

# CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE CHARTER



## 1 Role

The Committee's role is to consider all matters relating to the Chief Executive Officer's recruitment, remuneration, employment and performance.

## 2 Terms of Reference

**2.1** The Committee is established for the purpose to:

- 2.1.1 Review and effectively manage the Chief Executive Officer's Performance and conduct;
- 2.1.2 Contribute to the Chief Executive Officer's development plan;
- 2.1.3 Review and provide advice to Council on setting the remuneration and conditions of employment for the Chief Executive Officer; and
- 2.1.4 Perform the functions of a selection panel pursuant to section 98(4) of the Act.

## 3 Definitions

**Act** for the purpose of this policy means the *Local Government Act 1999*.

**Chief Executive Officer** (CEO) means the Chief Executive Officer of a council and includes a deputy or other person acting in the officer of Chief Executive Officer.

**Committee** includes Section 41 Committees, other Committees and Panels established by Council.

**Council Member** as stated in the Local Government Act 1999, member of a council means the principal member or a councillor of the Council. Elected Member is commonly utilised to refer to Council Member.

**Electronic Means** includes a telephone, computer or other electronic device used for communication.

**Executive Officer** is a staff member appointed by the Chief Executive Officer to support a Section 41 Committee, other committee or advisory group.

**Independent Members** are members on a committee or panel who are not elected but have been appointed by the Council to undertake a similar role as Councillors on Council's Section 41 Committees or the Council Development Assessment Panel. They are external appointees.

**Mayor** is the person elected as the Principal Member of the Council to represent the local government area as a whole.

The logo for the City of Playford, featuring the text "CITY OF" above a stylized green and white graphic of a field or waves, with the word "Playford" in a script font above it.				
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**Staff** includes Council staff, contractors, volunteers and all others who perform work on behalf of Council.

## **4 Delegations**

**4.1** Subject to paragraph 4.2 below, The Committee has delegation for the following:

- 4.1.1 Approve Committee's Minutes as a true and accurate record of proceedings.
- 4.1.1 Develop and approve the Committee's Work Plan.
- 4.1.2 Review the CEO's Performance in accordance with the agreed KPI's
- 4.1.3 Determine activities associated with reviewing the Chief Executive Officers performance review process, performance measures and targets, and the development plan and position description.
- 4.1.4 Engage an appropriate consultant to assist with the annual performance appraisal and remuneration review process subject to approved budget.
- 4.1.5 Contribute to the CEO's development plan.
- 4.1.6 Review and provide advice to Council on setting the remuneration and conditions of employment for the Chief Executive Officer.
- 4.1.7 Engage an appropriate consultant to manage the recruitment process for the position of Chief Executive Officer subject to approved budget.
- 4.1.8 To co-opt, or make use of the services of any other person for the purpose or investigating or deliberating on any specific matter or on any other temporary basis subject to approved budget.
- 4.1.9 The Committee may, where required to transact the business, determine to meet in addition to the months specified in 5.1.

**4.2** Any other business referred to the Committee in accordance with its Role and Terms of Reference, or where the Committee does not hold the delegated authority, this business

may be debated with a recommendation referred to the next Ordinary Council Meeting for consideration.

- 4.3** Deputations and Petitions are not delegated to the Committee and are only to be presented to Council.

## **5 Meetings**

- 5.1** The Committee Meeting will be held on the 2<sup>nd</sup> Monday starting at 5:30pm with a minimum of 4 meetings per year, in accordance with the CEO Performance Management Cycle identified on the Committee Work Plan.

- 5.2** The Executive Officer in liaison with the Presiding Member, is authorised to alter the meeting commencement time, if required due to business needs, ensuring legislated public notification obligations are fulfilled.

- 5.3** The Committee Meeting will be held in the Committee Room at the Playford Civic Centre, 10 Playford Boulevard, Elizabeth, unless otherwise determined by the Committee prior to the meeting.

- 5.4** Meetings may either wholly or in part be held via electronic means with Zoom Video Communications, Inc.

A member of the Council participating in a Council meeting by electronic means is taken to be present at the meeting provided that the member:

- a) can hear all other members present at the meeting;
- b) can be heard by all other members present at the meeting; and
- c) can be heard by the person recording the minutes of the meeting.

- 5.5** Special Meetings of the Committee may be necessary from time to time and may be called in accordance with Section 82 of the Local Government Act 1999. Notice of a Special

Committee Meeting may be at a minimum of four (4) hours notice, due to the urgency of the matters on the agenda.

**5.6** Committee Members may attend Committee Meetings via a conference call without the specific need of amending the meeting procedures on each occasion, subject to the following conditions;

5.6.1 Committee Members must ensure the Committee's Executive Officer is informed of the Committee Members intention to attend via conference call at least 2 hours before a meeting to ensure the appropriate resources are available.

5.6.2 Committee Members must be unaccompanied and must ensure the conference call is not overheard, especially if the meeting moves in to confidence.

5.6.3 Committee Members must ensure adherence to all legislative requirements, including but not limited to, Australian Road Rules, Listening and Surveillance Devices Act, Council Policies and Procedures.

## **6 Membership**

**6.1** The Committee is comprised of the Mayor, Deputy Mayor and two (2) Council Members endorsed by Ordinary Council.

**6.2** The two (2) Council Members appointed to the Committee will have a term of two (2) years and may be re-appointed for an additional term.

**6.3** The appointment of all Committee Members will be for a period not exceeding the next General Election.

**6.4** The Mayor will act in the position of Presiding Member of the Committee. In the absence of the Mayor, the Deputy Mayor will act in the Presiding Member position.

Table providing a summary of current Committee Membership and Term of Office details:

Term of Office		
Appointed Position/Member	Endorsed by Council	Term Concludes
Mayor Glenn Docherty	29 November 2022	26 November 2024
Deputy Mayor (Peter Rentoulis)	29 November 2022	26 November 2024
Cr Gay Smallwood-Smith	29 November 2022	26 November 2024
Cr Marilyn Baker	29 November 2022	26 November 2024

## **7 Role of the Presiding Member**

- 7.1** Oversee the conduct of Committee Meetings in accordance with the Local Government Act 1999 and Code of Practice for Council and Committee Meetings.
- 7.2** Ensure all Committee Members have the opportunity to participate in debate and discussions in an open and encouraging manner.
- 7.3** Where a matter has been debated significantly and no new information is being discussed the Presiding Member may call the meeting to order and ask for the debate to be finalised and a motion be put forward.

## **8 Role of Committee Members**

- 8.1** Actively participate in debate and discussion as a representative of Council in a professional manner at all times.
- 8.2** Ensure the Member is prepared and informed of meeting matters prior to the meeting.
- 8.3** Utilise the skills and experience of the Committee Members to effectively carry out the Committee's role.

## **9 Role of the Executive Officer and Administrative Support**

- 9.1** The Executive Officer is appointed by the CEO to support the administration and operation of the Committee.
- 9.2** The Executive Officer and relevant staff may provide advice during the meeting in order to aid informed decision making.
- 9.3** The Committee is appointed a Minute Taker.
- 9.4** An external advisor/facilitator may be appointed to assist the Committee, enabled through the Executive Officer.

## **10 Reporting and Review of the Committee**

- 10.1** Council will assess the on-going role and effectiveness of the Committee as part of the Committee Review following a General Election or as required by Council.

- 10.2** As determined by the Committee, it may communicate with Council Members and staff on issues of importance to the Council. This communication may be delivered by the Presiding Member or Executive Officer in the form of a presentation to Council Members, a communiqué, a written memo or report to Council.

## 11 Supporting Documentation

- [Local Government Act 1999](#)
- [Code of Practice for Council and Committee Meetings](#)
- [Code of Practice for Public Access to Meetings and Associated Meeting Documents](#)

## 12 Approval and Change History

Approval Date	Approval by	Change
31 Jan 2012	Council Resolution	Scheduled Review
08 Sep 2014	Committee Recommendation	Scheduled Review
23 Sep 2014	Council Resolution No. 1924	Scheduled Review
16 Dec 2014	Council Resolution No. 2009	Alignment to Council Elections 2014 and minor amendments to align with other Committee Charters.
28 Jun 2016	Council Resolution No. 2604	Scheduled Review
August 2016	Council Resolution No. 2656	Inclusion of Committee Members attendance via a conference call
26 Feb 2019	Council Resolution No. 3420	Re-Establishment of Committee and changes to the delegations
07 Apr 2020	Council Resolution No. 3983	Definition of Electronic Means added in line with the new capability of electronic meetings.
25 May 2021	Council Resolution No. 4611	Scheduled Review
29 November 2022	Council Resolution No. 5211	Scheduled Review in line with Election.