

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

17th May 2023

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

MATTER FOR DECISION

WARDS AFFECTED – ALL

GRANT OF OFFICER INDEMNITY TO KAREN JONES IN RESPECT OF LOCAL GOVERNMENT DATA UNIT WALES

Purpose of Report

1. To seek authority from Members to grant an officer indemnity to the Chief Executive in light of her role as director of the Local Government Data Unit Wales (Data Cymru).

Background

2. Local Government Data Unit Wales (Data Cymru) (“the Company”) is a Welsh local government company with a board of directors elected by the Welsh Local Government Association offering a range of specialist support including
 - a. Help to source, collect, or collate data
 - b. Data analysis and effective data presentation
 - c. Advice on the best ways to undertake research
 - d. Help to find out what citizens, service users/customers think
 - e. Training staff in relevant topics such as *Basic Statistics, Presenting Data, Managing Performance, Survey Design & Analysis, Questionnaire Design etc.*
 - f. Providing cost-effective access to a range of commercial data sets.
3. The Company allow for the eight Welsh Local Government Association members of the Company to be directors of the Board, and for the Board to appoint up to five additional people as directors, including a chief executive of a member council and the Chief Executive of the WLGA.
4. At its Annual General Meeting (AGM) on 9 December 2020, the Board approved the re-appointment of Dr Chris Llewelyn, the Chief Executive of the WLGA as a director of the Company. Members of the board also agreed to pursue the appointment of a chief executive of a Welsh local authority as a director of the Company.
5. In accordance with the board’s wishes, Dr Chris Llewelyn approached Karen Jones, the Chief Executive of Neath Port Talbot Council about taking on the

vacant director position. Karen Jones took up her current Chief Executive role in December 2020, prior to which, she was the Council's Assistant Chief Executive and Chief Digital Officer and accordingly can bring expertise and support to the work programme of the Company.

6. When appointed as a director to a company it can expose an individual to personal liability for various matters. Accordingly, it is recognised that where an individual is appointed as a director due to their role within a local authority, it is appropriate for a local authority to consider offering an indemnity to that officer to not expose them to any personal or financial liabilities. Accordingly, it would be proposed that members extend an indemnity to the Chief Executive of Neath Port Talbot Council in respect of her role as a director of the Company for the duration of her tenure as director

Legal Implications

7. Section 101 of the Local Government Act 2000, the Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006 and Section 111 of the Local Government Act 1972 grants local authorities the power to grant indemnities to officers where such personal liability may arise i.e. when an individual is appointed as a director to a company. The indemnity is a standard form indemnity and a copy of this enclosed at Appendix 1.

Financial Implications

8. None at this stage. In the event that the indemnity is required to be implemented the financial obligations are as set out in the indemnity.

Consultation

9. There is no requirement for external consultation on this item.

Integrated Impact Assessment

10. As this report relates to governance arrangements, there would be no requirement for an integrated impact assessment.

Workforce Impact

11. None.

Recommendations

12. It is recommended that the Neath Port Talbot County Borough Council grant an indemnity to Karen Jones (in her capacity as Chief Executive) in the form annexed to this report at Appendix 1, in respect of her role as director of Local Government Data Unit Wales (Data Cymru).

Reason for Proposed Decision

13. To agree consider offering an indemnity to an officer appointed as a director due to her employment within the Council and to not expose them to any personal or financial liabilities

Implementation of Decision

14. Implementation is proposed after the three-day call in period.

Appendices

15. Appendix 1 - Draft Officer Indemnity

Background Documents

None

Officer Contacts

Craig Griffiths - Head of Legal and Democratic Services
Tel: 01639 763368 Email: c.griffiths2@npt.gov.uk