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COMISIYNYDD  
HEDDLU A THROSEDDU  
DYFED-POWYS  
POLICE AND CRIME  
COMMISSIONER

## REPORT / SUMMARY DECISION SHEET

**PURPOSE: COMMISSIONER DECISION**

**Timing: Urgent / Pressing / Routine**  
(Specify date required and why, where possible)

**Title: Insurance indemnity for substance misuse contract**

**Category of Decision / Business Area Impact: Commissioning**

### Executive Summary:

The recommended levels of insurance for OPCC contracts are based on those outlined in the standards terms and conditions of contract used by Dyfed Powys Police, outlined below:

- a. Employers' liability insurance in accordance with any legal requirements for the time being in force, in the sum of not less than £10,000,000
- b. Public liability insurance in the sum of not less than £5,000,000 for any one incident and unlimited in total; and
- c. Professional indemnity insurance in the sum of not less than £1,000,000 for any one incident and unlimited in total.

Employers' liability insurance provides cover for the contractor against claims from their own employees in respect of injury or illness arising out of the contractor's negligence.

As outlined in the decision log dated 13.3.15, the OPCC have awarded an interim contract for the period 1.4.15 to 31.3.16 to Kaleidoscope to provide criminal justice substance misuse services in Powys, pending a wider joint commissioning exercise.

Kaleidoscope has employers' liability insurance to the sum of £1,000,000 which lies outside the recommended insurance levels. However, it is recommended that this level of insurance is acceptable based on the nature of the service delivery in question, the level of risk posed to operational continuity and the interim basis of the contract. The level of insurance required in future will be discussed as part of the joint commissioning agreement prior to April 2016.

### Recommendation:

That the Police and Crime Commissioner approve the exception to standard terms and conditions for employers' liability insurance.

### Police and Crime Commissioner for Dyfed-Powys

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the NOLAN Principles for Conduct in Public Life. The above has my approval.

Signature:

*C. R. Salmon*

Date:

*22/4/2015*

