



## **MINUTES**

### **CEO REVIEW COMMITTEE MEETING**

**15<sup>th</sup> December 2021  
Commencing at 2:30pm**

**Council Chambers  
28 Yougenup Road, Gnowangerup WA 6335**

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SHIRE OF GNOWANGERUP

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**NOTICE OF COMMITTEE MEETING OF COUNCIL**

Dear Committee Member

A meeting of the CEO REVIEW COMMITTEE of the Shire of Gnowangerup will be held on Wednesday 15<sup>th</sup> December 2021, at the Council Chambers 28 Yougenup Road Gnowangerup, commencing at 2:30pm.

Signed:  \_\_\_\_\_

**Bob Jarvis**  
**CHIEF EXECUTIVE OFFICER**



## **CEO REVIEW COMMITTEE**

### **TERMS OF REFERENCE**

#### **Purpose**

The CEO Review Committee (Committee) is responsible for making recommendations to Council on Chief Executive Officer (CEO) appointments, contract reviews/renewals, performance and remuneration reviews and assessments.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have a delegated power from Council. The Committee does not have any management functions and cannot involved itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference in order to facilitate informed decision making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

#### **Objectives**

The primary objectives of the Committee are to make recommendations to Council on CEO appointments, contract reviews/renewals, performance and remuneration reviews and assessments.

Reports from the Committee will assist Council in discharging its legislative responsibilities of governing the Shire's affairs.

#### **Duties and Responsibilities**

The duties and responsibilities of the Committee members will be to:

1. Make recommendations to Council on CEO performance reviews and assessments;
2. Review and recommend annual goals and targets for the CEO against key performance indicators to Council for consideration.
3. Make recommendations to Council on CEO remuneration reviews and assessments.
4. Make recommendations to Council on CEO appointments.
5. Make recommendations to Council on CEO contract reviews and/or renewals.

## Membership

The Committee will consist of all elected members of Council. All members shall have full voting rights.

The CEO and employees are not members of the committee.

The CEO and senior staff, with the approval of the Presiding Member and CEO, may be called to attend meetings to provide advice and guidance to the Committee.

The Executive Assistant will provide administrative support to the Committee by preparing agendas and minutes, and organising meetings.

The Presiding Member and Deputy Presiding Member must be elected in accordance with section 5.12 and Schedule 2.3 of the Act.

## Meetings

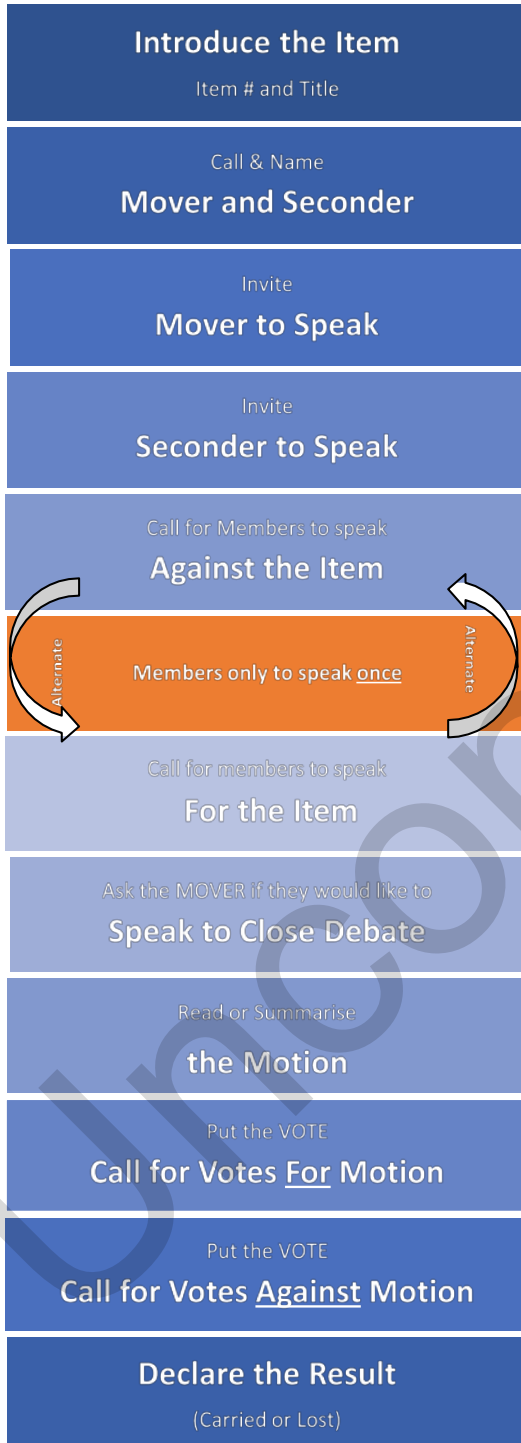
The Committee shall have flexibility in relation to when it needs to meet, but as a minimum, will need to meet at least once a year. It is the responsibility of the Presiding Member to call the meetings of the Committee.

## Reporting

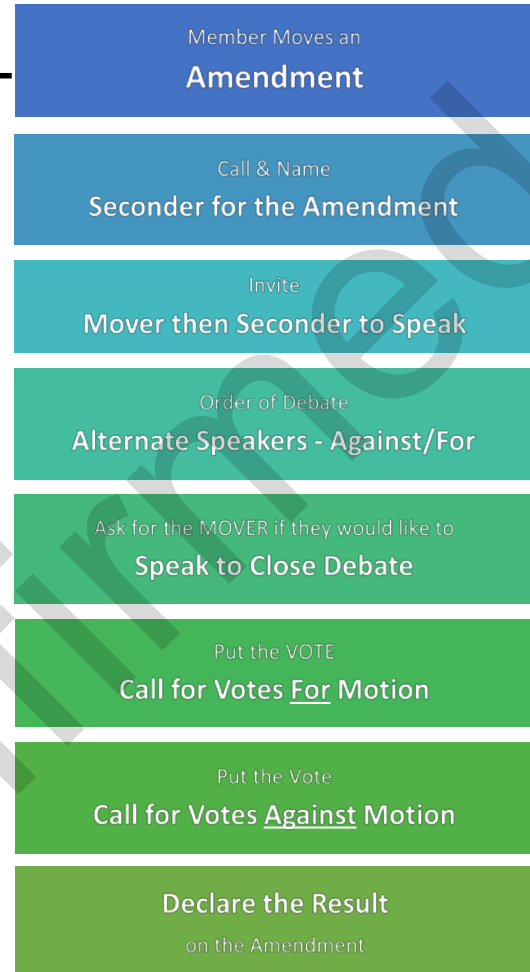
Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council and must be moved by the Presiding Member, or in his/her absence the Deputy Presiding Member, or in both their absences, any other member of the Committee.

# Process of Motions

## ORIGINAL MOTION



## AMENDMENT



ORIGINAL (SUBSTANTIVE) MOTION  
AMENDED?

NO

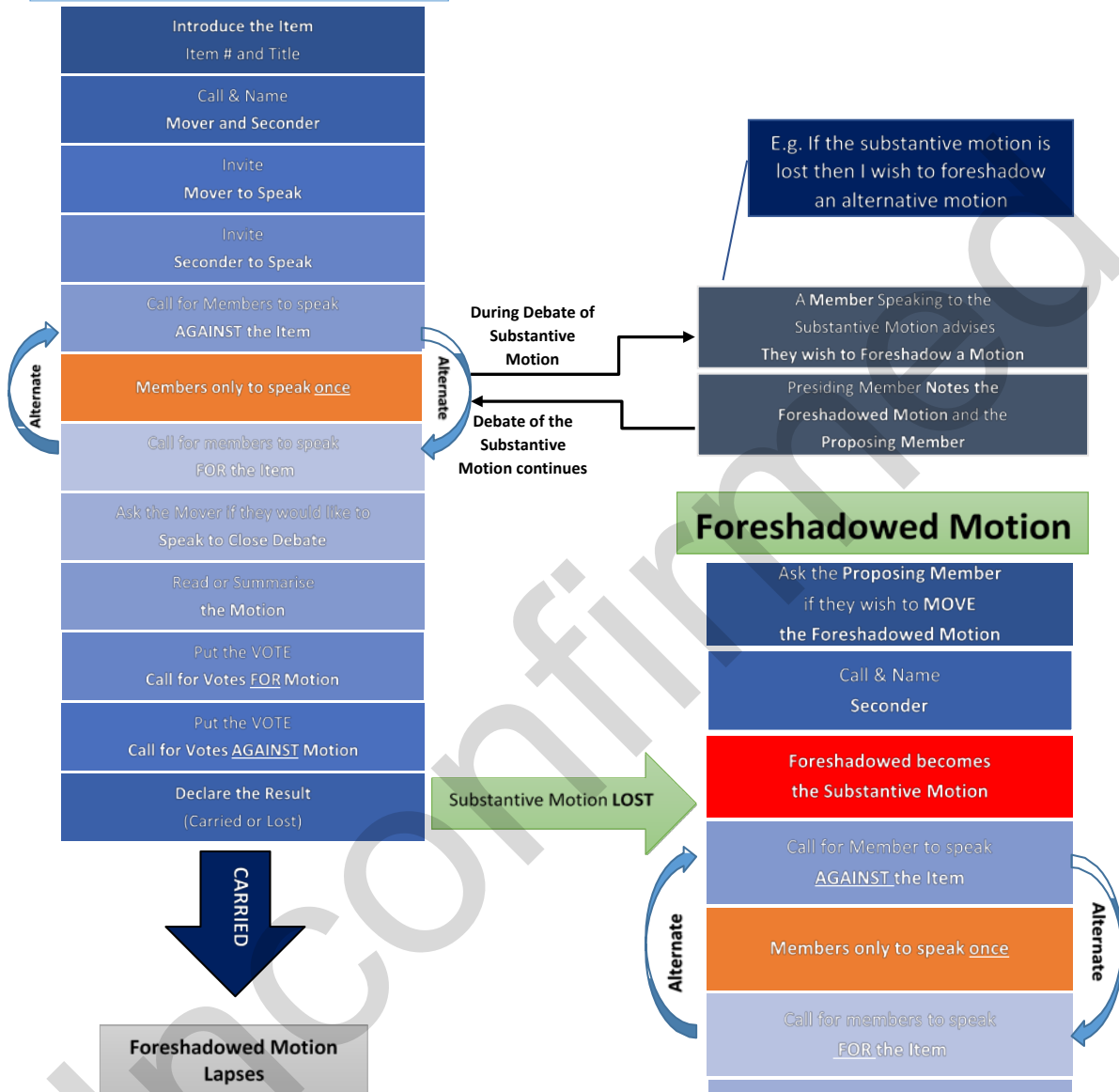
YES

Back to  
**ORIGINAL MOTION**  
Pick up at same point in the  
**ORDER OF DEBATE**

Motion Amended  
and is now the  
**SUBSTANTIVE  
MOTION**

Slight clarification of wording of motion: A minor amendment of the motion can be done at any time through the President with the approval of the Mover and the Secunder. The Minor amendment must be minuted.

## Substantive Motion



### Note:

- Deferring an item wording:
  - “Deferred for consideration at ..... on..... and resubmitting to Council.
- “Laying an item on the table” is similar to “deferring” but used when item will be re-considered later in the same meeting.
- Questions can be asked at any time, BUT cannot be debated.

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## 1. OPENING AND ANNOUNCEMENT OF VISITORS

The Chief Executive Officer Bob Jarvis welcomed Committee members and staff and opened the meeting 2:25pm.

## 2. ACKNOWLEDGEMENT OF COUNTRY

The Shire of Gnowangerup would like to acknowledge the Goreng people who are the Traditional Custodians of this land. The Shire of Gnowangerup would also like to pay respect to the Elders both past and present of the Noongar Nation and extend that respect to other Aboriginals present.

## 3. ATTENDANCE /APOLOGIES

### 3.1. ATTENDANCE

Cr Greg Stewart  
Cr Shelley Hmeljak  
Cr Mick Creagh  
Cr Rebecca O'Meehan  
Cr Rebecca Kiddle  
Cr Kate O'Keeffe  
Cr Peter Callaghan  
Cr Lex Martin

Bob Jarvis	Chief Executive Officer
Ian Graham	Deputy Chief Executive Officer
Geoff Carberry	Asset and Waste Management Coordinator
Yvette Wheatcroft	Manager of Works
Anita Finn	Executive Assistant

Helen Hardcastle from Learning Horizons via Zoom.

### 3.2. APOLOGIES

Cr Fiona Gaze



#### **4. ELECTION OF PRESIDING AND DEPUTY PRESIDING MEMBERS**

As this is the first meeting of the CEO Review Committee since the 2021 local government elections, the committee is required to elect a Presiding Member from amongst themselves in accordance with Section 5.12 of the Local Government Act 1995.

##### **ELECTION OF PRESIDING MEMBER (CHAIRPERSON)**

The Chief Executive Officer Bob Jarvis called for nominations for the position of Presiding Member. One nomination was received:

Cr Greg Stewart nominated Cr Fiona Gaze. CEO Bob Jarvis asked Cr Greg Stewart if he knows if Cr Fiona Gaze accepts the nomination and Cr Greg Stewart replied with 'Yes'.

As there were no further nominations the Chief Executive Officer closed nominations and declared Cr Fiona Gaze elected unopposed to the position of Presiding Member.

##### **ELECTION OF DEPUTY PRESIDING MEMBER (DEPUTY CHAIRPERSON)**

The Chief Executive Officer Bob Jarvis called for nominations for the position of Deputy Presiding Member. One nomination was received:

Cr Mick Creagh nominated Cr Greg Stewart. Cr Greg Stewart accepted the nomination.

As there were no further nominations the Chief Executive Office closed nominations and declared Cr Greg Stewart elected unopposed to the position of Deputy Presiding Member.

The Deputy Presiding Member being the Presiding Member of this meeting assumed the chair

#### **5. CONFIRMATION OF PREVIOUS MEETING MINUTES**

CEO REVIEW COMMITTEE MEETING 25<sup>th</sup> November 2020.

##### **COMMITTEE RESOLUTION**

**Moved: Cr K O'Keeffe**

**Seconded: Cr M Creagh**

**CRC1221.01 That the minutes from the CEO Review Committee Meeting held on 25<sup>th</sup> November 2020 be confirmed as a true and correct record of proceedings.**

**UNANIMOUSLY CARRIED: 8/0**

## **PROCEDURAL MOTION**

**Moved: Cr L Martin**

**Seconded: Cr R Kiddle**

**CRC1221.02 That the CEO Review Committee:**

**Closes the meeting to members of the public and staff in order to discuss the items which are considered confidential pursuant to Section 5.23(a) of the Local Government Act 1995 due to the matter affecting an employee.**

**UNANIMOUSLY CARRIED: 8/0**

***Bob Jarvis, Yvette Wheatcroft, Geoff Carberry and Anita Finn left the meeting at 2:27pm.***

***Ian Graham welcomed Helen Hardcastle via Zoom Meeting at 2:31pm and left the meeting at 2:34pm.***

## 6. GENERAL BUSINESS

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### 6.1 2020-2021 CEO PERFORMANCE REVIEW

<b>Proponent:</b>	N/A
<b>Date of Report:</b>	10 <sup>th</sup> December 2021
<b>Business Unit:</b>	Corporate and Community Services
<b>Officer:</b>	Ian Graham – Deputy CEO
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENTS

- Nil (The **confidential** CEO Performance Review Report has been provided separately to Councillors)

#### PURPOSE OF THE REPORT

To request that the CEO Performance Review Committee recommend that the Council endorse the CEO Performance Review Report.

#### BACKGROUND

The Department of Local Government, Sport and Cultural Industries (DLGSC) has published operational Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination (the Guidelines).

The Guidelines state that the minimum standard for performance review will be met if:

- S2.1** Performance criteria is specific, relevant, measurable, achievable and time-based.
- S2.2** The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.
- S2.3** The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.
- S2.4** The collection of evidence regarding performance outcomes is thorough and comprehensive.
- S2.5** Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.
- S2.6** The council has endorsed the performance review assessment by absolute majority.

#### COMMENTS

Section 5.38 of the Act provides that, for a CEO who is employed for a term of more than one year, the performance of a CEO is to be reviewed formally at least once in every year of their employment.

In addition to this minimum requirement, it is recommended that the council engages in regular discussions with the CEO regarding their performance against the performance criteria, including progress and ways that the CEO can be supported. Any changes to the CEO's performance agreement such as changes to the performance criteria should also be discussed, and agreed to, between the council and the CEO, as the matter arises.

The Guidelines also state:

“It is recommended that the council delegates the CEO performance review to a panel (e.g. comprising certain council members and an independent observer). The panel has a duty to gather as much evidence as possible upon which to base their assessments. The role of the review panel includes developing the performance agreement in the first instance, conducting the performance review and reporting on the findings and recommendations of the review to council. It is also recommended that council develop a policy to guide the performance review process. A policy might include the composition of the panel, primary functions, the role and appointment of an independent consultant, and the responsibilities of review panel members”.

The Shire of Gnowangerup has a CEO Performance Review Committee, comprised of all members of Council.

Further, the Guidelines state:

“If a council lacks the resources and expertise to meet the expected standard of performance review, the council should engage an external facilitator to assist with the process of performance appraisal and the development of the performance agreement. The local government should ensure that the consultant has experience in performance review and, if possible, experience in local government or dealing with the performance review of senior executives. The consultant should not have any interest in, or relationship with, the council or the CEO”.

In October 2021, Helen Hardcastle from Learning Horizons was engaged as an independent consultant to facilitate the 2020-2021 annual performance review for the CEO. In November 2021, a final CEO Performance Review Report was presented to all members of the CEO Performance Review Committee.

#### CONSULTATION

Helen Hardcastle, Learning Horizons.

#### LEGAL AND STATUTORY REQUIREMENTS

Local Government Act 1995 s5.38

Department of Local Government, Sport and Cultural Industries (DLGSC) Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination.

#### POLICY IMPLICATIONS

Nil.

#### FINANCIAL IMPLICATIONS

Nil.

#### STRATEGIC IMPLICATIONS

Strategic Community Plan 2021-2031

Theme: Our Organisation

Community Priority: Forward planning and implementation of relevant plans to achieve strategic priorities.

#### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil.

#### CONCLUSION

The recommendation ensures compliance with legislative requirements and Department of Local Government, Sport and Cultural Industries operational guidelines.

#### VOTING REQUIREMENTS

Absolute majority.

#### COMMITTEE RESOLUTION

Moved: Cr R Kiddle

Seconded: Cr R O'Meehan

**CRC1221.03 That the CEO Review Committee recommends that Council:**

- Endorses the CEO Performance Review Report as prepared by Learning Horizons
- Commends the CEO on a highly satisfactory performance result
- Receives and adopts the CEO KPI's for the period 1<sup>st</sup> January 2022 to 30<sup>th</sup> June 2022 and agrees the annual 2022-2023 KPIs will be finalized in alignment with the Corporate Business Plan, and
- In accordance with S2.3 of the CEO Standards, advises the CEO in writing of:
  - The results of the review, and
  - That the review did not identify any issues about the performance of the CEO that would require addressing and management by the Council.

**CARRIED BY ABSOLUTE MAJORITY: 8/0**

***Presiding Member, Greg Stewart thanked Helen Hardcastle and the Zoom Meeting ended at 2:45.***

## **PROCEDURAL MOTION**

Moved: Cr M Creagh

Seconded: Cr K O'Keeffe

**CRC1221.04** That the CEO Review Committee:

Reopens the meeting to staff.

**UNANIMOUSLY CARRIED: 8/0**

*Bob Jarvis, Yvette Wheatcroft, Geoff Carberry, Ian Graham and Anita Finn returned to the meeting at 2:53pm.*

*The Deputy Presiding Member Greg Stewart announced the resolution and result.*

## **7. DATE OF NEXT MEETING**

That the next CEO Review Committee meeting be held on TBA.

## **8. CLOSURE**

There being no further business, the Deputy Presiding Member Greg Stewart thanked Committee members and staff for their time and closed the meeting at 2:55pm.