



**CONFIDENTIAL CHIEF EXECUTIVE
OFFICER PERFORMANCE REVIEW
COMMITTEE MEETING**

CONFIDENTIAL MATTERS

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Released 27 July 2021

9.1 REVIEW THE CHIEF EXECUTIVE OFFICER'S QUARTERLY PERFORMANCE

Contact Person: Ms Rosemary Munslow

Why is this matter confidential?

Subject to an order pursuant to Section 90 (3) (a) of the Local Government Act 1999, this matter is confidential because the information to be discussed relates to information pertaining to the personal affairs of the Chief Executive Officer and is not a matter of public knowledge.

A. COUNCIL/COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section

B. THE BUSINESS MATTER

9.1 Review the Chief Executive Officer's Quarterly Performance

Why is this matter before the Council or Committee?

The Chief Executive Officer Performance Review Committee in consultation with the Chief Executive Officer has established a Chief Executive Officer Performance Agreement which in turn was endorsed by Council.

The Committee may provide the Chief Executive Officer guidance, feedback and direction in order to assist the Chief Executive Officer meet and or exceed the expectations of the Performance Agreement.

Presenter: Mr Mal Hemmerling

Purpose: For the Committee to receive a verbal update from the Chief Executive Officer in line with the endorsed Performance Agreement 2017/18 and provide the Chief Executive Officer with guidance, feedback and direction as required.

Duration: 30 Minutes

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 9.1 IS TO BE KEPT IN CONFIDENCE

Purpose

To resolve how long agenda item 9.1 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:

- Tabled Document– Chief Executive Performance Agreement 2017/18, Quarter Performance Update: June 2018 – August 2018

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.

9.2 OUTCOMES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW FOR 2017/18 YEAR

Contact Person: Ms Rosemary Munslow

Why is this matter confidential?

Subject to an order pursuant to Section 90 (3) (a) of the Local Government Act 1999, this matter is confidential because the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.

A. COUNCIL/COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section.

B. THE BUSINESS MATTER

9.2 OUTCOMES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW FOR 2017/18 YEAR

Responsible Executive Manager : Ms Rosemary Munslow

Report Author : Ms Rosemary Munslow

Delegated Authority : Matters which cannot be delegated to a Committee or Staff.

Attachments :

- 1. [CEO Performance Annual Review Report 2017/18](#)
- 2. [CEO current Employment Agreement](#)

PURPOSE

For the Committee to consider the Outcomes from the Chief Executive Officer Performance Review 2017-18 and provide advice to Council on the performance including the outcome of a review of the Total Employment Cost Package, in the lead up to the remuneration and conditions of employment review for the Chief Executive Officer.

STAFF RECOMMENDATION

1. That Council endorse the CEO Performance Review 2017/18 Report from Jane Jeffreys Consulting.
2. That Council endorse the CEO's Total Employment Cost (TEC) Package and/or the CEO's Position Description be amended as follows:

- _____
- _____
- _____

EXECUTIVE SUMMARY

The Chief Executive Officer performance has undergone a performance review in accordance with the CEO Contract of Employment.

Whilst the Committee's Charter allows the Committee to determine all activities associated with reviewing the Chief Executive Officer's performance, the Committee is required to review and provide advice to Council on the remuneration and conditions of employment for the Chief Executive Officer.

In addition to the Committee considering the Performance Review for 2017/18 and the imminent Caretaker period, the Committee needs to turn its mind, as per the requirements of the Employment Agreement (attachment 2), and consider the Total Employment Cost (TEC) Package and if any necessary changes to the Position Description are required.

1. BACKGROUND

The CEO Employment Agreement requires that the Performance Review will be conducted in accordance with the Personal Evaluation System each year, typically in July, for the term of the agreement.

The CEO Performance Review Committee endorsed the process for the 2017/18 at its meeting on 14 May 2018. In addition the Committee determined that the Review was to be completed by August 2018 to ensure any outcomes that may impact the CEO Employment Agreement would be considered prior the Caretaker Period.

2. RELEVANCE TO STRATEGIC PLAN

1: Smart Service Delivery Program

Outcome 1.2 Improved service delivery

3. PUBLIC CONSULTATION

Council are not required to consult with the Public on this matter.

4. DISCUSSION

- 4.1** The Employment Agreement outlines that the review will assess the CEO's performance by reference to the review process that currently exists measured against the CEO's duties as outlined in the Agreement.
- 4.2** The performance review will review the CEO's Position Description and key performance indicators through the review process that currently exists.
- 4.3** Jane Jeffreys Consulting has facilitated the review as per the Committee endorsed review process and provides her Report in attachment 1.
- 4.4** The review process included a survey of Council Members and General Managers, opportunity for further discussion and a CEO self-assessment.
- 4.5** The CEO's Position Description must be reviewed and, if necessary, amended by agreement within two months after each performance review.

- 4.6 The TEC package shall be reviewed annually in conjunction with the performance review process.
- 4.7 The TEC package review needs to occur within one month of the performance review and any changes will take effect from the date on which the performance review is concluded.
- 4.8 The review of the TEC package needs to take into account, the KPI's, the CEO's position description and remuneration paid to CEO's of similar sized councils in SA.
- 4.9 Given the timing of the Local Government Elections and the commencement of the Caretaker period any changes to the CEO's Employment Agreement will need to be endorsed by Council prior the 18 September 2018. In the event that the timing is limited the Council could make a recommendation to the new Council.

5. OPTIONS

Recommendation

1. That Council endorse the CEO Performance Review 2017/18 Report from Jane Jeffreys Consulting.
2. That Council endorse the CEO's Total Employment Cost (TEC) Package and/or the CEO's Position Description be amended as follows:
 - _____
 - _____
 - _____

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 9.2 IS TO BE KEPT IN CONFIDENCE

Purpose

To resolve how long agenda item 9.2 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 9.2 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:

- Report for Item 9.2
- Attachment(s) for Item 9.2
- Decision for Item 9.2

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.