

CEO Performance Review Committee

Notice of Meeting and Agenda

4 May 2022

Committee Terms of Reference

- 1.1 Council to appoint CEO Performance Review Panel following every local government election.***
- 1.2 The panel must comprise of five members. The panel may include an independent observer.***
- 1.3 Council authorises the CEO Performance Review Panel to undertake the CEO performance Review and report findings and recommendations to Council.***
- 1.4 The primary functions of the Panel include:***
 - Developing the initial performance agreement;***
 - Conducting the performance review in line with the Policy requirements;***
 - Reporting the performance review findings and recommendations to Council; and***
 - Regular meetings to discuss and provide feedback if performance issues are identified.***
- 1.5. Responsibilities of panel members:***
 - Be fair, impartial and undertake the process with integrity;***
 - Assessment is made free from bias and based on evidence of the CEO's achievements against documented performance criteria;***
 - Findings and recommendations are impartial and transparent; and***
 - Any information received or produced by the Panel will be kept confidential;***
 - The report for the performance review to Council will be presented in confidence in accordance with section 5.23 of the Act;***
 - Accurate and comprehensive records of the performance management process will be created and registered within the City's Electronic Data Record Management System; and***
 - Manage all records in accordance with the City's Record Keeping Plan.***
- 1.6 The performance review process should commence at least 4 months prior to the required completion date.***
- 1.7 Support, limited to administrative, will be provided by the Executive Assistant to the Mayor and the Manager People and Safety.***



CITY OF BUNBURY
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CEO Performance Review Panel Notice of Meeting

Dear Committee Members

The next Ordinary Meeting of the CEO Performance Review Panel will be held in the Mayor's Office, 2-4 Stephen Street, Bunbury on Wednesday, 4 May 2022 at 4.00pm.

Signed:

Leanne French
Senior Governance and Risk Officer

Agenda

4 May 2022

Committee Members:

Member Name	Representing
Mayor Jaysen Miguel	City of Bunbury
Councillor Karen Steele	City of Bunbury
Councillor Cheryl Kozisek	City of Bunbury
Councillor Marina Quain	City of Bunbury
Councillor Kris Plumb	City of Bunbury
Councillor Gabi Ghasseb	City of Bunbury

Ex-officio Members (non-voting):

Member Name	Representing
Mr Mal Osborne	CEO

Support Staff:

Name	Title
Mrs Leanne French	Senior Governance and Risk Officer
Mr Jordan Hunt	Team Leader Projects and Performance

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Acknowledgement of Country

We acknowledge the Traditional Custodians of this land, the Wardandi Noongar people, and pay our respects to Elders past, present and future.

Vision

Bunbury: welcoming and full of opportunities.

Organisational Values

#WEARECOB

WE ARE COMMUNITY

We are one team
We keep each other safe
We display empathy and respect
We have fun and celebrate our successes
We work together to achieve great outcomes

WE ARE OPEN

We are open to opportunities
We actively listen and think things through
We are inclusive and treat everyone equally
We are honest and open in our communications
We are open to feedback to improve our performance

WE ARE BRAVE

We lead the change, we own it
We trust and empower each other
We have the difficult conversations early
We hold ourselves to the highest standard
We have the courage to improve and simplify

1. Declaration of Opening

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

4. Attendances

4.1 Apologies

4.2 Approved Leave of Absence

5. Declaration of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member <u>before</u> the meeting commences. After the meeting, the form is to be forwarded to the Administration Services Section for inclusion in the Corporate Financial Disclosures Register.
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Mr Mal Osborne, Chief Executive Officer, holds the position of Chief Executive Officer and therefore declares a financial interest in item 8.2.

6. Confirmation of Minutes

Committee Decision: Moved _____ Seconded _____

1. The minutes of the CEO Performance Review Panel meeting held on 20 December 2021 are confirmed as a true and accurate record.

CARRIED/LOST

7. Method of Dealing with Agenda Business

Background

Development of CEO's performance criteria is an important task that provides the CEO with clear guidelines about the Council's performance expectations and strategic priorities for the review period to ensure the Council and the CEO are moving in the same direction, and that the CEO is accountable for the agreed priority outcomes.

Ensuring the CEO meets performance expectations is important due to an increased focus on governance accountability generally. Regular reviews provide Council with early warnings of potential issues/concerns and allow resource allocation or expectations to be renegotiated early if required.

The Council appointed Angie Dominish, Senior Consultant from Price Consulting Group Pty Ltd to assist the Council and CEO with the CEO performance criteria setting process by:

- facilitating 2 workshops with Elected Members and CEO,
- an additional workshop with Elected Members, and
- preparation of a Summary Report to Council on the final key performance criteria report through the CEO Performance Review Panel.

Council Policy Compliance

The Council Policy CEO Performance and Salary Review authorises the CEO Performance Review Panel to undertake the CEO Performance Review and report findings and recommendations to Council.

Legislative Compliance

Local Government Act 1995

Sections 5.38 and 5.39(3)(b) 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.

Local Government (Administration) Regulations 1996

Clause 4 of the CEO's contract of employment requires that a performance review be undertaken at least annually, and more frequently if Council or the CEO perceives there is a need to do so, and that the review references Performance Criteria that are agreed in writing by the parties.

Officer Comments

The proposed CEO's Performance Criteria have been developed for the 2022/2023 FY performance review cycle in consultation with Council Members and the CEO in line with legislative and regulatory requirements. The performance criteria are aligned to the planning and budget cycle to enable key priorities to be progressed in line with the City's direction and resourcing framework.

The proposed CEO Key Performance Criteria for 2022/2023 are **attached** at confidential Appendix 8.1. These performance criteria once endorsed will form the basis for the 2022/2023 FY CEO performance review cycle.

Analysis of Financial and Budget Implications

Not applicable.

Community Consultation

Not applicable.

Elected Member/Officer Consultation

Ms Dominish conducted 2 workshops (25 February and 1 April 2022) with Elected Members and the Executive Team, and an additional workshop with Elected Members (11 March 2022) to confirm the approach regarding the setting of strategic performance criteria and to define the performance requirements for the criterion relating to the delivery of strategic and corporate plan outcomes.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Upon adopted by Council, the CEO Performance Criteria will form the basis for the 2022/2023 FY performance review cycle.

8.2 CEO Remuneration Review 2021

File Ref:	COB/515
Applicant/Proponent:	Internal
Responsible Officer:	Leanne French, Senior Governance and Risk Officer
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix CRUSC-1: CEO Remuneration Review 2021

This report is confidential in accordance with section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(a) *A matter affecting an employee or employees*

A confidential report and recommendation will be circulated to members **under separate cover** (Confidential Report CRSUC-1). The report is not for publication.

9. Questions from Members

9.1 *Response to Previous Questions from Members taken on Notice*

9.2 *Questions from Members*

10. Urgent Business

Nil

11. Date of Next Meeting

TBC

12. Close of Meeting

The Presiding Member closed the meeting at _____.