

TOWN OF CHESTERMERE

POLICY HANDBOOK

EFFECTIVE DATE: February 7, 2011	SECTION: 800	POLICY: 801
REVISED DATE:	SUBJECT: Council Related Legal Proceedings	

Policy Statement

The Town of Chestermere may become involved in legal proceedings where Councillors of the Town, both past and present, are named or identified together with the Town as parties. This policy and procedure articulates when and how the Town will deal with such matters and what support will be provided to Councillors.

1. Reason for Policy

- 1.1 To establish guidelines in determining when, and how, the Town will provide legal representation and compensate Councillor expenses in reference to legal proceedings.

2. Definitions

- 2.1 Honestly and in Good Faith means acting with an honest intent to perform the Councillor's duties and job responsibilities in the best interests of the Town.
- 2.2 Legal Proceedings include any proceeding before a court or administrative tribunal.
- 2.3 Defendant means a person or entity that is named as a defendant in a legal proceeding.
- 2.4 Liability means a finding by a court that the Councillor is responsible to a third party for damages or other legal relief.
- 2.5 Investigation includes any inquiry, review or assessment that the Town may instigate concerning an actual or potential legal proceeding.
- 2.6 Witness means a person with knowledge or information relevant to a legal proceeding that may be compellable to give evidence in the legal proceeding.

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3. Responsibilities

3.1 Town Council to:

3.1.1 Approve by resolution this policy and any amendments.

3.1.2 Consider the allocation of resources for successful implementation of this policy in the annual budget process.

3.1.3. Understand and adhere to this policy.

3.1.4. Abide by Town of Chestermere Administrative Directives.

3.1.5. Work within the scope of their position.

3.2 Chief Administrative Officer to:

3.2.1 Implement this policy and approve procedures. The procedure for Policy 146 (Employment Related Legal Proceedings) will also be used for Policy 801.

3.2.2 Communicate the policy to the Senior Leadership Team

3.2.3 Assign legal representation where required.

3.2.4. Provide consultation to the senior leadership team and department Managers in cases where Councillors or past Councillors are involved in legal issues.

3.3 Director of the Department to:

3.3.1 Communicate the policy to employees.

3.4 Human Resources to:

3.4.1. Work with department management teams and subject matter experts to develop work processes which minimize risk.

3.4.2. Develop a communication plan to support policy awareness

4 End of Policy

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Adopted by Council: February 7, 2011
Resolution Number: #045-11



Mayor



CAO