

My Ref

FOI/CORP/ACTS/40A

Your Ref

Your contact for this matter is:
FOI Office
(01427) 676676
foi@west-lindsey.gov.uk

11 March 2010

Dear Mr Nunn

Freedom of Information Act 2000 – Information Request No. 805

Your request for information has now been considered and the information you have requested is enclosed.

All Local Authorities in England and Wales have a legal power to grant indemnities to Members and / or Officers and this is contained in the Local Authorities (Indemnities for Members and Officers) Order 2004. Under the Order the Council can provide an indemnity to a member or officer in relation to any action of or failure to act by the member or officer in question which meets one of the following two conditions

- a) it is authorised by the authority or
- b) it forms part of or arises from any powers conferred, or duties placed on the member or officer as a consequence of any function being exercised by that member or officer at the request of or with the approval of the authority or for the purposes of the authority.

The power exists to protect Members or Officers in their roles from any potential legal challenge if they were performing their legitimate roles and functions as councillors or officers. It is a power and not a duty so it is a decision for individual authorities to consider whether or not to grant such an indemnity and the principles on which to grant.

Some councils have a policy which provides this general cover to all members and officers. As WLDC does not have a general policy any request to grant an indemnity needs to be considered individually on its merits.



I hope this is the information you are seeking. If you require any further information, please do not hesitate to contact me.

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If you are dissatisfied with the handling of your request please contact the Director of Strategy & Regeneration, West Lindsey District Council, Guildhall, Marshall's Yard, Gainsborough, Lincs, DN21 2NA

Yours sincerely

FOI Office
West Lindsey District Council