



## POLICY MANUAL

<b>Legal References:</b>	<b>Policy Department:</b> Administration
<b>Cross References:</b> Council	<b>Policy Number:</b> A9
<b>Adoption Date:</b> September 25, 2017  <b>Revision Date:</b>	<b>Policy Title:</b> Payment of Legal Fees for Elected Officials or Employees <hr/> <b>Review Date:</b>

### POLICY PURPOSE:

To establish a policy concerning the payment of legal fees where a member of Town Council, Administration or an employee is sued by a third party for liability or conflict of interest, subject to the wording, conditions and exclusion within the Town's Liability Policy.

### RESPONSIBILITIES

1. The Town will acquire third party liability insurance, which will cover items under Clause 2 and 3 of this policy, subject to the wording, conditions and exclusions within the Town's Liability Policy.
2. A claim for all defence costs made by a third party is covered by the Town's Liability Insurance where the insurance company's lawyer defends the action.
3. Pursuant to a claim made under Clause 1, the insurance company will pay any damages awarded by a judge, unless a judge rules that an elected official or employee has acted

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“illegally, wilfully or recklessly” or where the Town did not condone, approve or have prior knowledge of such action.

4. A claim that is made by a third party against an elected official or employee and is not covered by the Town’s insurance, will be paid by the Town. The Town will pay the legal fees on behalf of the elected official or employee where it is deemed performance of duties resulted in action being taken by a third party and provided that the actions of an elected official or employee were not carried out illegally, wilfully or recklessly.