

FOR PUBLICATION

INDEMNITY POLICY

MEETING: EMPLOYMENT AND GENERAL

DATE: 27 JANUARY 2015

REPORT BY: LEGAL SERVICES

WARD: ALL

1.0 **PURPOSE OF REPORT**

1.1 To provide information regarding the proposed Indemnity Policy.

2.0 **BACKGROUND**

2.1 A policy is required to set out the legal position where officers or members are accused of offences, for example assault, whilst in exercise of their duties for the Council. It also confirms the position relating to statutory immunity from civil liability for officers and members.

2.2 The policy provides for an indemnity for the defence of criminal proceedings to be given to officers or members charged with offences. It also contains provisions for repayment of costs if there is a criminal conviction which is not overturned on appeal.

2.3 A key requirement is that at the relevant time, the officer or member must be carrying out the duties, obligations or powers given to them by the Council, and believe that they are acting within such authority.

2.4 The policy makes it clear that notification of any such incident must be given as soon as possible to the Council's Insurance Officer to protect the Council's position with its insurers.

3.0 **PROPOSED PROCEDURE**

3.1 The new policy document may be found at appendix A.

4.0 **RECOMMENDATIONS**

4.1 That the Indemnity Policy is approved by the Employment & General Committee.

5.0 **REASON FOR RECOMMENDATION**

5.1 To ensure that the Council's policies are up to date and meet the legislative requirements.

You can get more information about this report from Amanda Walker.
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