

minutes

Special Chief Executive Officer Recruitment and Performance Review Committee

MEETING HELD ON

MONDAY 24 JUNE 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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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 SPECIAL CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 24 JUNE 2024.

ATTENDANCE

Committee Members:

Mayor Hon. Albert Jacob, JP	<i>Presiding Member</i>	
Cr Christopher May, JP	<i>Deputy Presiding Member</i>	<i>from 6.10pm</i>
Cr Adrian Hill		
Cr Daniel Kingston	<i>deputising for Cr Nige Jones</i>	
Cr John Chester		
Cr Christine Hamilton-Prime, JP		<i>absent from 6.23pm to 6.26pm</i>

Officers:

Mr James Pearson	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy

Guest:

Natalie Lincolne	Senior Associate Consultant, Price Consulting Group Pty Ltd
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1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 6.01pm.

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

Nil.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr John Raftis	17 June to 25 June 2024 inclusive.
Cr Russ Fishwick, JP	17 June to 28 June 2024 inclusive.
Cr Adrian Hill	28 June to 15 July 2024 inclusive.
Cr John Raftis	1 July to 5 July 2024 inclusive.
Cr Lewis Hutton	15 August to 25 August 2024 inclusive.
Mayor Albert Jacob, JP	12 September to 2 October 2024 inclusive.

3.2 APOLOGIES

Cr Nige Jones.

4 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

5 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.

6 PETITIONS AND DEPUTATIONS

Nil.

7 REPORTS

7.1 INTRODUCTION OF APPOINTED HR CONSULTANT TO SUPPORT THE 2024 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PROCESS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	74574
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 Recruitment and Performance Review Committee (the Committee) to receive an introduction to the independent human resource (HR) consultant appointed to assist the Committee with the annual performance review of the Chief Executive Officer (CEO).

EXECUTIVE SUMMARY

At its meeting held on 21 May 2024 (Item 8.3 refers), the Committee considered a report in regard to the appointment of an independent HR consultant to assist the Committee with the CEO's Annual Performance Review Program for 2024.

The Committee recommended the appointment of Price Consulting Group Pty Ltd.

Natalie Lincolne, Senior Associate Consultant, Price Consulting Group Pty Ltd has been invited to attend the Committee meeting for the purpose of introduction and to provide a brief overview of the process proposed to be undertaken.

It is recommended that the Chief Executive Officer Recruitment and Performance Review Committee NOTES the presentation by Price Consulting Group Pty Ltd regarding the Chief Executive Officer's Annual Performance Review Program for 2024.

BACKGROUND

At its meeting held on 21 May 2024 (Item 8.3 refers), the Committee considered a report in regard to the appointment of an independent HR consultant to assist the Committee with the CEO's Annual Performance Review Program for 2024.

It was resolved *that the Chief Executive Officer Recruitment and Performance Review Committee REQUESTS that the consultant appointed as the external and independent HR expert for the Chief Executive Officer Recruitment and Performance Review Committee to consult with and seek guidance from and to facilitate the review of the Chief Executive Officer's performance for 2024, including assistance in the development and/or variation of the Key Performance Indicators, and salary review, as a consequence of the performance review be Price Consulting Group Pty Ltd.*

Natalie Lincolne, Senior Associate Consultant, Price Consulting Group Pty Ltd has been invited to attend the Committee meeting for the purpose of introduction and to provide a brief overview of the process proposed to be undertaken.

DETAILS

Clause 11.6 (a) of the CEO Employment Contract provides that *"In conducting the review, the Chief Executive Officer Performance Review Committee must appoint and consult with and seek guidance from an external and independent human resources expert, or similar, to facilitate the review of the Executive's performance"*.

For the review to be undertaken in 2024 the Committee agreed at its 3 April 2024 meeting that the City seek submissions through a public and targeted process to appoint an external and independent HR expert, to consult with; seek guidance from and to facilitate the review of the Chief Executive Officer's performance for 2023/24.

Following the Committee's resolution of 3 April 2024, the consultancy brief was publicly advertised on the City's website as a request for quotation and notification forwarded to a number of consultancies.

At its meeting held on 21 May 2024 (Item 8.3 refers), the Committee considered a report in regard to the appointment of an independent HR consultant to assist the Committee with the CEO's Annual Performance Review Program for 2024.

At the meeting the Committee requested that the consultant appointed as the external and independent HR expert for the CEO Recruitment and Performance Review Committee to consult with and seek guidance from and to facilitate the review of the CEO's performance for 2024, including assistance in the development and/or variation of the Key Performance Indicators, and salary review, as a consequence of the performance review be Price Consulting Group Pty Ltd.

Legislation / Strategic Community Plan / Policy implications

Legislation

Sections 5.38(1) and (3) of the *Local Government Act 1995* requires the following in relation to the annual review of the CEO's performance:

"Annual review of employees' performances

- (1) *A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.*
- (3) *A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment."*

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	<i>City of Joondalup Model Standards for CEO Recruitment and Selection, Performance Review and Termination.</i>

Risk management considerations

The performance review process is designed to evaluate and assess the CEO's performance against Key Performance Indicators (KPIs) on an annual basis. The Committee is required 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. The appointment of the consultant helps to mitigate any risks in the CEO performance review process.

Financial / budget implications

The estimated cost for provision of the service is \$6,500 (excluding GST) as submitted by the consultancy.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Natalie Lincolne, Senior Associate Consultant, Price Consulting Group Pty Ltd has been invited to attend the Committee meeting for the purpose of introduction and to provide a brief overview of the process proposed to be undertaken.

As a new service provider to the City it is considered important for the Committee to meet with the representative of Price Consulting Group Pty Ltd to ensure there is mutual understanding of the proposed process for the 2024 review.

VOTING REQUIREMENTS

Simple Majority.

Cr May entered the Room at 6.10pm.

OFFICER'S RECOMMENDATION MOVED Cr Hill, SECONDED Cr May that the Chief Executive Officer Recruitment and Performance Review Committee NOTES the presentation by Price Consulting Group Pty Ltd regarding the Chief Executive Officer's Annual Performance Review Program for 2024.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Jacob, Cr Chester, Cr Hamilton-Prime, Cr Hill, Cr May and Cr Kingston.

Against the Motion: Nil.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Confidential - Price Consulting Response to Request for Quotation [7.1.1 - 16 pages]
2. Chief Executive Officer Performance Review - Timetable 2024 [7.1.2 - 2 pages]

7.2 CONFIDENTIAL - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW GUIDELINE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	74574
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

This report is confidential in accordance with section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (a) *a matter affecting an employee or employees.*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

A full report is provided to Elected Members under separate cover. The report is not for publication.

Cr Hamilton-Prime left the room at 6.23pm and returned at 6.26pm.

OFFICER'S RECOMMENDATION MOVED Cr Hamilton-Prime, **SECONDED** Cr May that Council **ENDORSES** the Chief Executive Officer Performance Review Guideline, provided as Attachment 1 to this Report, to supplement and provide administrative guidance to Part 11 of the Chief Executive Officer Employment Contract.

The Motion was Put and

CARRIED (5/1)

In favour of the Motion: Mayor Jacob, Cr Chester, Cr Hamilton-Prime, Cr Hill and Cr May.
Against the Motion: Cr Kingston.

8 CLOSURE

There being no further business, the Presiding Member declared the Meeting closed at 6.43pm the following Committee Members being present at that time:

MAYOR HON. ALBERT JACOB, JP
CR CHRISTOPHER MAY, JP
CR ADRIAN HILL
CR JOHN CHESTER
CR CHRISTINE HAMILTON-PRIME, JP
CR DANIEL KINGSTON

**24 JUNE 2024 - SPECIAL CEO RECRUITMENT AND
PERFORMANCE REVIEW COMMITTEE - MINUTES ONLY
ATTACHMENTS**

7.1 INTRODUCTION OF APPOINTED HR CONSULTANT TO SUPPORT THE 2024

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PROCESS.....2

7.1.2 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW - TIMETABLE

2024.....2

Chief Executive Officer Performance Review – Timetable 2024

Clause 11 - Performance Development and Review of the employment contract provides for the process and methodology for the Annual Performance Review of the CEO.

The following timeline is proposed with the conclusion date being 20 August 2024 in subclause 11.2 used as the reference point. In using that date, it should be noted that the subclause allows for some flexibility of the conclusion date if there is a need for it.

Subclause 11.2 reads as follows:

11.2 The Annual Performance Review of the CEO's performance is to occur on or before 31 August each year, or as soon as possible thereafter, commencing in 2021.

Item No.	Date Due	Employment Contract Subclause	Actions/Requirements
1	3 April 2024	11.6(a)	The Committee to agree to the: <ul style="list-style-type: none"> Process to be undertaken for the CEO Annual Performance Review. RFQ for appointment of an external and independent human resources consultant to facilitate the Annual Performance Review of the CEO's performance.
2	21 May 2024	11.6(a)	The Committee give consideration to quotations submitted for an independent human resources consultant.
3	15 July 2024	11.3	CEO to be advised in writing that the Annual Performance Review will occur including: <ul style="list-style-type: none"> Date of scheduled interview (interview by the Committee). Timetable (estimated) for the review.
4	29 July 2024	11.4	CEO must prepare a self-evaluation report assessing performance against KPI's for the last financial year (ie performance up to the 30 June 2024). Copy of the report must be provided to all Elected Members of Council.
5	29 July 2024	11.6(b)	Committee to invite written comments (dated and signed by the Elected Member) from all Elected Members of Council.
6	12 August 2024	11.6(b)	Comments due back from Elected Members (signed and in writing).

7	19 and 20 August 2024	11.2	Annual Performance Review pre-interview meeting scheduled to occur on 19 August 2024. Annual Performance Review interview meeting scheduled to occur on 20 August 2024.
8	9 September 2024	11.6(d)	Proposed Committee meeting to consider and adopt the report required in item 9.
9	9 September 2024	11.6(d)	Committee prepare and complete a written and signed performance report, in consultation with the independent human resources consultant, on the review outcomes. Consideration to also be given to the TRP by the Committee.
10	24 September 2024	11.6(e)	As soon as the performance report is completed the Committee provide a copy to the CEO and notify CEO in writing that he has 5 working days to provide any written comments to the Committee about matters in the performance report.
11	1 October 2024	11.6(e)	CEO submits comments in relation to item 10.
12	22 October 2024	11.6(f) and 12.19-12.22	Performance report and CEO comments submitted to Council. Date selected as employment contract provides this must be done no later than 5 working days prior to the next available Council meeting which is 22 October 2024.
13	23 October 2024	11.10	Mayor communicates in writing to CEO any decisions, recommendations or actions that Council decides upon as result of the performance report as soon as practicable after Council meeting.