was very proud and humbled to be representing IBAC at WFII. The thing that resonated with me was that although the participants were from different countries around the world, our concerns are all very similar. I have a great passion for this industry and for my fellow insurance brokers. This is a tremendous industry, and IBAC continues to work hard to protect the broker channel; WFII is just another example.

I am excited about the year ahead. We have many challenges, but I know that with the help of my fellow executive and board members we can come up with creative solutions. The key is to never lose sight of what we are working for and that is the 38,000 insurance brokers across Canada.

LINDA DOLAN
President
IBAC
ibac@ibac.ca



APPOINTMENT

Senior management and the Board of Directors are pleased to announce the appointment of:

Jaime Hunt, CIP, CRM
Regional Branch Manager

We are pleased to announce that Jaime Hunt has been promoted to Regional Branch Manager (Edmonton) effective October 1st, 2022. In her new role, Jaime will lead our Edmonton Branch in customer-service, underwriting, marketing, business development, staffing levels, and loss prevention initiatives in alignment with company objectives.

Jaime joined Portage Mutual Insurance in 2013 as a Commercial Underwriter. She was promoted to Commercial Underwriting Manager in 2016. Jaime has extensive experience in the insurance industry and possesses a wealth of leadership, underwriting and broker expertise. Jaime is now excited about the opportunity to lead our Edmonton Branch!



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REPRESENTATION AFTER MISREPRESENTATION? Evaluating the Duty to Defend When the Insurer Alleges a Breach of Policy

BY SARA HART, K.C. & DAVID COWLEY-SALEGIO

We know that a lawsuit commenced against an insured corporation can trigger the insurer's duty to defend. But what happens when there are misrepresentations on the application for errors and omissions insurance and those representations were also conditions of the policy? Does the insurer have a duty to defend the insured or not?

The Ontario Court of Appeal has recently rendered a decision on the issue of duty to defend in *IT Haven Inc. and Ryan Hunt v Certain Underwriters at Lloyd's, London*.¹

In that case, the insured, IT Haven Inc., was an information technology business, with Ryan Hunt as its principal and directing mind. Immediately following its incorporation, IT Haven Inc.

obtained an errors and omissions and comprehensive liability insurance policy from Lloyd's of London through one of its insurance managers.

In its application for insurance, IT Haven Inc. advised that it had one employee, no revenue in the previous 12 months and its estimated revenue for the next 12 months was \$100,000. It also represented that it was engaged in custom software development and computer consulting, received all of its revenue in Canada, did not provide services to the electronic games industry, always used written contracts, had not incorporated any other software product or product designed by others into its designs, and had written procedures to safeguard against copyright or trademark of others. The policy applied to any

"wrongful act" or negligent act committed anywhere in the world. "Wrongful act" included "any actual or alleged unauthorized use or violation by the insured of any copyright, trademark, service mark, trade name, or trade secret in the performance of the insured's professional business as stated on the proposal form". The insured's professional business was described as including "development, design, installation, modification or maintenance of computers, computer hardware, firmware and/or software [and] the provision of computer system consulting."

Clause 4.9 of the policy was entitled "Material Information." It noted that the underwriters might be entitled to either (a) void the policy as a result of

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inaccurate or misleading information contained in the proposal as a result of the insured's failure to inform the underwriters of a material change in circumstances from those identified in the proposal; or (b) void only the coverage affected by the misleading information or non-disclosure, while maintaining the rest of the policy in full force and effect.

In June 2019, Niantic Inc. ("Niantic") filed a claim against Hunt and an entity called "Global++" in the United States District Court for the Northern District of California, seeking damages and injunctive relief. Niantic amended the claim in June 2020 to add IT Haven Inc. and others as defendants. Niantic's claim asserts that IT Haven Inc. and others infringed its copyright by creating, distributing and profiting from authorized versions of Niantic's computer applications. Lloyd's of London refused to defend IT Haven Inc. and Ryan Hunt on the basis that they had made misrepresentations when they applied for the policy, failed to inform the insurer of material changes in IT Haven Inc.'s business and breached conditions of the policy.

In support of the insurers claim that the Niantic action was excluded from coverage, it introduced extrinsic evidence to establish that the claim was excluded based on the "material information" clause.

The application judge held that the insurer had a duty to defend IT Haven Inc. Referring to the Supreme Court of Canada decisions in *Progressive Homes Ltd. v Lombard Insurance Co. of Canada*² and *Monenco Ltd. v Commonwealth Insurance Co.*,³ the judge summarized the principles applicable to duty to defend cases as follows:

- "Insurers owe a duty to defend where there is a mere possibility that a claim falls within the insurance policy.
- In determining a duty to defend, the court should consider the allegations made against the insured and the policy language.

- The onus is on the insured to first establish the possibility that the pleadings fall within the insurance policy, at which point the onus shifts to the insurer to show that an exclusion clearly and unambiguously excludes coverage for a claim against an insured.
- Extrinsic evidence explicitly referred to within the pleadings may be considered for the purposes of ascertaining the substance and true nature of the claims.
- However, courts cannot look at "premature" evidence, or evidence which, if considered, would require findings to be made before trial that would affect the underlying litigation.
- Extrinsic evidence not mentioned in the underlying action, or not needed for the purpose of ascertaining the nature of the claim, should not be considered by the court in the duty to defend application.⁴

The judge held that the extrinsic evidence was not required to determine the nature of the claim. The Niantic action fell within the definition of a proceeding under the "wrongful act" provision of the policy, and the judge held there were no exclusions that negated the duty to defend.

While the Ontario Court of Appeal upheld the application judge's decision, they did so for different reasons. The Court of Appeal held that this was not a classic "duty to defend" case that applied the "pleadings rule." According to the "pleadings rule," the court need only look to the provisions of the policy and to the pleadings in the action to determine whether an insurer has a duty to defend or not. There are exceptions to the "pleadings rule" through which the court can consider documents, such as contracts, that are expressly referred to in the pleadings, along with extrinsic evidence of underlying facts related to the underlying action.

However, where an insurer alleges breach of policy conditions (as here), the court is required to adopt a more flexible approach to coverage. The court

cited with approval the decision of the Ontario Court of Appeal in *Longo v Maciorowski*,⁵ which enumerated various factors for the court to consider, including the nature of the insured's alleged breach, whether it is contested by the insured, how quickly the question of the breach could be dealt with, and also the insured's financial position and capacity to assume the costs of independent counsel until the breach issue is resolved. By applying these factors, the Court of Appeal agreed with the application judge that the insurer had a duty to defend IT Haven Inc. against the Niantic claim.

Take Away

An insurer's duty to defend is not suspended by allegations of breach of policy conditions. Where a breach of policy condition is alleged, there is no hard and fast rule as to when an insurer has to defend an insured. The "pleadings rule" alone is not enough to resolve the issue where the insurer alleges breaches of the policy. Instead, the insurer may be required to nevertheless defend the insured and proceed to trial, where the insurer will have to tender evidence that coverage has been invalidated. If the insurer succeeds at trial, it may be able to recover its defence costs from the insured.

Please keep in mind that this is an Ontario decision and while other provinces like Alberta will take a similar stance, the decision's applicability in other Canadian jurisdictions will need to be determined prior to relying upon same.



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¹ 2022 ONCA 71 [IT Haven]

² 2010 SCC 33

³ 2001 SCC 49

⁴ IT Haven, supra note 1 at para 22

⁵ 50 OR (3d) 595 (CA)



MEMBER OF THE MONTH

July & August 2022

JULY

Vegreville Insurance Ltd.

For the month of July we're heading to Eastern Alberta! Our first Member of the Month is Vegreville Insurance. Owner Mile Webb took over in 2002 and certainly runs a busy team. All of their brokers are Level 2 licensed, Mike holds his CAIB designation along with General Manager Ashley Ziprick, with one of the more recent broker additions, Nicole, working towards hers.

Their team is full of lifelong brokers and long-term team members. Mike's been at the helm for 20 years, Ashley has been there for 14, Collen's been a broker with Vegreville for 36, Della is a lifelong broker with 20+ years' experience and been with Vegreville for 2, Dawn for 6, Nicole for 2, Rianca 3, and Sharon has been reception for 9 years.

With such an experienced team it's no surprise that they've built a team-focused environment where staff feel valued and customers know they're getting top-notch service.

Vegreville Insurance also takes part in a lot of charity initiatives. They donate to the Vegreville Food Bank, contribute to local clubs like 4H, run a Christmas Bureau event, and run an annual Easter Egg Hunt! With Vegreville being a big Ukrainian community they have also taken initiatives and contributed to relief efforts in Ukraine. It's amazing to see the ways in which this office has fostered a connections and support in their community of Vegreville and we can't wait to hear more from their team!



Two members of the Vegreville Insurance Ltd. team

Weibe Insurance Brokers Ltd.

Our next highlighted member is Wiebe Insurance Brokers Ltd in Vegreville! Wiebe Insurance has been around since 1975 and was started by Ben and Betty Wiebe as a family business. In 2006 Ben and Betty's son and daughter-in-law, Dustin and Irene, took over and have run the brokerage since.

They're a close-knit office of 5 staff. Julie Elder has been with the brokerage for 23 years and Lisa Couchman is approaching her 5th anniversary with Wiebe.

With their 47 year history they certainly know their stuff and have established long-term customers who are on a first name basis. The brokers at Wiebe take their time to help out their customers in any way they can which goes a long way to establishing those strong relationships.

Wiebe Insurance also puts value in giving back to the community by donating to cancer fundraisers, the Prairie Tails Animal Rescue, Christmas Bureau and other local organizations!

Thanks for all the great work you do! You can keep up with them on their website www.wiebeinsurance.ca or on Facebook.



Part of the Weibe team

AUGUST

Autoglas Maintenance Inc.

For August, we're highlighting the awesome work of Autoglas Maintenance Inc. (AMI) in Edmonton. AMI is a small office that takes staff wellness seriously. They have many programmes to keep their staff happy and healthy. These include:

- 4-day work week without extra hours worked
- Games/break room with amenities such as Netflix, couches, pinball, games, and a yoga mat for staff to enjoy during breaks
- Employee health and wellness programme which allows staff to choose to use this budget for anything related to mental or physical health. The staff can use this toward gym memberships and therapy sessions, among other things.

They also actively encourage staff education. Two of their teammates, Brandon Bernabe and Marissa McDougall are currently working toward their Level 1 licensing and both just successfully completed the Principles and Practice of Insurance (C11) course. Awesome stuff Brandon and Marissa!

AMI is also very involved in their community. In recent years, they have:

- Sponsored the Canadian Association of Insurance Women (CAIW) fun night
- Sponsored Crystal Kids Fundraising events, and
- Donated to help build an outdoor community ice rink

Well done AMI! If you want to find out more about what they're up to, you can go to ami.ab.ca/



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