

# **CITY OF JOONDALUP**

## **MINUTES OF MEETING OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD IN WARD OFFICE 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON THURSDAY 8 JULY 2004**

### **ATTENDANCE**

CMR J PATERSON – Chairman

CMR M ANDERSON

CMR A FOX

*from 1836 hrs.*

CMR S SMITH

### **Officers:**

Acting Chief Executive Officer:

C HIGHAM

Manager Audit and Executive Services:

K ROBINSON

Committee Clerk:

J HARRISON

The Acting Chief Executive Officer declared the meeting open at 1830 hrs.

### **Apology:**

Cmr P Clough

### **ELECTION OF CHAIRPERSON**

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. Nominations for the position of chairperson are to be given to the Chief Executive Officer in writing, with the vote to be conducted by ballot.

It is also advisable that at the same meeting the committee appoints a deputy presiding member, who would chair the meeting in the absence of the presiding member.

Acting Chief Executive Officer advised a written nomination had been received from Cmr Paterson self-nominating for the position of Chairman of the Selection Committee for a Chief Executive Officer.

There being no further nomination, Cmr Paterson was elected unopposed and assumed the Chair, the time being 1835 hrs.

## **DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

*In relation to matters relating to the process of selecting a Chief Executive Officer, Cmr Smith advised she has in the past worked closely with Beilby and Gerard Daniels Australia Pty Ltd, and stated she would deal impartially with this matter.*

*In relation to matters relating to the process of selecting a Chief Executive Officer, Cmr Anderson advised that Gerard Daniels Australia Pty Ltd has been involved with another enterprise he has had dealings with, and stated he would deal impartially with the matter.*

*In relation to matters relating to the process of selecting a Chief Executive Officer, Cmr Fox advised she has in the past worked with Lester Blades Pty Ltd, Beilby, Gerard Daniels Australia Pty Ltd and Chandler Macleod Recruitment Services, and stated she would deal impartially with the matter.*

*In relation to matters relating to the process of selecting a Chief Executive Officer, Cmr Paterson advised he has in the past dealt with Gerard Daniels Australia Pty Ltd, and stated he would deal impartially with the matter.*

## **ITEM 1 OUTLINE OF CEO RECRUITMENT PROCESS AND INDICATIVE TIMETABLE – [20006]**

**WARD - All**

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### **PURPOSE**

To provide information to the Joint Commissioners on the steps required for the appointment of a new Chief Executive Officer for the City of Joondalup and an indicative timetable for the process to be completed.

### **EXECUTIVE SUMMARY**

Significant research has been undertaken from a wide variety of sources to ensure a best practice process is undertaken by the City of Joondalup in appointing a new Chief Executive Officer (CEO). This research included reviewing the following:

- Previous CEO recruitment processes undertaken by the City of Joondalup;
- Recommendations by the WA Legislative Council Standing Committee on Public Administration & Finance in relation to the Local Government Act 1995;
- The CEO recruitment process undertaken by the City of Belmont early this year;
- Previous proposals for the appointment of senior executives by various recruitment consultants;
- Performance management guidelines for Councillors by the Municipal Association of Victoria;

- Findings of a recent review of CEO recruitment and retention issues by the Local Government Association of Queensland and Local Government Managers Australia (Queensland).

All documents are available for perusal.

It is critical that the entire recruitment process is conducted in a transparent and accountable manner that takes into consideration legislative and confidentiality requirements and best practice standards.

This report outlines the steps to be taken to ensure this outcome is achieved and the best possible candidate is appointed to guide the future direction of the City of Joondalup.

## **BACKGROUND**

It is important that the City of Joondalup undertakes the recruitment process to appoint a new Chief Executive Officer (CEO) in line with best practice standards and in a manner that complies with local government legislation.

The previous CEO recruitment process undertaken by the City of Joondalup has been the subject of much discussion and review, with the WA Legislative Council Standing Committee on Public Administration and Finance in relation to the Local Government Act 1995, using the process as an illustrative case study as part of a broader inquiry.

While no specific recommendations were made in relation to the City of Joondalup, when the WA Legislative Council Standing Committee on Public Administration and Finance released its report in December 2003, the executive summary noted:

“...The Committee believes that the current conflict may have been lessened to a significant degree if certain best practice administrative procedures had been adopted, or more rigidly applied, by the City of Joondalup in the process of the selection and appointment of its Chief Executive Officer.

Furthermore, the Committee is concerned that the current provision of the Local Government Act 1995, whilst presently providing an extremely high level of autonomy for local governments, is not sufficiently detailed or prescriptive enough with respect to the processes that should be followed by local governments in undertaking what is arguably a Council’s single most important function; that of appointing its Chief Executive Officer.

The Committee has therefore made a number of recommendations for the implementation of various best practice administrative procedures across local government in Western Australia, and for the amendment of the Local Government Act 1995 to provide clearer guidance for local governments.”

While the State Government has not yet implemented the recommendations from the WA Legislative Council Standing Committee on Public Administration and Finance in relation to the Local Government Act 1995, the City has taken them into consideration when formulating the recruitment process to appoint a Chief Executive Officer.

## **DETAILS**

At the meeting of 8 June 2004, a report was presented to Council recommending the appointment of a Selection Committee to facilitate the recruitment process to appoint a new Chief Executive Officer (CJ133-06/04 refers). It was outlined that the Selection Committee would guide and make recommendations to Council on the appropriate process to be followed in a whole range of issues, with the most immediate considerations to be:

- Selection criteria
- Key performance indicators
- Remuneration package
- Contract of employment
- Recruitment model

Council resolved to:

- “1 ESTABLISH a Selection Committee for the recruitment and selection of a new Chief Executive Officer comprising:

Commissioner J Paterson  
Commissioner M Anderson  
Commissioner P Clough  
Commissioner S Smith  
Commissioner A Fox

- 2 SET a quorum of 3 members.”

Since the committee was established, the Administration has prepared information for the Selection Committee including:

- A report recommending the adoption of a Position Description and Key Duties and Responsibilities for the Chief Executive Officer’s position;
- A report outlining the process to be undertaken to engage a consultant to assist in the recruitment and appointment process for a Chief Executive Officer, incorporating an extract of the consultant brief for a Request for Quote process.

### **Position Description, Key Performance Indicators and Job Specification**

A report has been prepared for the Selection Committee on recommended position description and Key Duties and Responsibilities for the CEO position. In scoping these documents, consideration was given to the leadership needs of the City of Joondalup, including cultural fit and the City’s aim to become an Employer of Choice, together with recent CEO appointments and alignment with the local government industry in general.

It is envisaged that Key Performance Indicators based on the Key Duties and Responsibilities will be developed and agreed with the successful candidate.

It is proposed that the Selection Committee recommend that Council adopt the Position Description and Key Duties and Responsibilities to enable the next stage of the recruitment process to occur.

### **Remuneration Package and Contract of Employment**

It is envisaged that once the Selection Committee has recommended that Council adopt the Position Description, which incorporates selection criteria and the Key Duties and Responsibilities, the Position Description will be compared with similar positions through the Australian Institute of Management (AIM), Mercers, WALGA and the Salaries and Allowances Tribunal to provide an indication of the total remuneration package.

Analysis is being undertaken on model contracts from the Local Government Managers Association (LMGA) and WA Local Government Association (WALGA) to use as a base for the CEO's contract. As part of this process a review is also being carried out on contractual issues that were brought to light through the Upper House Inquiry, the Governance Review, Forensic Audit and the City's experiences with the previous CEO's contract. A report will be prepared for the Joint Commissioners providing information on the outcome and suggesting a model contract to form the basis for negotiations with the successful candidate.

The next set of reports to the Selection Committee will reflect the outcome of these tasks and provide a recommendation to Council for the remuneration package and draft contract. This will then enable the City to commence advertising for the CEO position.

### **Appointment of Recruitment Consultant**

A report has been prepared for the Selection Committee outlining the process to be undertaken to engage a consultant to assist in the recruitment and selection process for a Chief Executive Officer. As noted previously, the City proposes to undertake the majority of the position scoping in-house, for example developing the Position Description, Key Duties and Responsibilities, comparing remuneration packages and preparing a draft contract.

For this reason it is envisaged that the consultant's fee will be below \$50,000, negating the need for a tender process. The City will conduct a Request for Quote process with pre-selected agencies based on an hourly rate fee structure. The consultant's brief will include the performance of tasks such as developing the advertising methods and conducting the advertising process, advising the Joint Commissioners on the number of candidates to consider, culling of applicants and the interview process, establishing questions for reference checks as well as conducting reference, qualification and psychological checks.

It is estimated that the Request for Quote process will be completed and a consultant appointed by the end of July 2004, which should coincide with completion of the sizing of the position description. Provided this occurs, advertising can commence for the CEO position on appointment of the consultant.

### **Indicative Timetable**

An indicative timetable has been established to capture the key tasks and estimated time required to complete the recruitment process for a new CEO for the City of Joondalup. The indicative timetable is provided at Attachment 1.

**Statutory Provision:**

Local Government Act 1995 Part 5 Administration – Division 4 – Local Government Employees.

**Financial Implications:**

Account No:	1.1110.4201.0001.F823
Budget Item:	Recruitment of the Chief Executive Officer
Budget Amount:	\$40,000.00
YTD Amount:	\$0.00
Actual Cost:	\$40,000.00

**ATTACHMENTS**

Indicative Timetable

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That the Joint Commissioners NOTE the action being taken to progress the recruitment and appointment process for a Chief Executive Officer and the indicative timetable provided.

**ITEM 2 REQUEST FOR QUOTE FOR RECRUITMENT  
CONSULTANT TO ASSIST IN THE RECRUITMENT AND  
APPOINTMENT PROCESS FOR A CHIEF EXECUTIVE  
OFFICER – [20006]**

**WARD - All**

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**PURPOSE**

To provide information to the Joint Commissioners on the process to be undertaken to engage a consultant to assist in the recruitment and appointment process for a Chief Executive Officer.

## **EXECUTIVE SUMMARY**

At its meeting of 8 June 2004 a report was presented to the Joint Commissioners recommending a Selection Committee be established to undertake the recruitment and selection of a new Chief Executive Officer for the City of Joondalup (CJ133-06/04 refers). Council resolved to:

- “1 ESTABLISH a Selection Committee for the recruitment and selection of a new Chief Executive Officer comprising:

Commissioner J Paterson  
Commissioner M Anderson  
Commissioner P Clough  
Commissioner S Smith  
Commissioner A Fox

- 2 SET a quorum of 3 members.”

The City is undertaking the majority of the scoping for the Chief Executive Officer position in-house, including developing the position description, Key Performance Indicators, job specification, comparing remuneration packages and preparing a draft contract.

The City intends to undertake the appointment of a recruitment consultant to assist in the recruitment process for a new Chief Executive Officer for the City of Joondalup.

It is envisaged that the consultant fee will be below \$50,000, negating the need for a tender process. The City intends to conduct a Request for Quote for an hourly rate consultancy.

It is envisaged that the successful consultant will act in the capacity of adviser and provide recruitment expertise on an as-needs basis. The Selection Committee will conduct the interviews, with the appointment of the successful candidate for the Chief Executive Officer position subject to a resolution of Council.

## **DETAILS**

The City has commenced preparation for the recruitment and selection of a new Chief Executive Officer. A Selection Committee has been appointed comprising the City’s Joint Commissioners to facilitate the process.

It is important that the City undertakes the process to appoint a new Chief Executive Officer in line with best practice standards and in a manner that complies with local government legislation.

A Request for Quote will be undertaken for a consultancy to assist the recruitment and appointment process for a Chief Executive Officer. The City intends to invite the following five recruitment organisations to respond to the Request for Quote:

- Lester Blades Pty Ltd
- Beilby
- Gerard Daniels Australia Pty Ltd
- Chandler Macleod Recruitment Services
- Tanner Menzies

Each of the above organisations are large reputable recruitment agencies experienced in recruitment of senior executives, and in some cases, active in the local government industry.

The Respondent will be required to comply with the Australian Standard Code of Tendering AS 4120-1994. The City may require the Respondent to make the attestation prescribed in AS 4120–1994 section 7.5 which deals with malpractice.

The Condition of Contract is based on the provisions of the Australian Standard General conditions of contract for engagement of consultants AS 4122-2000 together with its completed Annexures Part A & B. The Australian Standard General conditions of contract for engagement of consultants is not attached to but is deemed to constitute part of the Request for Quote Document.

The successful Respondent will be required to enter into a Confidentiality Deed of Agreement and Contract with the City, both of which will form part of the Request for Quote Document.

### **Selection Criteria**

The Contract may be awarded to a Respondent who best demonstrates the ability to carry out the Consultancy services at a competitive price. The quoted prices will be assessed with the following qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

This means that, although price is considered, the Submission containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the qualitative criteria.

### **Qualitative Criteria**

<b>Description of Criteria</b>	<b>Weighting</b>
Performance and experience of Respondent in completing similar projects.	30%
Levels of service as determined by the capability/competence of Respondent to perform the work required	30%
Beneficial effects of RFQ/Local Content	5%
Methodology	10%



### Quantitative Criteria

Criteria	Weighting
Quotation price	25%

### **Specification**

Prior to commencement of the services, the Consultant will be required to liaise with the City to obtain the position description, Key Duties and Responsibilities, remuneration package details and draft employment contract.

The Consultant will act in the capacity of adviser and provide recruitment expertise on an as-needs basis. The Selection Committee will conduct the interviews, with the appointment of the successful candidate for the Chief Executive Officer position subject to a resolution of Council.

The Consultancy will achieve the following:

- An indicative timetable for the tasks to be performed by the Consultant.
- Advertising methods developed and the advertising process conducted.
- The number of candidates to consider for interview are determined and the culling of applicants undertaken.
- Applicants who meet the selection criteria are shortlisted and referred to the Selection Committee for interview, with summary resumes provided on each applicant.
- Interview times for shortlisted applicants are established in liaison with the City.
- Applicants are debriefed following the interview.
- The appropriate questions and processes are established for reference, qualification and psychological checks.
- Reference, qualification and psychological checks are conducted on the preferred candidate, with documentary evidence of qualifications that have been verified and the outcome of reference and psychological checks provided to the Selection Committee.
- The Selection Committee has sufficient information based on documents provided by the Consultant to recommend a preferred candidate to Council, in line with best practice standards and in a manner that complies with local government legislation.
- Following Council endorsement of the preferred candidate, offers of employment are communicated and unsuccessful applicants informed.

### **Request for Quote Timeframe**

The Request for Quote will be sent on Monday, 12 July 2004 with a closing date of Tuesday 27 July 2004. It is anticipated that the successful respondent will be chosen by Friday 30 July 2004, with exchange of contracts to occur immediately afterwards.

**Statutory Provision:**

Advertising this Request for Quote is not required under the *Local Government (Functions & General) Regulation 1996*, as the consideration for this contract is not expected to be or worth more than \$50,000.

**Financial Implications:**

Account No:	1.1110.4201.0001.F823
Budget Item:	Recruitment of the Chief Executive Officer
Budget Amount:	\$40,000.00
YTD Amount:	\$0.00
Actual Cost:	\$40,000.00

**ATTACHMENTS**

RFQ Specification extract

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

That the Joint Commissioners NOTE the action being taken to engage a consultant to assist in the recruitment and appointment process for a Chief Executive Officer.

The Acting Chief Executive Officer outlined the proposed process to the Committee. Discussion ensued as to whether the City should undertake the advertising in order to allow the process to commence without delay. It was noted that, in accordance with local government requirements, the salary package details are required to be incorporated into the advertisement. The role of the consultants was discussed at length.

*Cmr Fox entered the Room at this point, the time being 1836 hrs.*

The proposed timetable was considered, with the Committee being in agreement that the process should be expedited where possible, and if necessary that Special Council meetings be convened, subject to sufficient public notice being given. The Acting Chief Executive Officer advised a revised timetable would be presented to the Committee.

Discussion ensued on the qualitative and quantitative criteria, and consultancy specification. Cmr Fox stated the consultants should be required to submit a list of their preferred candidates and should conduct interviews to shortlist applicants. Cmr Fox stated that summary resumes should be submitted initially, with shortlisted applications required to provide full resumes.

It was agreed that the remuneration package be prepared by the City.

The Acting Chief Executive Officer advised that the administration was required to finalise the draft, call for quotes from the five firms, then report back to Commissioners, based on selection criteria, with a recommendation on the preferred consultants.

Cmr Anderson stated he would like details of each submission provided, in order that Commissioners are kept fully informed.

Discussion ensued as to the basis on which the five firms were listed within the report. It was advised these are large and reputable firms, some of whom have dealt with local government in the past.

Extensive discussion was then raised on whether it was more appropriate to call for expressions of interest.

**MOVED Cmr Smith SECONDED Cmr Fox that expressions of interest be called for consultants to assist Council with the appointment of a Chief Executive Officer, and the Committee RECOMMENDS to Council that this process be endorsed as it is open and accountable.**

**The Motion was Put and**

**CARRIED (4/0)**

The Committee clarified that the first stage of the process would be to call for expressions of interest, followed by request for quotes and it was agreed that the criteria for expressions of interest should be:

- Large reputable recruitment agencies experienced in recruitment of senior executives;
- Required to comply with the Australian Standard Code of Tendering;
- Evidence of best practice;

**MOVED Cmr Anderson SECONDED Cmr Fox that the following changes be made to the selection criteria for a consultancy to assist the recruitment and appointment process for a Chief Executive Officer:**

**Qualitative Criteria**

Description of Criteria	Weighting
Performance and experience of Respondent in completing similar projects; and  Levels of service as determined by the capability/competence of Respondent to perform the work required	30%
Beneficial effects of RFQ/Local Content	5%
Methodology	35%

**Quantitative Criteria**

Criteria	Weighting
Quotation price	30%

Discussion ensued in relation to appropriate weighting.

**The Motion was Put and**

**CARRIED (4/0)**

**MOVED Cmr Smith SECONDED Cmr Fox that deliverables be expressed in broader terms.**

**The Motion was Put and**

**CARRIED (4/0)**

The following changes were recommended to the specification:

▪ **3.2 - City's Responsibilities: be amended to read:**

“The City is undertaking the majority of the scoping for the Chief Executive Officer's role and position description, including:

- Key performance indicators;
- Selection criteria;
- Advertising of the position;
- Remuneration packages; and
- Preparation of employment contract.”

▪ **3.3 Consultant's responsibilities:**

The Committee made the following comments in relation to this section of the specification:

- The consultant to liaise on the application of methodology;
- Delivery of agreed methodology in timely manner;
- Establish deliverables and protocols.

Cmr Smith believed a legal indemnity clause was required to be provided.

It was suggested that the expression of interest advertisement outline the budget limit for the process.

The Acting Chief Executive Officer advised that an amended specification would be prepared for agreement by the Committee.

**MOVE Cmr Smith SECONDED Cmr Anderson that the specification be redrafted to take account of the discussions raised by the Committee and the fact that the deliverables are to be consistent with the budget.**

**The Motion was Put and**

**CARRIED (4/0)**

Cmr Smith requested that a Disclosure of Interest clause be included on the specification.

### **ITEM 3 CHIEF EXECUTIVE OFFICER POSITION DESCRIPTION AND KEY DUTIES AND RESPONSIBILITIES – [20006]**

**WARD - All**

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#### **PURPOSE**

To provide information to the Joint Commissioners on the development of a Position Description and Key Duties and Responsibilities for the new Chief Executive Officer and recommend adoption by Council.

#### **EXECUTIVE SUMMARY**

In order to progress the recruitment and selection process for a new Chief Executive Officer for the City of Joondalup, a Position Description and Key Duties and Responsibilities have been prepared.

In scoping these documents, consideration was given to the leadership needs of the City of Joondalup, including good governance, cultural fit and the City's strategic aim to become an Employer of Choice, together with recent CEO appointments and alignment with the local government industry in general.

It is envisaged that once the Selection Committee has recommended that Council adopt the Position Description and Key Duties and Responsibilities, these will be compared with similar positions through the Australian Institute of Management (AIM), Mercers, WALGA and the Salaries and Allowances Tribunal to provide an indication of the total remuneration package.

It is proposed that the Selection Committee recommend that Council adopt the Position Description and Key Duties and Responsibilities to enable the next stage of the recruitment process to occur.

## **DETAILS**

A Position Description and Key Duties and Responsibilities have been prepared to assist in the recruitment and selection process for the new Chief Executive Officer.

The Position Description and Key Duties and Responsibilities are based on four core competency areas, being Leadership, Service Delivery, Management and Interpersonal Skills. These documents have been prepared taking into account the need to ensure good governance, with a focus on contributing to the development of the City of Joondalup and ensuring a positive public image is built and maintained.

Consideration has also been given to developing criteria to ensure the successful candidate has demonstrated leadership experience, ability and commitment to lead the City towards its preferred constructive culture and meet the City's strategic aim to become an Employer of Choice.

It is envisaged that Key Performance Indicators based on the Key Duties and Responsibilities will be developed and agreed with the successful candidate.

It is proposed that the Joint Commissioners recommend that Council adopt the Chief Executive Officer Position Description and Key Duties and Responsibilities.

## **Statutory Provision:**

Local Government Act 1995 Part 5 Administration – Division 4 – Local Government Employees.

### **Financial Implications:**

Account No:	1.1110.4201.0001.F823
Budget Item:	Recruitment of the Chief Executive Officer
Budget Amount:	\$40,000.00
YTD Amount:	\$0.00
Actual Cost:	\$40,000.00

### **ATTACHMENTS**

Position Description  
Key Duties and Responsibilities

### **VOTING REQUIREMENTS**

Simple Majority.

### **OFFICER'S RECOMMENDATION**

That it be recommended that Council ADOPTS the Chief Executive Officer Position Description and Key Duties and Responsibilities.

The following discussion ensued:

#### **Position Description**

- PD should include:
  - Vision
  - Openness
  - Accountability
  - Community consultation
  - People development
  - Employer of choice
  - Spirit of City
  - PD should line to the Strategic Plan.
- **1.1 - Objectives of Position:**

Link role with community sustainability.
- **2.1 – Requirements of the job:**

Mention to be made of sustainable community capacity building.

▪ **2.2 Skills, knowledge and experience:**

- Terminology is outdated;
- Section does not reflect key competencies;
- “Listening” and “empathy” to be included.
- Under “interpersonal skills”, the words “creative”, “imaginative” and “unique” were considered inappropriate. “Effective” was considered a more appropriate requirement for the position.

▪ **2.3 – Qualifications and/or training:**

- A basic qualification of under-graduate and/or high level of experience should be required.
- This section should be headed “Qualifications/experience”.

▪ **3 - Key Duties/Responsibilities:**

- This section is not expressed as outcomes and requires to be reworded.
- Under “Leadership:
  - 1<sup>st</sup> dot point to read “..*whole* community”.
  - 2<sup>nd</sup> dot point, the term “holistic approach” to be reworded.
  - 3<sup>rd</sup> dot point, the word “courageous” was queried.
- 1<sup>st</sup> dot point under “Management”, the advice provided to the Mayor and Councillors should be “ethically based”
- Under “interpersonal skills:
  - This section to include “quality of communication” and “commitment to personal growth and development”.
  - 3<sup>rd</sup> dot point to give consideration to partnerships with other Councils.

▪ **4 - Selection Criteria:**

- Needs to show ability and capacity to deal with elected members.
- Under “leadership”, PD should show commitment to sustainable community.

▪ **5 – Organisational relationships**

- 5.1 should read “*Accountable to the City of Joondalup Council*”.

▪ **5.3 – Internal and External Liaison:**

- Under “external liaison” include volunteer groups.

▪ **6 – Extent of Authority:**

Section needs to more clearly define the requirements of the Act.



▪ **Page 10 of PD:**

Rewording required to “provide advice”.

**Key duties and responsibilities.**

The following comments were raised:

- This form to be written in “outcome” language.
- Notation to be added that the key performance measures are to be objective and based on evidence.

**MOVED Cmr Fox SECONDED Cmr Anderson that the documentation be redrafted in accordance with the discussion raised by the Committee.**

**The Motion was Put and**

**CARRIED (4/0)**

Cmr Smith raised concern that the current committee name might give reason for the role and responsibility of the Committee to be misunderstood, and it was requested that a report be submitted to Council to rename the Committee to “Advisory Committee for the Selection of a Chief Executive Officer”.

**DATE OF NEXT MEETING**

To be advised.

**CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 2040 hrs; the following Commissioners being present at that time:

CMR J PATERSON  
CMR M ANDERSON  
CMR A FOX  
CMR S SMITH

# **CITY OF JOONDALUP**

## **MINUTES OF MEETING OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD IN WARD OFFICE 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 21 SEPTEMBER 2004**

### **ATTENDANCE**

CMR J PATERSON – Chairman

CMR P CLOUGH

CMR M ANDERSON

CMR A FOX

CMR S SMITH

*to 1832 hrs.*

### **Officers:**

Acting Chief Executive Officer:

C HIGHAM

Manager Audit and Executive Services:

K ROBINSON

Acting Manager Assets and Commissioning:

B BARTSH

Committee Clerk:

J HARRISON

The Chairman declared the meeting open at 1830 hrs.

### **Apologies:**

Nil

### **DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Mr Clayton Higham declared a financial interest in Tender Number 013-04/05 Consultancy Services to assist the recruitment and appointment process for a Chief Executive Officer, as he is currently Acting CEO.

Cmr Smith declared a conflict of interest in Item 1 - Tender Number 013-04/05 Consultancy Services to assist the recruitment and appointment process for a Chief Executive Officer as she has worked closely with one of the firms mentioned in the expressions of interest.

*Cmr Smith left the Room at this point, the time being 1832 hrs.*

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD ON 8 JULY 2004**

**MOVED** Cmr Anderson **SECONDED** Cmr Fox that the minutes of the meeting of the Selection Committee for a Chief Executive Officer held on 8 July 2004 be confirmed as a true and correct record.

**The Motion was Put and**

**CARRIED (4/0)**

### **ITEM 1      TENDER NUMBER 013-04/05 CONSULTANCY SERVICES TO ASSIST THE RECRUITMENT AND APPOINTMENT PROCESS FOR A CHIEF EXECUTIVE OFFICER – [88564]**

**WARD - All**

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## **PURPOSE**

To seek the approval of the CEO Selection Committee to choose the tender submitted by Beilby Corporation Pty Ltd for a lump sum price of \$22,000.00 excluding GST.

## **EXECUTIVE SUMMARY**

An Expression of Interest (EOI) (Number 004-04/05) requested, through statewide public advertisement on 24 July 2004 to assist in the selection process of a Chief Executive Officer EOI(s) closed on 10 August 2004.

Six submissions were received from:

- Beilby Corporation Pty Ltd;
- Westaff Consulting Group;
- Forstaff Group;
- Chandler Macleod Group;
- Tanner Menzies; and
- Hudson Global Resources (Aust) Pty Ltd.

It was recommended in relation to the EOI Number 004-04/05 for the Consultancy Service to Assist in the Recruitment Process of a Chief Executive Officer that the Acting Chief Executive Officer:

- 1      *LIST Beilby Corporation Pty Ltd; Westaff Consulting Group and Forstaff Group as acceptable tenderers; and*

- 2 INVITE the acceptable tenderers to submit a tender, to provide Consultancy Services to Assist in the Recruitment Process of a Chief Executive Officer.

The recommendation was accepted by the Acting Chief Executive Officer on 27<sup>th</sup> August 2004.

Three acceptable tenderers, Beilby Corporation Pty Ltd; Westaff Consulting Group; and Forstaff Group were invited on the 27<sup>th</sup> August 2004 through a closed tender process to submit a tender for a Consultancy Service to assist in the selection process of a Chief Executive Officer.

Tenders closed on Friday 10<sup>th</sup> September 2004. Three submissions were received from Beilby Corporation Pty Ltd; Westaff Consulting Group; and Forstaff Group.

It is recommended, in relation to Tender Number 013-04/05 for the Consultancy Service to Assist the Recruitment and Appointment Process for a Chief Executive Officer, that the CEO Selection Committee recommends that the Joint Commissioners:

- 1 *CHOOSE Beilby Corporation Pty Ltd as the successful tenderer for the Consultancy Service to Assist the Recruitment and Appointment Process for a Chief Executive Officer (Tender No. 013-04/05) for a lump sum price of \$22,00.00 excluding GST; and*
- 2 *AUTHORISE the Acting Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Beilby Corporation Pty Ltd in accordance with the tender submitted by Beilby Corporation Pty Ltd, subject to variations that may be agreed between the CEO and Beilby Corporation Pty Ltd.*

## **BACKGROUND**

A CEO Selection Committee has been appointed comprising the City's Joint Commissioners to facilitate the process.

The City has taken steps to ensure that the process involved to appoint a new Chief Executive Officer is in line with best practice standards and in a manner that complies with local government legislation.

The CEO Selection Committee determined that a recruitment consultant should be appointed to assist the recruitment and selection of a new Chief Executive Officer.

Following an Expression of Interest (EOI Number 004-04/05), a Request for Tender (RFT) process was undertaken with three tenderers, being Beilby Corporation, Westaff Consulting Group and Forstaff Group on the 27<sup>th</sup> of August 2004 with a closing date of 10<sup>th</sup> September 2004 (Tender number 013-04/05).

The specification for the Request for Tender was as follows:

## **Scope**

The Scope of the contract is for the recruitment and selection of a new Chief Executive Officer. A Committee has been appointed comprising the City's Joint Commissioners to facilitate the process.

The process to appoint a new Chief Executive Officer will be in line with best practice standards and comply with all relevant legislation including the Local Government Act 1995.

## **City's Responsibilities**

The City is undertaking the majority of the scoping for the Chief Executive Officer's role, position description, and remuneration package and employment contract.

## **Consultant's Responsibilities**

Prior to commencement of the services, the Consultant will be required to liaise with the Principal to obtain the position description, key performance indicators, remuneration package details and draft employment contract. The Consultant shall also liaise with the City on:

- Application of the methodology;
- Delivery of agreed methodology in a timely manner; and
- Establishment of deliverables and protocols.

The Consultant will act in the capacity of adviser to the Committee and provide recruitment expertise on an as-needs basis. This is likely to include the requirement to make presentations to the Committee on the shortlisting process and the shortlisted candidates, as well as attendance at Council meetings where a decision of Council relates to the Consultant's work.

The Committee will conduct the interviews, with the appointment of the successful candidate for the Chief Executive Officer position subject to a resolution of Council.

## **DETAILS**

The first part of the tender assessment was the Conformance Audit Meeting. The purpose of this meeting was to ensure that the tenders submitted have met all essential requirements. Tenders not meeting criteria considered essential are deemed to be non-conforming and are eliminated from consideration. Additionally, other criteria that is not mandatory is assessed and if not met the City may eliminate the tender from consideration. The extent of non-compliance in this section would determine if the tender was further considered.

All tenders were deemed conforming and under the City's Contract Management Framework, the tenders were assessed by the Evaluation Panel using a weighted multi-criterion assessment system and AS 4120-1994 'Code of tendering'.

The second part of the evaluation process involved an independent assessment by each team member of the qualitative criteria. Each member of the Evaluation Panel assessed the Tender submissions individually against the selection criteria. The Evaluation Panel then convened to submit and discuss their assessments. Tenderer interviews were also conducted with all three tenderers in order to clarify any questions relating to the respective submissions.

The Selection Criteria for Tender number 013-04/05 was as follows:

**Performance and Experience of Tenderer in completing similar projects:**

- Relevant Industry Experience, including details of similar services undertaken. Tenderers shall submit a Detailed Schedule of Previous Experience on similar and/or relevant projects. Details of previous projects should include:
- Past examples of recruitment of CEO positions in local government and/or other CEO positions in the public or private sector.
- Past Record of Performance and Achievement with a local government or large public or private sector organisation.
- Written References from past and present clients

**Levels of Service as determined by the Capability/Competence of Tenderer to perform the work required:**

- Qualifications, Skills and Experience of Key Personnel
- Details of personnel to perform the Consultancy
- Equipment and Staff Resources available

**Beneficial Effects of RFT / Local Content:**

- The Potential Social and Economic Effect of the RFT on the City of Joondalup community
- The Potential Social and Economic Effect of the RFT on the West Australian community
- Value Added items offered by Tenderer.

**Methodology**

Tenderers should:

- Detail recruitment procedures and process for the selection of personnel, including estimation of number of hours work for each stage.
- Where psychological and/or psychometric testing is proposed, advise which type will be used
- Detail processes for the verification of applicants
- Debriefing procedures and processes

**Quoted Price/s:**

- The Lump Sum Price to Supply the services;
- Discounts, settlement terms

**Statutory Provision:**

The closed tender was opened and evaluated in accordance with the *Local Government (F&G) Regulation 1996*.

**Financial Implications:**

Account No:	1.1110.4201.0001.F823
Budget Item:	Recruitment of the Chief Executive Officer
Budget Amount:	\$40,000.00
YTD Amount:	\$0.00
Actual Cost:	\$40,000.00

**COMMENT**

The successful Respondent will be required to enter into a Confidentiality Deed of Agreement and Contract with the City, both of which formed part of the Request for Tender Document.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cmr Anderson SECONDED Cmr Clough that the CEO Selection Committee RECOMMENDS that the Joint Commissioners:**

- 1 CHOOSE Beilby Corporation Pty Ltd as the successful tenderer for the Consultancy Service to Assist the Recruitment and Appointment Process for a Chief Executive Officer (Tender No. 013-04/05) for a lump sum price of \$22,000.00 excluding GST; and**

- 2 AUTHORISE the Acting Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Beilby Corporation Pty Ltd in accordance with the tender submitted by Beilby Corporation Pty Ltd, subject to variations that may be agreed between the CEO and Beilby Corporation Pty Ltd.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (4/0)**

#### **DATE OF NEXT MEETING**

To be advised.

#### **CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 1842 hrs; the following Commissioners being present at that time:

CMR J PATERSON  
CMR P CLOUGH  
CMR M ANDERSON  
CMR A FOX



# **CITY OF JOONDALUP**

## **MINUTES OF MEETING OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON THURSDAY 14 OCTOBER 2004**

### **ATTENDANCE**

CMR J PATERSON – Chairman  
CMR P CLOUGH  
CMR M ANDERSON  
CMR S SMITH

### **Officers:**

Acting Chief Executive Officer:	C HIGHAM
Manager Audit and Executive Services:	K ROBINSON
Committee Clerk:	L TAYLOR

The Chairman declared the meeting open at 1002 hrs.

### **Apologies:**

Cmr Fox

### **In Attendance**

Mr Mark Nicholas, Consultant      Beilby Corporation Pty Ltd

There were 0 members of the Public and 0 members of the Press in attendance.

### **DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Acting CEO, Mr Clayton Higham declared a financial interest in Item 1 – CEO Recruitment and Appointment Process – CEO Profiling, as the commencement of new CEO will impact on his current benefits as Acting CEO.

Cmr Paterson declared an interest that may affect his impartiality in Item 1 – CEO Recruitment and Appointment Process – CEO Profiling as he is Chairman of the CBD Enhancement Project Steering Committee.

Cmr Anderson declared an interest that may affect his impartiality in Item 1 – CEO Recruitment and Appointment Process – CEO Profiling, as he is Chairman of the Sustainability Advisory Committee.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD ON 21 SEPTEMBER 2004**

**MOVED** Cmr Smith, **SECONDED** Cmr Anderson that the minutes of the meeting of the Selection Committee for a Chief Executive Officer held on 21 September 2004 be confirmed as a true and correct record.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (4/0)**

## **ITEM 1      CEO RECRUITMENT AND APPOINTMENT PROCESS - CEO PROFILING - [20006]**

**WARD - All**

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### **PURPOSE**

To nominate community representatives to assist with profiling of the Chief Executive Officer (CEO) role.

### **EXECUTIVE SUMMARY**

At a Special Council meeting held on 5 October 2004, the Joint Commissioners resolved, interalia:

- 2      Instruct Beilby Recruitment to undertake profiling of the CEO role with senior staff, Commissioners *and community representatives as nominated* by the CEO Selection Committee;

That the Joint Commissioners DELEGATE authority to the CEO Selection committee to nominate the community representatives to assist with profiling of the CEO role.

It is recommended that the CEO Selection Committee:

NOTE that Beilby Recruitment will undertake profiling of the CEO role with all Commissioners, the Acting CEO, Director Corporate Services & Resource Management and Director Infrastructure & Operations;

NOMINATE the Chairpersons of the following committees as Community representatives to assist with profiling of the CEO role:

- Kate Masseen - Joondalup Youth Advisory Council
- Marilynn Horgan - Sustainability Advisory Committee
- Mike Norman - Conservation Advisory Committee
- Kevan Rowe - Seniors Interest Advisory Committee

NOMINATE the Deputy Chairperson of the CBD Enhancement Project Steering Committee, David Curry, as a community representative to assist with profiling of the CEO role.

## **DETAILS**

In determining how best to select the community representatives to assist with profiling the CEO role, consideration was given to ensuring a cross-representation that reflected the diversity of interests within the City.

It is recommended that the community representatives comprise the Chairpersons of the following Committees:

- CBD Enhancement Project Steering Committee
- Joondalup Youth Advisory Council
- Sustainability Advisory Committee
- Conservation Advisory Committee
- Seniors Interest Advisory Committee

In the case of the CBD Enhancement Project Steering Committee, as the Chairperson is the Chairman of Commissioners, the Deputy Chairperson is nominated.

These committees align with the Key Focus Areas in the City's Strategic Plan 2003-2008, being:

Community Wellbeing – Youth Affairs and Seniors Interest Advisory Committees  
Caring for the Environment – Sustainability and Conservation Advisory Committees  
City Development – CBD Enhancement Project Steering Committee

It is recognised that there may be a number of alternative methods for selection of the community representatives. However this is considered to be a reasonable way of ensuring cross-representative community input into the profiling of the CEO position given the large number of interest groups involved with the City.

These committees include a number of community members and play an active and important part in the strategic direction of the City. The suggested community representatives will also have some understanding of local government processes and the role of the CEO and Administration through their interaction with the City as committee members.

**Financial Implications:**

Account No:	1.1110.4201.0001.F823
Budget Item:	Recruitment of the Chief Executive Officer
Budget Amount:	\$40,000.00
YTD Amount:	\$0.00
Actual Cost:	\$40,000.00

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cmr Smith, SECONDED Cmr Clough that the CEO Selection Committee RECOMMENDS the Joint Commissioners:**

- 1 NOTE that Beilby Recruitment will undertake profiling of the CEO role with all Commissioners, the Acting CEO, Director Corporate Services & Resource Management and Director Infrastructure & Operations;**
- 2 NOMINATE the Chairpersons of the following committees as Community representatives to assist with profiling of the CEO role:**
  - Kate Maseen - Joondalup Youth Advisory Council**
  - Marilynn Horgan - Sustainability Advisory Committee**
  - Mike Norman - Conservation Advisory Committee**
  - Kevan Rowe - Seniors Interest Advisory Committee**
- 3 NOMINATE the Deputy Chairperson of the CBD Enhancement Project Steering Committee, David Curry, as a community representative to assist with profiling of the CEO role.**

Cmr Smith emphasised it was important those members of the various Committees nominated to assist with the profiling of the CEO role had a clear understanding that they are to provide comments in their own right, not to be seeking comments from the membership of the committee as a whole. Should one of the nominees be unavailable for any reason, that person had no power to provide a replacement.

Cmr Anderson queried the availability of those persons listed and queried whether any contact had been made to gauge their availability. It was advised that the Administration had yet to make contact to ascertain availability or otherwise.

In the event that all nominated members may not be available, other strategies/options would be considered.

Acting CEO advised he had received a telephone call from Mr David Davies inquiring as to whether he was able to put his name as a community representative to be involved in the profiling process. Cmr Smith suggested a letter be sent to Mr Davies thanking him for his interest, and pointing out that the City has not called for public nominations.

Mr Mark Nicholas of Beilby Recruiting Pty Ltd gave an overview to Commissioners of the process involved in the profiling of candidates for the position of CEO at the City. Candidates would be chosen based on selection criteria. The week following the close of advertising, the Selection Committee would be briefed by the recruitment agency as to how many applications had been received and who those persons were. Cmr Smith reiterated earlier comments that this process needed to be an objective assessment.

It was requested that Commissioners be provided with a list of all candidates at the same time as receiving the “long/short” list of candidates.

A number of questions were raised by Commissioners in relation to the methods used to ascertain a person’s suitability to the position, experience, reference checking and qualification verification; as well as membership to professional bodies.

A/CEO advised the letter forming part of the package to applicants made reference to the fact that all applicants would be thoroughly scrutinised in relation to qualifications and experience.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (4/0)**

#### **DATE OF NEXT MEETING**

To be advised.

#### **CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 1045 hrs; the following Commissioners being present at that time:

CMR J PATERSON  
CMR P CLOUGH  
CMR M ANDERSON  
CMR S SMITH

# **CITY OF JOONDALUP**

## **MINUTES OF MEETING OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD ON:**

- **WEDNESDAY 1 DECEMBER 2004** at the offices of Beilby Corporation Pty Ltd, 2 Brook Street, East Perth;
- **TUESDAY 7 DECEMBER 2004** in Conference Room 3, Joondalup Civic Centre, Boas Avenue, Joondalup;
- **TUESDAY 21 DECEMBER 2004, THURSDAY 6 JANUARY 2005, FRIDAY 7 JANUARY 2005, and MONDAY 17 JANUARY 2005** at the offices of Beilby Corporation Pty Ltd, 2 Brook Street, East Perth;
- **FRIDAY 21 JANUARY, 2005** in Conference Room 2, Joondalup Civic Centre, Boas Avenue, Joondalup.

## **ATTENDANCE**

CMR J PATERSON – Chairman  
CMR P CLOUGH  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX

## **Officers:**

Committee Clerk: J HARRISON to 1058 hrs

The Chairman declared the meeting open at 1050 hrs.

## In Attendance

Mr Peter Casey Beilby Corporation Pty Ltd

## **Apologies:**

Nil

There were no members of the Public or Press in attendance.

## **PUBLIC QUESTION TIME**

Nil.

## **DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Cmr Smith advised that she had met one of the Candidates at another local government authority, however she would deal impartially with the matter.

Cmr Clough advised that he had in recent times had contact with one of the Candidates in relation to other matters, however he would deal impartially with the matter.

Cmr Paterson advised that he knows one of the Candidates, however he would deal impartially with the matter.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE SELECTION COMMITTEE FOR A CHIEF EXECUTIVE OFFICER HELD ON 14 OCTOBER 2004**

**MOVED Cmr Clough SECONDED Cmr Smith that the minutes of the meeting of the Selection Committee for a Chief Executive Officer held on 14 October 2004 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

### **MOTION TO GO BEHIND CLOSED DOORS - [02154] [08122]**

**MOVED Cmr Smith SECONDED Cmr Anderson that in accordance with clause 5.6 of the City's Standing Orders Local Law and Section 5.23 of the Local Government Act 1995, the meeting be held BEHIND CLOSED DOORS to enable interviews of the shortlisted applicants to be conducted for the vacant position of Chief Executive Officer for the City of Joondalup.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

### **SUSPENSION OF STANDING ORDERS**

**MOVED Cmr Smith, SECONDED Cmr Clough that so much of Standing Orders that apply to formal meetings be SUSPENDED to allow the Commissioners to debate freely on the issue.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

The Committee Clerk left the Meeting at this point, the time being 1058 hrs.

## **ITEM OF BUSINESS**

The Selection Committee conducted interviews of the three (3) shortlisted applicants for the vacant position of Chief Executive Officer for the City of Joondalup.

## **MEETING TO GO TO OPEN DOORS**

**MOVED Cmr Fox SECONDED Cmr Anderson that the meeting be now held with OPEN DOORS, the time being 1730 hrs.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

## **ADJOURNMENT OF MEETING**

**MOVED Cmr Smith SECONDED Cmr Clough that the meeting be ADJOURNED to a date to be set by the Chairman to allow time for further information to be provided by the Acting Chief Executive Officer and Beilby Corporation Pty Ltd on the next stage of the recruitment process.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

**The Meeting ADJOURNED at 1731 hrs on Wednesday 1 December 2004.**

## **RESUMPTION OF MEETING**

The Chairman declared the Meeting of the Selection Committee for a Chief Executive Officer that commenced on Wednesday 1 December 2004 **RESUMED** at 1704 hrs on Tuesday, 7 December 2004 the following persons being present:

## **ATTENDANCES**

CMR J PATERSON – Chairman  
CMR P CLOUGH *from 1724 hrs*  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX *from 1712 hrs*

## **Officers:**

Acting Chief Executive Officer:	C HIGHAM
Manager, Audit and Executive Services:	K ROBINSON
Minute Clerk:	L TAYLOR



In Attendance:

Ms Maria Saraceni	Jackson McDonald, Lawyers
Ms Joanne Alilovic	Jackson McDonald, Lawyers
Mr Peter Casey	Beilby Corporation Pty Ltd
Mr Mark Nicholas	Beilby Corporation Pty Ltd

**Apology:**

Apology for late attendance: Cmr Clough

There were no members of the Public or Press in attendance.

Cmr Paterson indicated that should this meeting still be in progress at 6.30 pm, it will be necessary to adjourn to another day to be determined, as a Briefing Session was scheduled to commence at such time.

**MOTION TO GO BEHIND CLOSED DOORS - [02154] [08122]**

**MOVED Cmr Smith SECONDED Cmr Anderson that in accordance with clause 5.6 of the City's Standing Orders Local Law and Section 5.23(e)(iii) of the Local Government Act 1995, the meeting be held BEHIND CLOSED DOORS.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (3/0)**

**DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Cmr Smith advised that she had met one of the Candidates at another local government authority, however she would deal impartially with the matter.

Discussion ensued in relation to an Executive Search being undertaken and the appropriateness of this being extended to the eastern states.

*Cmr Fox entered the Room at 1712 hrs.*

Mr Casey of Beilby Corporation Pty Ltd gave an overview of the processes that would be put in place to undertake such a search.

*Cmr Clough entered the Room at 1724 hrs.*

A number of questions were raised by Commissioners with respect to the vehicle component of the salary package. Discussion took place as to whether the vehicle aspect of the package should be included as part of the cash component, or whether a novated lease should be considered.

Advice in relation to these issues was provided by a representative of Jackson McDonald, Lawyers.

**MOVED Cmr Smith, SECONDED Cmr Fox that:**

- 1 in accordance with the Consultancy Agreement with Beilby Corporation Pty Ltd dated 5 October 2004 the selection process be extended to include an Executive Search with the same selection criteria, salary and conditions;**
- 2 the Acting Chief Executive Officer liaise with Beilby Corporation on this matter and report back to the Committee on the results;**
- 3 the short-listed applicants be advised of this accordingly;**
- 4 the reasons for this decision are those in the confidential memorandum attached hereto within the Committee Minute Book – Appendix 1 refers.**

**AMENDMENT MOVED Cmr Clough, SECONDED Cmr Anderson that the following words be added at the end of Point 2 of the Motion as follows:**

***“.....and an interim report be provided to the Committee by 21 December 2004;”***

**The Amendment was Put and**

**CARRIED UNANIMOUSLY (5/0)**

**The Original Motion, as amended, being:**

**That:**

- 1 in accordance with the Consultancy Agreement with Beilby Corporation Pty Ltd dated 5 October 2004 the selection process be extended to include an Executive Search with the same selection criteria, salary and conditions;**
- 2 the Acting Chief Executive Officer liaise with Beilby Corporation on this matter and report back to the Committee on the results and an interim report be provided to the Committee by 21 December 2004”;**
- 3 the short-listed applicants be advised of this accordingly;**

- 4 the reasons for this decision are those in the confidential memorandum attached hereto within the Committee Minute Book – Appendix 1 refers.**

**was Put and**

**CARRIED UNANIMOUSLY (5/0)**

### **ADJOURNMENT OF MEETING**

**MOVED Cmr Clough, SECONDED Cmr Anderson that the meeting be ADJOURNED to 21 December 2004 to allow further information to be provided by Beilby Corporation Pty Ltd in relation to the Executive Search to be undertaken.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

**The Meeting ADJOURNED at 1825 hrs on Tuesday, 7 December 2004.**

### **RESUMPTION OF MEETING**

The Chairman declared the Meeting of the Selection Committee for a Chief Executive Officer that **ADJOURNED** on Tuesday 7 December 2004 **RESUMED BEHIND CLOSED DOORS** at 1815 hrs on Tuesday, 21 December 2004 the following persons being present:

### **ATTENDANCES**

CMR J PATERSON – Chairman  
CMR P CLOUGH  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX

### **Officers:**

Acting Chief Executive Officer: C HIGHAM  
Committee Clerk: J HARRISON

### **In Attendance:**

Mr Peter Casey	Beilby Corporation Pty Ltd
Mr Mark Nicholas	Beilby Corporation Pty Ltd

### **Apology:**

Nil

There were no members of the Public or Press in attendance.

Mr Peter Casey and Mr Mark Nicholas provided a report to the Committee on the process undertaken by Beilby for the executive search and the outcomes to date. Mr Casey advised that in excess of 40 contacts had been made with prospective candidates and further contacts are being made on a daily basis. The Committee raised a number of questions. It was agreed that the Committee Meeting adjourn to enable Beilby to continue with the executive search and submit a report back to the Committee on 6 January 2005.

### **ADJOURNMENT OF MEETING**

**MOVED Cmr Anderson, SECONDED Cmr Clough that the meeting be ADJOURNED to 6 January 2005.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

**The Meeting ADJOURNED at 1850 hrs on Tuesday, 21 December 2004.**

### **RESUMPTION OF MEETING**

The Chairman declared the Meeting of the Selection Committee for a Chief Executive Officer that **ADJOURNED** on Tuesday 21 December 2004 **RESUMED BEHIND CLOSED DOORS** at 0815 hrs on Thursday, 6 January 2005 the following persons being present:

### **ATTENDANCES**

CMR J PATERSON – Chairman  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX

### **Officers:**

Acting Chief Executive Officer: C HIGHAM  
Minute Clerk: L TAYLOR

### **In Attendance:**

Mr Mark Nicholas                      Beilby Corporation Pty Ltd

**Apology:**

Cmr P Clough

There were no members of the Public or Press in attendance.

**DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Cmr Paterson advised that one of the candidates is known to him, however he would deal impartially with the matter.

Acting Chief Executive Officer, Mr Clayton Higham, declared a financial interest, and advised that one of the Candidates is personally known to him.

Mr Mark Nicholas provided documentation and gave an overview of the outcomes of the recent executive search undertaken and the steps to be progressed in relation to the interview process. A number of questions were raised by Commissioners.

**MOVED Cmr Anderson, SECONDED Cmr Smith that Beilby Corporation Pty Ltd be REQUESTED to arrange an interview as soon as practical with their recommended candidate.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (4/0)**

**ADJOURNMENT OF MEETING**

**MOVED Cmr Anderson, SECONDED Cmr Fox that the meeting be ADJOURNED to Friday, 7 January 2005 at 8.00 am or an appropriate time to be decided by the Chairman.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (4/0)**

**The Meeting ADJOURNED at 0845 hrs on Thursday, 6 January 2005.**

### **RESUMPTION OF MEETING**

The Chairman declared the Meeting of the Selection Committee for a Chief Executive Officer that **ADJOURNED** on Thursday, 6 January 2005 **RESUMED BEHIND CLOSED DOORS** at 0805 hrs on Friday, 7 January 2005 the following persons being present:

### **ATTENDANCES**

CMR J PATERSON – Chairman  
CMR P CLOUGH  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX

### **Officers:**

Acting Chief Executive Officer: C HIGHAM *from 1035 hrs*

### **In Attendance:**

Mr Mark Nicholas Beilby Corporation Pty Ltd

There were no members of the Public or Press in attendance.

### **DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Cmr Paterson advised that one of the candidates is known to him, however he would deal impartially with the matter.

Cmr Smith advised that she is a local government consultant and member of LGMA, however she would deal impartially with the matter.

Acting Chief Executive Officer, Mr Clayton Higham, declared a financial interest, and advised that one of the Candidates is personally known to him.

### **SUSPENSION OF STANDING ORDERS**

**MOVED** Cmr Anderson, **SECONDED** Cmr Fox that Standing Orders be **SUSPENDED** to allow an interview to be conducted.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

Discussion ensued, facilitated by Mr Mark Nicholas of Beilby Corporation Pty Ltd.

**MOVED Cmr Clough, SECONDED Cmr Fox that following the conclusion of the processes to this stage, the candidate interviewed at this meeting is the preferred candidate.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Acting Chief Executive Officer entered the Room at 1035 hrs.*

Acting Chief Executive Officer, Mr Clayton Higham, declared a financial interest, and advised that one of the candidates is personally known to him.

Discussion ensued in relation to the sequence of processes required to fill the position, which were itemised by the Acting Chief Executive Officer as follows:

- Psychometric testing results to be provided to Commissioners for feedback to Beilby's;
- Second interview;
- Decision on whether to proceed with negotiations with this candidate as the preferred candidate;
- Draft contract to be approved by Commissioners;
- Draft contract to be submitted to preferred candidate;
- Contract negotiations if required;
- Committee to meet to make formal recommendations to Council;
- Special Council meeting for decision on the contract and appointment.

Acting Chief Executive Officer further advised that a draft contract would be distributed to Commissioners shortly.

#### **ADJOURNMENT OF MEETING**

**MOVED Cmr Anderson, SECONDED Cmr Fox that the meeting be ADJOURNED pending further information and to be reconvened at a date to be set by the Chairman.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

**The Meeting ADJOURNED at 1045 hrs on Friday, 7 January 2005.**

### **RESUMPTION OF MEETING**

The Chairman declared the Meeting of the Selection Committee for a Chief Executive Officer that **ADJOURNED** on Friday, 7 January 2005 **RESUMED BEHIND CLOSED DOORS** at 0805 hrs on **Monday 17 January 2005** the following persons being present:

### **ATTENDANCES**

CMR J PATERSON – Chairman  
CMR P CLOUGH *to 0840 hrs*  
CMR M ANDERSON  
CMR A FOX

### **Officers:**

Acting Chief Executive Officer: C HIGHAM *from 0915 hrs*  
Manager Audit and Executive Services: K ROBINSON *from 0915 hrs*

### **In Attendance:**

Ms Maria Saraceni Jackson McDonald, Lawyers *from 0915 hrs to 1115 hrs*  
Ms Joanne Alilovic Jackson McDonald, Lawyers *from 0915 hrs to 1115 hrs*

### **Apology:**

Cmr S Smith

There were no members of the Public or Press in attendance.

### **DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Nil

The Selection Committee conducted a second interview of the preferred candidate for the vacant position of Chief Executive Officer for the City of Joondalup.

*Cmr Clough left the Room at 0840 hrs.*

**MOVED** Cmr Anderson, **SECONDED** Cmr Fox that, following the second interview, the Selection Committee **AGREE** that the candidate interviewed at this meeting is the preferred candidate.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (3/0)**



*The following persons entered the Room at 0915 hrs:*

*Acting Chief Executive Officer;  
Manager Audit and Executive Services;  
Ms Maria Saraceni; and  
Ms Joanne Alilovic.*

Discussion ensued in relation to the draft contract.

*Ms Maria Saraceni, and Ms Joanne Alilovic left the Room at 1115 hrs.*

Discussion ensued in relation to KPIs.

### **RESUMPTION OF STANDING ORDERS**

**MOVED** Cmr Fox, **SECONDED** Cmr Anderson that Standing Orders be **RESUMED**.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (3/0)**

**The Meeting ADJOURNED at 1130 hrs on Monday 17 January 2005.**

### **RESUMPTION OF MEETING**

The Chairman declared the Meeting of the Selection Committee for a Chief Executive Officer that **ADJOURNED** on Monday, 17 January 2005 **RESUMED BEHIND CLOSED DOORS** at 1304 hrs on **Friday 21 January 2005** the following persons being present:

### **ATTENDANCES**

CMR J PATERSON – Chairman  
CMR M ANDERSON  
CMR A FOX

### **Officers:**

Acting Chief Executive Officer:	C HIGHAM
Manager Audit and Executive Services:	K ROBINSON
Committee Clerk:	J HARRISON

### **In Attendance:**

Mr Peter Casey	Beilby Corporation Pty Ltd
Mr Mark Nicholas	Beilby Corporation Pty Ltd

**Apologies:**

Cmrs Clough and Smith

There were no members of the Public or Press in attendance.

**DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY**

Acting Chief Executive Officer, Mr Clayton Higham, declared a financial interest in Item 1 – CEO Recruitment and Appointment, as this matter may affect his employment and also he has been involved in the preparation of the report.

Manager Audit and Executive Services, Mr Kevin Robinson, declared a financial interest in Item 1 – CEO Recruitment and Appointment, as this matter may affect his employment and also he has been involved in the preparation of the report.

**ITEM 1 CEO RECRUITMENT AND APPOINTMENT – [20006]**

**WARD - All**

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**PURPOSE**

To provide details of the process undertaken to recruit a new Chief Executive Officer and recommend an appointment.

**EXECUTIVE SUMMARY**

On 8 June 2004, the Council established a CEO Selection Committee comprising the Joint Commissioners to undertake the recruitment and selection of a new Chief Executive Officer (CJ133-06/04 refers).

Beilby Corporation Pty Ltd (Beilby's) was subsequently appointed by Council to assist in the selection process for a new Chief Executive Officer on 21 September 2004 (C61-09/04 refers).

A position description, suggested remuneration package and advertising process were developed through Beilby's in consultation with the CEO Selection Committee. These matters were determined at a Special Meeting of Council on 5 October 2004 (JSC22-10/04 refers).

The Chief Executive Officer position was advertised via the Australian Financial Review and The West Australian newspapers, the Australian Local Government Job Directory and various websites from 8 October 2004. Following closing of applications on 29 October 2004, additional candidates were invited to submit applications through an executive search process.

A number of candidates were shortlisted for interview and undertook psychometric testing. A copy of the report by Beilby's summarising the attributes of preferred candidate is attached as a confidential item together with the proposed contract of employment.

It is recommended that the Joint Commissioners:

- 1 *APPOINT Candidate C as detailed in the confidential report from Beilby's to the position of Chief Executive Officer of the City of Joondalup on a performance based contract for a maximum period of 5 years on a commencing total annual remuneration package of \$231,900;*
- 2 *ENDORSE the employment contract for the Chief Executive Officer prepared by Jackson McDonald Solicitors at Attachment 2; and*
- 3 *AUTHORISE the Chairman of Commissioners and Acting Chief Executive Officer to prepare and execute the necessary documents to give effect to this appointment.*

## **BACKGROUND**

At the Council meeting of 8 June 2004, the Joint Commissioners resolved to:

- 1 *ESTABLISH a Selection Committee for the recruitment and selection of a new Chief Executive Officer comprising:*  
*Commissioner J Paterson*  
*Commissioner M Anderson*  
*Commissioner P Clough*  
*Commissioner S Smith*  
*Commissioner A Fox*
- 2 *SET a quorum of 3 members.*

(CJ133-06/04 refers)

A tender process was then undertaken for the appointment of a recruitment consultant to assist the CEO Selection Committee. At the Council meeting of 21 September 2004, the Joint Commissioners resolved to:

- 1 *CHOOSE Beilby Corporation Pty Ltd as the successful tenderer for the Consultancy Service to Assist the Recruitment and Appointment Process for a Chief Executive Officer (Tender No. 013-04/05) for a lump sum price of \$22,00.00 excluding GST; and*

- 2 *AUTHORISE the Acting Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Beilby Corporation Pty Ltd in accordance with the tender submitted by Beilby Corporation Pty Ltd, subject to variations that may be agreed between the CEO and Beilby Corporation Pty Ltd.*

(C61-09/04 refers)

A contract and confidentiality deed was entered into and a meeting held between the CEO Selection Committee and Beilby Corporation (Beilby's) to provide a briefing on the immediate services required.

## DETAILS

The CEO Selection Committee met with Beilby's in order for a position description, suggested remuneration package and advertising process to be developed. Various documents were also provided to Beilby's to assist the development.

A finalised position description, remuneration package and advertising process were presented at a Special Meeting of Council on 5 October 2004. The Joint Commissioners resolved inter alia, to endorse the position description, subject to a number of changes, which were then incorporated.

The Joint Commissioners also resolved to:

- 1 *INSTRUCT Beilby Recruitment to undertake profiling of the CEO role with senior staff, Commissioners and community representatives as nominated by the CEO Selection Committee;*
- 2 *DELEGATE authority to the CEO Selection committee to nominate the community representatives to assist with profiling of the CEO role.*
- 3 *APPROVE the remuneration package for the chief executive officer position being set at between \$210,000 - \$235,000 (total package) with the salary component being between \$190,000 to \$210,000.*
- 4 *DELEGATE to the Acting Chief Executive Officer in consultation with all Commissioners the advertising process including finalising the advertisement with regards to the Chief Executive Officer position.*

(JSC22-10/04 refers)

The City of Joondalup's Chief Executive Officer position was advertised via newspaper on Friday, 8 October 2004 (Australian Financial Review) and Saturday 9 October 2004 (The West Australian) as well as the Australian Local Government Job Directory. In addition the position was advertised on the Seek Executive, Beilby Employment Network, CareerOne and Local Government Network web sites. Following close of applications on 29 October 2004 and subsequent to an initial assessment process an executive search process was also undertaken to ensure the greatest range of candidates.

A number of candidates were shortlisted for interview and undertook psychometric testing. The interviews were conducted by the CEO Selection Committee, together with Beilby's representative. The highest ranked candidate overall was Candidate C. A copy of the final selection report describing the overall process and summarizing the respective attributes of the highest ranked candidate is attached as a confidential report.

The City commissioned Jackson McDonald Solicitors to develop an employment contract for the Chief Executive Officer position, which is also attached as a confidential document.

### **Statutory Provision:**

The recruitment and appointment process has been undertaken in accordance with Part 5 Division 4 of the Local Government Act 1995.

### **ATTACHMENTS**

Attachment 1 - Beilby Corporation Final Selection Report - confidential  
Attachment 2 - Employment contract - confidential

### **VOTING REQUIREMENTS**

Simple Majority.

Cmr Paterson advised the Committee that he had spoken to the absent Commissioners, Cmr Smith and Cmr Clough, who both advised that they strongly support the process and the recommendation in the report to appoint Candidate C.

Following a query from Cmr Paterson, the Manager Audit and Executive Services advised that the minutes of the Selection Committee will be submitted to the next meeting of Council.

**MOVED Cmr Anderson SECONDED Cmr Fox that the Selection Committee RECOMMEND that the Joint Commissioners:**

- 1 APPOINT Candidate C to the position of Chief Executive Officer of the City of Joondalup on a performance based contract for a maximum period of five years on a commencing total annual remuneration package of \$231,900;**
- 2 ENDORSE the employment contract for the Chief Executive Officer prepared by Jackson McDonald Solicitors ; and**
- 3 AUTHORISE the Chairman of Commissioners and Acting Chief Executive Officer to prepare and execute the necessary documents to give effect to this appointment.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (3/0)**

**MOTION TO GO TO OPEN DOORS**

**MOVED Cmr Fox, SECONDED Cmr Anderson that the meeting be now held with open doors, the time being 1322 hrs.**

**The Motion was Put and**

**CARRIED (3/0)**

No members of the public or press were present at this point.

In accordance with the City's Standing Orders Local Law, the Chairman read the motion of Item 1 – CEO Recruitment and Appointment.

**CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 1324 hrs; the following Commissioners being present at that time:

CMR J PATERSON  
CMR M ANDERSON  
CMR A FOX

## **APPENDIX 1**

### **CONFIDENTIAL MEMORANDUM**

In relation to Point 4 of the Motion of the CEO Selection Committee meeting which resumed on 7 December 2004, the following reasons were given:

“After the advertising and interview processes, the Committee wishes to be in a position to compare these applicants with a larger field of applicants before making a recommendation to Council.”