

# MINUTES

Chief Executive Officer -  
Performance Review Committee

## MINUTES OF THE CHIEF EXECUTIVE OFFICER - PERFORMANCE REVIEW COMMITTEE MEETING

HELD ON

MEETING DATE



**TUESDAY, 2 OCTOBER 2007**

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City of  
Joondalup

# CITY OF JOONDALUP

## MINUTES OF THE CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 3, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY, 2 OCTOBER 2007

### ATTENDANCE

#### Committee Members:

Cr Russ Fishwick	<i>Presiding Person</i>	South Ward
Mayor Troy Pickard		
Cr Tom McLean		North Ward
Cr Brian Corr		South-East Ward

#### Officers:

Director, Corporate Services:	M TIDY
Administrative Secretary:	L TAYLOR

#### In attendance:

Mr John Phillips, Workplace Solutions

### DECLARATION OF OPENING

The Presiding Person declared the meeting open at 1736 hrs.

### APOLOGIES/LEAVE OF ABSENCE

Apologies - Crs Geoff Amphlett and Steve Magyar

### CONFIRMATION OF MINUTES

MINUTES OF THE CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 24 SEPTEMBER 2007

**MOVED Mayor Pickard, SECONDED Cr McLean that the minutes of the meeting of the Chief Executive Officer – Performance Review Committee held on 24 September 2007 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED (4/0)**

**In favour of the Motion:** Crs Fishwick, Corr, McLean and Mayor Pickard

## **ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil.

## **DECLARATIONS OF INTEREST**

### **Disclosure of Financial Interests**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

<b>Name/Position</b>	<b>Mr Garry Hunt – Chief Executive Officer</b>
<b>Item No/Subject</b>	Item 1 – Chief Executive Officer Interview Outcomes and Preparation of Concluded Annual Performance Review Report
<b>Nature of interest</b>	Financial
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.

### **Disclosure of interest affecting impartiality**

Elected Members and staff are required under the Code of Conduct, in addition to declaring any financial interest, to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services</b>
<b>Item No/Subject</b>	Item 1 – Chief Executive Officer Interview Outcomes and Preparation of Concluded Annual Performance Review Report
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

## **IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS**

Nil.

## PETITIONS AND DEPUTATIONS

Nil.

## **ITEM 1 CHIEF EXECUTIVE OFFICER INTERVIEW OUTCOMES AND PREPARATION OF CONCLUDED ANNUAL PERFORMANCE REVIEW REPORT - [74574]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Michael Tidy  
Director Corporate Services

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## PURPOSE OF REPORT

The purpose of this report is for the CEO Performance Review Committee (the committee) to consider the outcomes of the interview with the Chief Executive Officer (CEO) and to provide feedback to the consultant for the preparation of the Concluded Annual Performance Review Report.

## EXECUTIVE SUMMARY

Having completed the scheduled interview the committee now needs to consider the preparation of its report on the performance of the CEO. The appointed Consultant will assist the committee by writing the report with the input of the committee. The report will also incorporate the proposed key performance indicators (KPI's) and measures for the next review period to August 2008.

It is recommended:

*The Consultant is REQUESTED to prepare a draft "Confidential Concluded Annual Performance Review Report" for the committee's consideration at its next meeting that incorporates and reflects:*

- 1 *The outcomes of the CEO's performance review meeting of 27 September 2007, and*
- 2 *The feedback, advice and input of the committee.*

## BACKGROUND

The scheduled interview of the CEO for the purpose of conducting his performance review in accordance with clause 11.3(b) of the CEO's contract was conducted at a meeting of the CEO Performance Review Committee on 27 September 2007.

The CEO's annual performance review process now requires that a report (marked "Private and Confidential") be prepared and signed. The CEO is to be provided with a copy and has up to five (5) working days in which to provide any written comments he may have about matters addressed in the report.

Following the period for the CEO's written comments the report of the committee together with any written comments from the CEO (as an annexure to the report) are to be submitted to Council at its next meeting provided the Council receives a copy at least five (5) working days prior to the Council Meeting.

## **DETAILS**

### **Issues and options considered:**

A confidential Concluded Annual Performance Review Report of the CEO's performance needs to be prepared. It is intended that the consultant prepare the report on the basis of the advice and input of committee members.

At the scheduled interview conducted at the meeting of the CEO Performance Review Committee on 27 September 2007 a review was also done of the CEO's key performance indicators and measures against each of the key result areas. The report needs to address the proposed revised indicators and measures for the next reporting period to August 2008.

### **Link to Strategic Plan:**

Objective 4.5 - To manage our workforce as a strategic business resource.

### **Legislation – Statutory Provisions:**

Included in Clause 3 Executive Duties, of the CEO's Employment Contract are the following references to the Local Government Act 1995 and other regulatory requirements:

- "3.3 exercise such powers and carry out such duties and functions as are imposed in the Act, and all other relevant laws, regulations and Standing Orders
- 3.4 fulfil the functions of a CEO as prescribed in the Act
- 3.5 comply with the Council's policies and procedures and Code of Conduct, as varied from time to time by the Council"

Specifically section 5.38 of the Local Government Act 1995 sets out the statutory requirement for an annual performance review of the CEO.

It should be noted that the committee has no delegated power.

### **Risk Management considerations:**

The performance review process is designed to evaluate and assess the CEO's performance against key performance indicators on a periodic basis and the committee is required to refer its concluded report to the Council for consideration.

**Financial/Budget Implications:**

In conducting the performance review under the CEO's Employment contract, the committee is required to consult with and seek guidance from an external and independent human resources expert, or similar, to facilitate the review of the CEO's performance (Clause 11.3(e)(i)).

The cost of the appointed consultant is covered by the City's consultancy budget for 2007/08.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

As part of the review process under clause 11(3)(e)(ii) the committee is required to seek written comments in relation to the CEO's performance from all individual Elected Members. This has been done and the feedback incorporated into the committee's discussions with the CEO and where appropriate will be reflected in the final report.

**COMMENTS**

The committee has now completed all of the processes in the CEO's performance review process other than preparing and submitting a copy of its report to the CEO for comment and then to Council for its consideration. The report will also incorporate a review and recommendation in relation to key performance indicators and measures against the key result areas for the next review period to August 2008.

**ATTACHMENTS**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION:** That the Consultant is REQUESTED to prepare a draft "Confidential Concluded Annual Performance Review Report" for the Committee's consideration at its next meeting that incorporates and reflects:

- 1 The outcomes of the CEO's performance review meeting of 27 September 2007, and
- 2 The feedback, advice and input of the committee.

The Director, Corporate Services made reference to the required actions as a result of the CEO's interview held on 27 September 2007. As discussed, the Key Result Areas (KRAs) section was provided to the CEO for comment and revision if necessary. Any comments and revised documentation provided by the CEO in relation to the KRAs section will be available at the meeting to be held on 4 October 2007.

It was requested that the following information be provided to Committee members at the 4 October 2007 meeting:

- o AMI and CPI statistics
- o Information in relation to salary movements for Directors during 2006/07
- o Figures supplied by the Salaries and Allowances Tribunal

**MOVED Cr McLean, SECONDED Cr Corr that subject to the CEO'S feedback on the proposed changes to the key result areas, the Consultant is REQUESTED to prepare a draft "Confidential Concluded Annual Performance Review Report" for the Committee's consideration at its next meeting that incorporates and reflects:**

- 1 The outcomes of the CEO's performance review meeting of 27 September 2007, and
- 2 The feedback, advice and input of the Committee.

The Motion was Put and

**CARRIED (4/0)**

In favour of the Motion: Crs Fishwick, Corr, McLean and Mayor Pickard

## **ITEM 2 CHAIRMAN'S OVERVIEW OF ELECTED MEMBERS ANNUAL ASSESSMENT OF CEO - [74574]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Michael Tidy  
Director Corporate Services

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This matter was addressed as part of the interview process for the CEO held on 27 September 2007.

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

Nil.

**CLOSURE**

There being no further business, the Presiding Person declared the Meeting closed at 1750 hrs; the following Committee members being present at that time:

Cr Russ Fishwick  
Mayor Troy Pickard  
Cr Tom McLean  
Cr Brian Corr