



City of Nedlands

Minutes

Chief Executive Officer Performance Review Committee Meeting

29 June 2011

ATTENTION

These minutes are subject to confirmation

Prior to acting on any resolution/recommendation of this Committee contained in these minutes, a check should be made of the Minutes of the next meeting of this Committee, to ensure that there has not been a correction made to any resolution/recommendation.

N.B. Committee recommendations that require Council's approval will be presented to Council for approval.

Table of Contents

Declaration of Opening	3
Present and Apologies and Leave Of Absence (Previously Approved)	3
1. Public Question Time	4
2. Addresses By Members of the Public (only for items listed on the agenda)	4
3. Disclosures of Financial Interest	4
4. Disclosures of Interests Affecting Impartiality	4
5. Declarations by Members That Had Not Given Due Consideration to Papers	5
6. Confirmation of Minutes	5
7. Presentation	5
7.1 Chief Executive Officer Performance Review process for 2010/2011	5
8. Items for Discussion	6
8.1 Schedule of dates - Chief Executive Officer Performance Review 2010/2011	6
8.2 Report on progress of Chief Executive Officer Performance Plan 2010/2011	9
9. Date of next meeting	9
Declaration of Closure	10

City of Nedlands

Minutes of a meeting of the Chief Executive Officer Performance Review Committee held in the Committee Room at City of Nedlands Administration Building on 29 June 2011 at 6.07 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 6.07 pm and drew attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Present and Apologies and Leave Of Absence (Previously Approved)

Councillors	Her Worship the Mayor, S A Froese	(Presiding Member)
	Councillor K A Smyth (from 6.14 pm)	Coastal Districts Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor B Tyson	Melvista Ward

Staff	Ms S Mettam	Manager Human Resources and Organisational Development
--------------	-------------	--

By Invitation	Mr J Phillips	Executive Manager, Local Government Workplace Solutions, Western Australian Local Government Association (WALGA)
----------------------	---------------	--

Public	There were no members of the public present.
---------------	--

Press	Nil.
--------------	------

Leave of Absence (Previously Approved)	Nil.
---	------

Apologies	Nil.
------------------	------

Absent	Councillor M S Negus	Dalkeith Ward
---------------	----------------------	---------------

Disclaimer

No responsibility whatsoever is implied or accepted by the City of Nedlands for any act, omission or statement or intimation occurring during Council or Committee meetings. City of Nedlands disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any

statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the City of Nedlands during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City of Nedlands. The City of Nedlands warns that anyone who has any application lodged with the City of Nedlands must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the City of Nedlands in respect of the application.

The City of Nedlands wishes to advise that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968, as amended*) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

1. Public Question Time

Nil.

2. Addresses By Members of the Public (only for items listed on the agenda)

Nil.

3. Disclosures of Financial Interest

The Presiding Member reminded Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter was discussed.

There were no disclosures of financial interest.

4. Disclosures of Interests Affecting Impartiality

The Presiding Member reminded Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

There were no disclosures of interest affecting impartiality.

5. Declarations by Members That Had Not Given Due Consideration to Papers

The Presiding Member advised that the Chief Executive Officer Annual Performance Review Progress Report would be provided as an additional attachment and that Councillors would be given sufficient time to consider the document.

6. Confirmation of Minutes

6.1 Chief Executive Officer Performance Review Committee Meeting 9 May 2011.

Moved – Councillor Hodson
Seconded – Councillor Tyson

That the minutes of the Chief Executive Officer Performance Review Committee held 9 May 2011 are confirmed.

CARRIED UNANIMOUSLY 3/-

7. Presentation

7.1 Chief Executive Officer Performance Review process for 2010/2011

In accordance with Council resolution 24 May 2011 the Chief Executive Officer Performance Review Committee will be provided with assistance in the 2010/2011 performance review process by independent consultant Mr John Phillips, Executive Manager, Workplace Solutions, WALGA.

Mr Phillips outlined the process he will be assisting with, including the following:

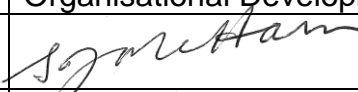
- CEO to receive questionnaire and be requested to prepare written report.
- Questionnaires from Councillors to be submitted &/or interviews of Councillors to be completed.
- CEO written report to be submitted to Consultant.
- Report to be compiled by Consultant.
- CEO Performance Review Committee Meeting to discuss performance review.
- Consultant to meet with CEO to discuss Appraisal.
- CEO Performance Review Committee Meeting to finalise performance review.
- CEO Performance Review presented to Council for endorsement.

Mr Phillips presented information on the method that will be used for the CEO Performance Review process including gathering feedback through the conduct of a questionnaire/feedback report from the Chief Executive Officer and all Councillors. He also advised of the option for Councillors to have a facilitated individual interview with him. Mr Phillips explained that the information will be aggregated into a final report with recommendations. The final report will be submitted to the Committee for final checking and acceptance.

8. Items for Discussion

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

8.1 Schedule of dates - Chief Executive Officer Performance Review 2010/2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Shelley Mettam - Manager Human Resources and Organisational Development
Officer Signature	
File ref.	HRS/353
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Hodsdon
 Seconded – Councillor Tyson

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

Councillor Smyth joined the meeting at 6.14 pm

CARRIED UNANIMOUSLY 4/-

Committee Recommendation / Recommendation to Committee

Committee approves the following schedule of dates for the 2010/2012 Chief Executive Officer Review:

1 July 2011	- Councillors to receive questionnaire - CEO to receive questionnaire and be requested to prepare written report
5 August 2011	- Questionnaires from Councillors to be submitted &/or interviews of Councillors to be completed - CEO written report to be submitted to Consultant
12 August 2011	- Report to be compiled by Consultant
25 August 2011	- CEO Performance Review Committee Meeting to discuss performance review
30 August 2011	- Consultant to meet with CEO to discuss Appraisal
15 September 2011	- CEO Performance Review Committee Meeting to finalise performance review
27 September 2011	- CEO Performance Review presented to Council for endorsement

Purpose

The purpose of the item is for the Chief Executive Officer Performance Review Committee to identify timeframe for the 2010/2011 Chief Executive Officer Review.

Strategic Plan

KFA 5: Governance

5.6 Ensure compliance with statutory requirements and guidelines.

5.9 Identify, manage and seek to minimise risk

Background

On 24 May 2011 Council resolved that independent consultant Mr John Phillips, Executive Manager, Workplace Solutions, WALGA be appointed to assist the Chief Executive Officer Performance Review Committee in the 2011 performance review process.

Proposal Detail

The schedule of dates is proposed to assist the Consultant, Councillors and the Chief Executive Officer to complete the review in a timely manner.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Legislation

The Review of the Chief Executive Officer will be conducted in accordance with sections 5.38 and 5.39 (3) (b) and Regulation 18D of the Local Government Act 1995, which requires that:

- The performance of the CEO be reviewed at least once a year;
- The CEO will have a written contract of employment, which shall include performance criteria for the purpose of conducting a review; and
- A Local Government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Risk Management

The City is required to comply with sections 5.38 and 5.39(3)(b) and Regulation 18D of the Local Government Act 1995 in setting the annual review of the CEO.

Conclusion

It is recommended that the Committee approves the schedule of dates for the 2010/2011 Chief Executive Officer Review.

Attachments

1. Nil

Mr J Phillips Executive Manager, Local Government Workplace Solutions left the meeting at 6.15 pm.

Closure of Meeting to the Public

Moved – Councillor Tyson

Seconded - Councillor Hodsdon

That the meeting be closed to the public in accordance with Section 5.23(a) of the Local Government Act 1995 to allow confidential discussion on the following item.

CARRIED UNANIMOUSLY 4/-

The meeting was closed to members of the public at 6.17 pm.

8.2 Report on progress of Chief Executive Officer Performance Plan 2010/2011

The purpose of this item was for committee to discuss the progress of the Chief Executive Officer's 2010/2011 performance to date, prior to the formal end of year review.

Committee Recommendation

Committee receive the updated confidential Key Result Areas and Key Performance Indicators Report.

CARRIED UNANIMOUSLY 4/-

Opening of Meeting to the Public

Moved - Councillor Hodsdon

Seconded - Councillor Tyson

That the meeting be reopened to members of the public and the press.

CARRIED UNANIMOUSLY 4/-

The meeting was reopened to members of the public at 6.47 pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motion passed by the Committee whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the Act.

9. Date of next meeting

The date of the next meeting of this Committee is to be advised.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 6.48 pm.