

minutes

Chief Executive Officer
Performance Review Committee

MEETING HELD ON **MONDAY 6 NOVEMBER 2017**

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CITY OF JOONDALUP

MINUTES OF THE SPECIAL CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 6 NOVEMBER 2017.

ATTENDANCE

Committee Members

Mayor Hon. Albert Jacob, JP
Cr Tom McLean, JP
Cr Philippa Taylor
Cr Christopher May
Cr John Chester
Cr Russ Fishwick, JP

Observers

Cr Kerry Hollywood
Cr Nige Jones
Cr Russell Poliwka
Cr Christine Hamilton-Prime
Cr John Logan
Cr Sophie Dwyer

Officers

Mr Garry Hunt	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy
Mr Brad Sillence	Manager Governance
Mrs Lesley Taylor	Governance Officer
Mrs Sinead McCarthy	Governance Officer

DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 7.43pm.

DECLARATIONS OF INTEREST

Disclosures of Financial / Proximity Interest

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.

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	Item 1 - Setting of Meeting Dates - Chief Executive Officer Performance Review Committee.
Nature of interest	Financial Interest.
Extent of Interest	Mr Hunt is employed as Chief Executive Officer.

Disclosures of interest affecting impartiality

Nil.

ELECTION OF PRESIDING MEMBER

Section 5.12 of the *Local Government Act 1995* requires a Committee appointed by a local government, to appoint a Presiding Member as the first item of business at its first meeting. Schedule 2.3 of the Act requires the Chief Executive Officer to preside.

Mayor Jacob self-nominated for the position of Presiding Member.

There being no further nominations at the close of the Election for Presiding Member, Mayor Jacob was declared elected unopposed to the position of Presiding Member and assumed the Chair at 7.45pm.

ELECTION OF DEPUTY PRESIDING MEMBER

It is advisable that the Committee appoints a Deputy Presiding Member, who would chair the meeting in the absence of the Presiding Member.

Cr Tom McLean self-nominated for the position of Deputy Presiding Member.

There being no further nominations at the close of the Election for Deputy Presiding Member, Cr McLean was declared elected unopposed to the position of Deputy Presiding Member.

APOLOGIES/LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Mike Norman	1 November to 6 November 2017 inclusive;
Cr Russ Fishwick, JP	15 November to 20 December 2017 inclusive;
Cr Russ Fishwick, JP	25 January to 18 February 2018 inclusive.

REPORT

Disclosure of Financial Interest

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	Item 1 - Setting of Meeting Dates - Chief Executive Officer Performance Review Committee.
Nature of interest	Financial Interest.
Extent of Interest	Mr Hunt is employed as Chief Executive Officer.

ITEM 1 SETTING OF MEETING DATES - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	02153, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For the Chief Executive Officer Performance Review Committee to consider the proposed schedule of committee meeting dates for 2018.

EXECUTIVE SUMMARY

In order to assist with forward planning for all Elected Members, management and staff, a schedule of meeting dates has been prepared for the Chief Executive Officer Performance Review Committee, ensuring synergy between meeting dates and the flow of information and decision-making.

It is recommended the Chief Executive Officer Performance Review Committee adopts the meeting dates and times for the Chief Executive Officer Performance Review Committee of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup.

BACKGROUND

The Chief Executive Officer Performance Review Committee was established at the Special Council meeting held on 6 November 2017. The role of the Chief Executive Officer Performance Review Committee is to:

- review the Chief Executive Officer's performance in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract
- prepare and table the concluded report, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract to Council
- review the Chief Executive Officer's performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment contract
- review the Key Performance Indicators to be met by the Chief Executive Officer
- review the Chief Executive Officer's remuneration package, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract
- review the Chief Executive Officer's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary.

The proposed 2018 schedule of Council meeting dates is based on the format used in recent years. That is, a monthly meeting format with Strategy Sessions held on the first Tuesday of each month, Briefing Sessions held on the second Tuesday and Council meetings on the third Tuesday.

This enables committee meetings to be scheduled on the Monday, Tuesday or Wednesday of weeks one, two and three so as to minimise potential conflicts with other Council activities and provide a 'meeting-free' week in the fourth week of each month.

It is preferable to hold committee meetings in the first week of the month, thereby enabling committee recommendations to be listed in the Briefing Session agenda and subsequently the Council meeting agenda, however this may not always be possible due to other scheduled meetings.

DETAILS

The Chief Executive Officer Performance Review Committee oversees the development and review of the Chief Executive Officer's employment contract and all associated performance matters.

Meetings of this committee are aligned to the performance review process as outlined in the Chief Executive Officer's employment contract. It has been usual practice to hold a meeting earlier in the year to appoint an external and independent HR expert or similar to consult with and seek guidance from and to facilitate the review of the CEO's performance.

Further meetings are held during August/September to undertake the review. The performance review process requires the committee to conduct a formal interview with the Chief Executive Officer, (clause 11.2(b)). The process for conducting the Chief Executive Officer's performance review, as set out in clause 11.2, provides not only for the various tasks and issues that need to be considered but also specific timeframes.

The key element that drives all of the timeframes is the formal scheduled interview by the committee with the Chief Executive Officer. With this in mind the critical timeframes are as follows:

- The Chief Executive Officer is to be given at least 25 working days notice of the scheduled interview.
- The Chief Executive Officer is required to prepare a self-evaluation report and submit it to all of the Elected Members as well the committee not less than 15 working days prior to the scheduled interview.

- The committee is required to invite written comments from all individual Elected Members addressing their views on the Chief Executive Officer's performance at least 15 working days prior to the scheduled interview and the responses which must be dated and signed must be received back by the committee at least five working days prior to the scheduled interview.
- The Committee must prepare a report within 30 days of the conclusion of the review.
- As soon as the report is completed the committee must provide a copy to the Chief Executive Officer and give him up to five working days to provide any written comments he may have on matters addressed in the report to the committee.
- The committee is required to submit its report and any comments of the Chief Executive Officer to the next meeting of Council provided Council receives it at least five working days prior to the meeting.

It is therefore suggested the Chief Executive Officer Performance Review Committee meets on the proposed meeting day / date / times as follows:

- Monday 7 May 2018, commencing at 5.45pm
- Monday 20 August 2018, commencing at 5.45pm
- Monday 27 August 2018, commencing at 5.45pm
- Tuesday 4 September 2018, commencing at 5.45pm.

Issues and options considered

The Chief Executive Officer Performance Review Committee can either:

- adopt the meeting dates as proposed in this report
or
- amend the meeting dates.

Legislation / Strategic Community Plan / policy implications

Legislation

*Local Government Act 1995.
Local Government (Administration) Regulations 1996.
City of Joondalup Meeting Procedures Local Law 2013.*

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Corporate capacity.

Strategic initiative

Not applicable.

Policy

Not applicable.

Risk management considerations

Should forward planning of committee meetings not be identified, then there is a risk for meetings to be held on an ad-hoc basis; lacking coordination with other key meetings and corporate planning processes.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The proposed meeting dates and times have been based on the reporting outcomes specified in the Chief Executive Officer's employment contract, as well as being cognisant of proposed meeting dates for a variety of other Council meeting activities.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Fishwick that the Chief Executive Officer Performance Review Committee ADOPTS the following meeting dates and times for the Chief Executive Officer Performance Review Committee of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

Chief Executive Officer Performance Review Committee to be held in Conference Room 2
Monday 7 May 2018, commencing at 5.45pm
Monday 20 August 2018, commencing at 5.45pm
Monday 27 August 2018, commencing at 5.45pm
Tuesday 4 September 2018, commencing at 5.45pm

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, McLean, May and Taylor.

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.48pm; the following Committee Members being present at that time:

MAYOR HON. ALBERT JACOB, JP
CR TOM MCLEAN, JP
CR PHILIPPA TAYLOR
CR CHRISTOPHER MAY
CR JOHN CHESTER
CR RUSS FISHWICK, JP