

minutes

Chief Executive Officer Recruitment and Performance Review Committee

MEETING HELD ON MONDAY 11 NOVEMBER 2024

Acknowledgement of Traditional Custodians

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

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TABLE OF CONTENTS

1	DECLARATION OF OPENING.....	3
2	DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY	4
3	APOLOGIES AND LEAVE OF ABSENCE	4
4	CONFIRMATION OF MINUTES.....	5
5	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	5
6	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	5
7	PETITIONS AND DEPUTATIONS.....	5
8	REPORTS	6
8.1	SETTING OF 2025 MEETING DATES - CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE (WARD - ALL).	6
8.2	PROGRESS REPORT – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW	11
9	URGENT BUSINESS	14
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	14
11	REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION.....	14
12	CLOSURE	14

Note:

Clause 15.10 of the City's *Meeting Procedures Local Law 2013* states:

This local law applies generally to committee meetings except for clause 7.1 in respect of members seating and clause 7.8 in respect of limitation on members speaking.

CITY OF JOONDALUP

MINUTES OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 11 NOVEMBER 2024.

ATTENDANCE

Committee Members:

Mayor Hon. Albert Jacob, JP	<i>Presiding Member</i>	
Cr Christopher May, JP	<i>Deputy Presiding Member</i>	<i>from 6.03pm</i>
Cr Adrian Hill		
Cr Daniel Kingston	<i>deputising for Cr Nige Jones</i>	
Cr Russ Fishwick, JP		
Cr Phillip Vinciullo	<i>deputising for Cr Christine Hamilton-Prime, JP</i>	

Officers:

Mr James Pearson	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy
Mrs Kylie Bergmann	Manager Governance

Observers:

Cr John Raftis

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 6.00pm.

2 DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

2.1 DISCLOSURES OF FINANCIAL INTEREST / 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 James Pearson, Chief Executive Officer.
Meeting Type	Chief Executive Officer Recruitment and Performance Review Committee.
Meeting Date	11 November 2024.
Item No. / Subject	Item 8.2 - Progress Report – Chief Executive Officer Performance Review.
Nature of Interest	Indirect Financial Interest.
Extent of Interest	Mr Pearson is the subject of the Progress Report, as CEO.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr John Chester	23 October to 18 November 2024 inclusive.
Cr Nige Jones	27 October to 11 November 2024 inclusive.
Cr Christine Hamilton-Prime, JP	6 November to 25 November 2024 inclusive.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE HELD ON 21 MAY 2024, 24 JUNE 2024, 19 AUGUST 2024, 21 AUGUST 2024 AND 9 SEPTEMBER 2024

MOVED Cr Fishwick, **SECONDED** Cr Hill that the Minutes of the following meetings of the Chief Executive Officer Recruitment and Performance Review Committee be **CONFIRMED** as a true and correct record:

- 1 Chief Executive Officer Recruitment and Performance Review Committee meeting held on 21 May 2024;**
- 2 Special Chief Executive Officer Recruitment and Performance Review Committee meeting held on 24 June 2024;**
- 3 Special Chief Executive Officer Recruitment and Performance Review Committee meeting held on 19 August 2024;**
- 4 Special Chief Executive Officer Recruitment and Performance Review Committee meeting held on 21 August 2024;**
- 5 Special Chief Executive Officer Recruitment and Performance Review Committee meeting held on 9 September 2024.**

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Mayor Jacob, Cr Fishwick, Cr Hill, Cr Vinciullo and Cr Kingston.
Against the Motion: Nil.

5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

6 IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting is not open to the public.

7 PETITIONS AND DEPUTATIONS

Nil.

8 REPORTS

8.1 SETTING OF 2025 MEETING DATES - CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	02153, 74574, 101515
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 (CEO) Recruitment and Performance Review Committee to consider the setting of committee meeting dates for 2025.

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 CEO Recruitment and Performance Review Committee, ensuring synergy between meeting dates and the flow of information and decision-making.

The setting of the 2025 Council meeting dates is scheduled to be presented at the Council meeting to be held on 19 November 2024. This report will provide Elected Members with two alternative meeting cycle options for their consideration, which may impact on the timing for committee meeting dates.

For this reason, only the first committee meeting date for 2025 is proposed to be set for the committee's consideration. A further report will be presented to the first committee meeting to be held in 2025, to set the remainder of committee dates for 2025.

It is therefore recommended that the Chief Executive Officer Recruitment and Performance Review Committee:

- 1 *ADOPTS the following meeting date and time for the Chief Executive Officer Recruitment and Performance Review Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:*
 - 1.1 *Monday, 10 March 2025, commencing at 6.00pm;*
- 2 *NOTES that a further report will be presented to the first Chief Executive Officer Recruitment and Performance Review Committee meeting in 2025, to set the remainder of committee meeting dates for 2025.*

BACKGROUND

The CEO Recruitment and Performance Review Committee was established at the Special Council meeting held on 6 November 2023 (CJ213-11/23 refers). The role of the CEO Recruitment and Performance Review Committee is to:

- 1 recommend to Council the selection and appointment process of a Chief Executive Officer;
- 2 recommend to Council the preferred consultant to assist with the recruitment process for a Chief Executive Officer;
- 3 undertake the interview of preferred applicant(s) on the advice of the appointment consultant's shortlisted applicants for the position of Chief Executive Officer;
- 4 recommend to Council the appointment of a preferred applicant as Chief Executive Officer under the terms and conditions of an agreed Chief Executive Officer Employment Contract;
- 5 review the Chief Executive Officer's performance in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;
- 6 prepare and table the concluded report, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract to Council;
- 7 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;
- 8 review the Key Performance Indicators to be met by the Chief Executive Officer;
- 9 review the Chief Executive Officer's remuneration package, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract;
- 10 review the Chief Executive Officer's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary.

DETAILS

The CEO Recruitment and Performance Review Committee oversees the development and review of the CEO's employment contract and all associated performance matters.

The Chief Executive Officer's Key Performance Indicators are aligned with the City's *Corporate Business Plan* (CBP). The CBP progress report is provided to Council on a quarterly basis, the quarterly meetings of this committee are aligned with Council's acceptance of the quarterly CBP progress report in the following periods:

Quarter	Period	Council Meeting	Committee Meeting
One	July / September	November	November
Two	October / December	March	March
Three	January / March	June	June
Four	April / June	August	August

In addition, meetings of this committee are aligned to the performance review process as outlined in the CEO'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 annual review of the CEO's performance.

Further special committee meetings will be determined for the purpose of undertaking the Chief Executive Officer's Annual Performance review. The annual review process requires the committee to conduct a formal interview with the CEO, (clause 11.2(b)). The process for conducting the CEO'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 for the annual CEO performance review that drives the timeframes is the formal scheduled interview by the committee with the CEO. With this in mind, the critical timeframes for the annual review are as follows:

- The CEO is to be given at least 25 working days' notice of the scheduled interview.
- The CEO 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 CEO'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
- CEO 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
- CEO to the next meeting of Council provided Council receives it at least five working days prior to the meeting.

The setting of the 2025 Council meeting dates is scheduled to be presented at the Council meeting to be held on 19 November 2024. This report will provide Council with two alternative meeting cycle options for their consideration, which may impact on the timing of committee meeting dates.

It is therefore recommended that the Committee set the date for the first committee meeting for 2025. A further report will be presented to the first committee meeting of 2025 to set the remainder of committee meeting dates for 2025.

Issues and Options Considered

The CEO Recruitment and 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 *City of Joondalup Meeting Procedures Local Law 2013.*
 Local Government (Administration) Regulations 1996.
 Local Government Act 1995.
 Local Government Legislation Amendment Act 2019.

10-Year Strategic Community Plan

Key theme 5. Leadership.

Outcome 5-1 Capable and effective - you have an informed and capable
Council backed by a highly-skilled workforce.

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 for the CEO Recruitment and Performance Review Committee are cognisant of proposed meeting dates for a variety of other committees.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION MOVED Cr Hill, SECONDED Cr Fishwick that the Chief Executive Officer Recruitment and Performance Review Committee:

- 1 ADOPTS the following meeting date and time for the Chief Executive Officer Recruitment and Performance Review Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:**
 - 1.1 Monday 10 March 2025, commencing at 6.00pm;**
- 2 NOTES that a further report will be presented to the first Chief Executive Officer Recruitment and Performance Review Committee meeting in 2025, to set the remainder of committee meeting dates for 2025.**

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Mayor Jacob, Cr Fishwick, Cr Hill, Cr Kingston and Cr Vinciullo.
Against the Motion: Nil.

ATTACHMENTS

Nil

Disclosures of Financial / Proximity Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Meeting Type	Chief Executive Officer Recruitment and Performance Review Committee.
Meeting Date	11 November 2024.
Item No. / Subject	Item 8.2 - Progress Report – Chief Executive Officer Performance Review.
Nature of Interest	Indirect Financial Interest.
Extent of Interest	Mr Pearson is the subject of the Progress Report, as CEO.

8.2 PROGRESS REPORT – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	74574, 101515
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For the Chief Executive Officer Recruitment and Performance Review Committee (the Committee) to receive the progress report on the Chief Executive Officer's Key Performance Indicators (CEO KPIs) for 2024-25 (Quarter One) and provide feedback.

EXECUTIVE SUMMARY

The 2024-25 Quarter One progress report provides information relating to the progress of the CEO KPIs for the period 1 July 2024 to 30 September 2024.

It is therefore recommended that the Chief Executive Officer Recruitment and Performance Review Committee NOTES the progress towards the Key Performance Indicators for the Chief Executive Officer for the period 1 July 2024 to 30 September 2024.

BACKGROUND

Following the Committee meeting held on 9 September 2024, Council resolved at its meeting held on 22 October 2024, by an absolute majority that Council:

- “1 *NOTES that the performance review for Mr James Pearson, Chief Executive Officer, has been completed for the period of 1 July 2023 to 30 June 2024;*
- 2 *ENDORSES the Chief Executive Officer Recruitment and Performance Review Committee’s Confidential Concluded Annual Performance Review Report as presented by the Price Consulting Group, detailed in Attachment 1 to this Report;*
- 3 *ADOPTS AS AMENDED, and inclusive of an additional measurements column, the Key Performance Indicators for the 2024-25 review period as detailed in Attachment 2 to this Report.”*

DETAILS

The Committee is responsible for reviewing the Chief Executive Officer’s (CEO) performance on an on-going basis, as and when deemed necessary, in accordance with the appropriate provisions contained within the CEO’s employment contract; as well as reviewing the key performance indicators to be met by the CEO.

The CEO KPIs for 2024-25 were adopted by Council at its meeting held on 22 October 2024; after the end of quarter one for the year.

The 2024-25 Quarter One progress report provides information relating to the progress of the CEO KPIs for the period 1 July 2024 to 30 September 2024 (Attachment 1 refers).

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government Act 1995.*

10-Year Strategic Community Plan

Key theme 5. Leadership.

Outcome 5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

Policy *City of Joondalup Model Standards for CEO Recruitment and Selection, Performance Review and Termination Council Policy.*

Risk management considerations

The performance review process is designed to evaluate and assess the CEO’s performance against KPIs periodically.

Financial / budget implications

Preparing progress reports of the CEO KPIs is done using existing budgeted resources.

Regional significance

Ensuring effective and consistent reporting of the CEO KPIs and submitting them to the Committee and Council, provides oversight which enhances the City's capability to deliver services to the district, and beyond, as relevant.

Sustainability implications

Effective and consistent reporting of the CEO KPIs enhances the sustainability of the City's operations. Being accountable and transparent is part of the goals of the City's *Strategic Community Plan*.

Consultation

Not applicable.

COMMENT

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

Cr May entered the Room at 6.03pm.

OFFICER'S RECOMMENDATION MOVED Mayor Jacob, SECONDED Cr Fishwick that the Chief Executive Officer Recruitment and Performance Review Committee NOTES the progress towards the Key Performance Indicators for the Chief Executive Officer for the period 1 July 2024 to 30 September 2024.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Jacob, Cr Fishwick, Cr Hill, Cr May, Cr Kingston and Cr Vinciullo.

Against the Motion: Nil.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - CEO KPI Progress Report Q 1 2024-25 [8.2.1 - 1 page]

9 URGENT BUSINESS

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11 REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

12 CLOSURE

There being no further business, the Presiding Member declared the Meeting closed at 6.07pm the following Committee Members being present at that time:

MAYOR HON. ALBERT JACOB, JP
CR CHRISTOPHER MAY, JP
CR ADRIAN HILL
CR DANIEL KINGSTON
CR RUSS FISHWICK, JP
CR PHILLIP VINCIULLO