

CEO Performance Review Committee

Minutes

8 December 2021

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
4 Stephen Street
Bunbury WA 6230
Western Australia
Correspondence to:
Post Office Box 21
Bunbury WA 6231

Table of Contents

Item No	Subject	Page No.
1.	Declaration of Opening.....	4
2.	Disclaimer	4
3.	Announcements from the Presiding Member.....	4
4.	Attendances.....	4
4.1	Apologies.....	4
4.2	Approved Leave of Absence.....	5
5.	Declaration of Interest.....	5
6.	Confirmation of Minutes	5
7.	Method of Dealing with Agenda Business.....	5
8.	Reports.....	6
8.1	CEO Performance Review Schedule.....	6
9.	Questions from Members.....	10
9.1	Response to Previous Questions from Members taken on Notice	10
9.2	Questions from Members	10
10.	Urgent Business	10
11.	Date of Next Meeting	10
12.	Close of Meeting.....	10

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

As this is the first meeting of the CEO Performance 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*.

The Chief Executive Officer called for nominations for the position of Presiding Member. The Mayor nominated himself, seconded by Cr Plumb. With there being no further nominations, the Mayor was elected unopposed as Presiding member of the CEO Performance Review Committee for the 2-year period to the October 2023 elections.

The Mayor assumed the chair.

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

4. Attendances

Committee Members:

Member Name	Representing
Mayor Jaysen Miguel	City of Bunbury
Councillor Karen Steele	City of Bunbury
Councillor Marina Quain	City of Bunbury
Councillor Kris Plumb	City of Bunbury
Councillor Gabi Ghasseb	City of Bunbury
Councillor Ben Andrew (deputy member)	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
Ms Angie Dominish	Price Consulting Group (via telephone)

4.1 Apologies

Cr Kozisek

4.2 *Approved Leave of Absence*

Nil

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.
--

Nil

6. *Confirmation of Minutes*

Committee Decision: Moved Cr Plumb Seconded Mayor Miguel

The minutes of the CEO Performance Review Panel meeting held on 22 September 2021 are confirmed as a true and accurate record.

CARRIED

7. *Method of Dealing with Agenda Business*

All items were dealt with in the order they appeared in the agenda.

8. Reports

8.1 CEO Performance Review Schedule

File Ref:	COB/515
Applicant/Proponent:	Internal
Responsible Officer:	Jordan Hunt, Team Leader Projects and Performance
Responsible Manager:	Shaun Hill, Manager Strategy, Performance and Digital
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 1 Draft CEO Annual Performance Review Schedule

Summary

This report considers the City’s intention to transition the Chief Executive Officer’s (CEO) performance review schedule into alignment with the financial year. By doing so, the CEO’s key performance indicators (KPIs) will be better informed by the City’s Strategic Community Plan (SCP) and will be better supported by the organisation’s budget process.

Executive Recommendation

That the CEO Performance Review Panel recommends that Council:

1. Endorse the CEO performance review schedule transitioning into alignment with the financial year on going as presented at Appendix 1.
2. Endorse that the existing 2020/21 CEO KPIs remain in effect until 30 June 2022.
3. Amend the CEO Performance and Salary Review Council Policy to reflect the amended schedule.

Voting Requirement: Simple Majority

Strategic Relevance

Theme 4: Our City
 Goal Civic leadership, partnerships and sound governance in delivering with and for the community.
 Objective 4.4: A skilled organisation, which exercise responsible asset stewardship, sound financial management, and exemplary customer service.

Regional Impact Statement

Not applicable.

Background

In 2020 the City of Bunbury set out to build and enhance its organisational capability – “A Better Organisation for a Better Bunbury”. A critical component to achieving this has been the establishment of a capability with the purpose of providing clear direction and support in aligning outcomes to strategic goals.

An important pillar of the organisation’s strategic framework is the Strategic Community Plan (SCP) which required a full review going into 2022. The objective of the 2022 SCP review has been to narrow the plan’s focus on community priorities and is likely to result in a substantial change in structure and detail from the existing plan. Given such change is expected the 2022 SCP review provides an opportunity for Council to establish performance criteria for the CEO that effectively focuses the organisation’s energy on the current priorities of the community.

In accordance with Council’s policy in November 2021 the CEO Performance Review Panel were scheduled to review and establish new CEO KPIs for the 2022 calendar year. This timing would not have allowed for the full review of the SCP to progress far enough to enable it to appropriately inform the CEO’s 2022 KPIs.

To resolve this issue and further support an integrated approach to strategic and organisational planning, a realignment of the development of the CEO’s KPIs to coincide with the financial year is required with suggested changes as reflected at Appendix 1 .

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 City of Bunbury aims to establish a truly integrated approach to strategic and organisational planning. The following outcomes from the CEO performance review process will help achieve this objective.

1. Align the CEO performance review schedule to coincide with the financial year.
 - KPIs are workshopped and finalised once the Strategic Community Plan has been reviewed and approved.
 - KPIs are workshopped and finalised in time to be supported through the budget if required.
2. KPIs are set at a strategic level appropriately informed by the Strategic Community Plan / CEO contract requirements.
3. Establish a more convenient way to monitor and report on the CEO's KPIs.

Analysis of Financial and Budget Implications

Not applicable.

Community Consultation

Not applicable.

Councillor/Officer Consultation

The CEO Performance Review Panel is requested to formally consider the report and subsequently, present a Panel recommendation to Council for consideration.

Applicant Consultation

Not applicable

Timeline: Committee Decision Implementation

Pending Council endorsement, any changes to the CEO Performance Review Schedule and Council Policy will become effective immediately.

Outcome of Meeting 8 December 2021

General discussion took place in relation to this item. The Team Leader Projects and Performance provided an overview of the proposed CEO performance Review Schedule for 2022 and 2023. The Committee discussed the reporting cycle of the current KPI's and the expectation of reporting if the current KPI's were extended to 30 June 2022.

The Mayor distributed a draft KPI management plan 2021/22(attached and noted as Appendix 2 to the Minutes), which was provided by Price Consulting Group, for consideration. Ms Price spoke to the suggested KPI management plan. The Committee discussed their concerns regarding the lack of clarity of intent of the current KPI's and a more strategic approach to managing the review process as presented by Ms Dominish.

The Committee discussed leaving the KPI's goals as they are, reviewing the completion dates and establishing clarity around the measurability of indicators.

The following motion was moved by Councillor Steele and seconded by Councillor Plumb, and was carried unanimously as follows:

That the CEO Performance Review Committee recommends that Council:

- 1. Endorse the CEO performance review schedule transitioning into alignment with the financial year on going as presented at Appendix 1.***
- 2. Amend the CEO Performance and Salary Review Council Policy to reflect the amended schedule.***

Prior to making a recommendation to Council, the Committee will meet on 20 December to review the KPI's that are to remain in effect until 30 June 2022.

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

Monday 20 December at 9.30am in the Ocean Room.

12. Close of Meeting

The Presiding Member closed the meeting at 3.39pm.