



File Code OR.MTG 6/2/2

21 July 2016

## NOTICE OF MEETING

Dear Committee Member

The next CEO Performance Review Committee meeting will be held on **Wednesday 27 July 2016** commencing at **1.00pm** in the Weir Meeting Room.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. Throssell", written in a cursive style.

**Jonathan Throssell**  
**CHIEF EXECUTIVE OFFICER**

### **Please Note**

If any committee member has a query regarding a report item or requires additional information in relation to a report item, please contact the senior officer (noted in the report) prior to the meeting.



**AGENDA**  
**CEO PERFORMANCE REVIEW**  
**COMMITTEE MEETING**

**27 July 2016**

**ATTENTION/DISCLAIMER**

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the Shire of Mundaring unless specific delegation of authority has been granted by Council. No person should rely on or act on the basis of any advice or information provided by a Member or employee, or on the content of any discussion occurring, during the course of the Committee Meeting.

The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or employee, or the content of any discussion occurring during the course of the Committee Meeting.

## LEGEND

To assist the reader, the following explains the method of referencing used in this document:

<b>Item</b>	<b>Example</b>	<b>Description</b>
Page Numbers	CEOPRC 1 JULY 16 (CEOPRC2, CEOPRC 3 etc)	Sequential page numbering of CEOPRC Agenda or Minutes for July 2016
Item Numbers	8.1 (8.2, 8.3 etc)	Sequential numbering of reports under the heading "8.0 Reports of Officers"
Committee Recommendation Reference	CEOPRC11.07.16	Committee Recommendation number 11 from CEOPRC meeting July 2016
Committee Decision Reference	DCEOPRC7.07.16	Committee Decision number 7 from CEOPRC meeting July 2016

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**CEO PERFORMANCE REVIEW OCCASIONAL COMMITTEE MEETING  
WEIR MEETING ROOM – 1.00pm**

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**1.0 OPENING PROCEDURES**

**1.1 Announcement of Visitors**

**1.2 Record of Attendance/Apologies/Approved Leave of Absence**

**Members**

<b>Staff</b>	Jonathan Throssell Paul O'Connor Andrea Douglas	Chief Executive Officer Director Corporate Services Minute Secretary
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**Apologies**

**Absent**

<b>Guests</b>	John Phillips	JCP Consulting
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**2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**3.0 DECLARATION OF INTEREST**

**3.1 Disclosure of Financial Interest and Proximity Interests**

Members must disclose the nature of their interest in matters to be discussed at the meeting (Sections 5.60B and 5.65 of the *Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (Sections 5.70 and 5.71 of the *Local Government Act 1995*).

**3.2 Disclosure of Interest Affecting Impartiality**

Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice (Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C).

**4.0 CONFIRMATION OF MINUTES**

<b>RECOMMENDATION</b>
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That the minutes of the meeting of the CEO Performance Review Committee held 16 May 2016 be confirmed.

## 5.0 REPORTS OF EMPLOYEES

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### 5.1 CEO Annual Performance Review 2015/16 and Draft Key Focus Areas for 2016/17

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<b>File Code</b>	P/F
<b>Author</b>	John Phillips, JCP Consulting
<b>Senior Officer</b>	Paul O'Connor, Director Corporate Services
<b>Disclosure of Any Interest</b>	N/A

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#### **SUMMARY:**

The CEO Performance Review Committee (CEOPRC) is to complete the performance review of the Chief Executive Officer (CEO) for the 2015/16 financial year through consideration of the final feedback report, distribution of ratings and development of key focus areas for the forthcoming period.

#### **BACKGROUND:**

The CEOPRC has been delegated the responsibility to:

1. compile the consensus response for each of the agreed key result areas (COMPLETED);
2. conduct a performance review feedback session with the CEO (to be completed on 1 August 2016);
3. prepare and submit for Council approval, a report describing the assessment developed during the performance review, changes to be made, special tasks to be done, or decisions to follow as a result of the evaluation; and
4. prepare and submit for Council approval any variations to the CEO's conditions of employment.

#### **STATUTORY / LEGAL IMPLICATIONS:**

In accordance with s5.39 (3)(b) of the *Local Government Act 1995* it is a requirement that the contract of employment specifies performance criteria for the purpose of measuring the person's performance.

#### **POLICY IMPLICATIONS:**

Nil

#### **FINANCIAL IMPLICATIONS:**

Nil

#### **STRATEGIC IMPLICATIONS:**

The review of the CEO's performance is not only a statutory requirement, but also a critical component in monitoring the delivery of the strategic objectives of the Shire, as the CEO has responsibility for the Shire's strategic plan.

#### **SUSTAINABILITY IMPLICATIONS:**

Nil

#### **RISK IMPLICATIONS:**

Failure to undertake the review will result in a breach of legislative requirements and CEO contractual arrangements.

#### **CONSULTATION:**

N/A

#### **COMMENT:**

A review of the Chief Executive Officer's performance in key focus areas for the review period 2015/16 financial year has been carried out in accordance with Council's statutory and CEO contractual obligations.

Mr John Phillips, JCP Consulting was engaged to assist with the appraisal process. This included consulting with CEOPRC, compiling and distributing a questionnaire to elected members, interviewing those elected members who availed of the opportunity to meet with the facilitator, as well as preparing and presenting the appraisal feedback report.

The CEO Annual Performance Review report (**Refer Confidential ATTACHMENT 1 - Provided under separate confidential cover**);

The draft Key Focus Areas for 2016/17 are to be determined by CEOPRC in conjunction with the CEO (**Refer Confidential ATTACHMENT 2 - Provided under separate confidential cover**).

**VOTING REQUIREMENT:**

Simple majority

**RECOMMENDATION**

That Council endorses the CEO Annual Performance Review report dated .... 2016 and the overall rating of ".....Performance Requirements" for the CEO (**Confidential ATTACHMENT 1 provided under separate confidential cover**).



## **6.0 URGENT BUSINESS (LATE REPORTS)**

## **7.0 CONFIDENTIAL REPORTS**

### **Meeting Closed to Public**

The *Local Government Act 1995*, Part 5, Section 5.23 states in part:

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees; and
  - (b) the personal affairs of any person; and
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret; or
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person,where the trade secret or information is held by, or is about, a person other than the local government; and
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
  - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.

## **8.0 CLOSING PROCEDURES**

### **8.1 Date, Time and Place of the Next Meeting**

The next meeting will be held on Monday, 1 August 2016 at 9.30am in the Weir Room.

### **8.2 Closure of Meeting**