



## CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE

### TERMS OF REFERENCE

#### 1. Name

The name of the Committee shall be the Shire of Mundaring Chief Executive Officer Recruitment Committee.

#### 2. Head of Power

Pursuant to Section 5.36 and 5.39A of the *Local Government Act 1995*, it is a requirement that the Council employ a person to be the CEO to enable the functions of the Local Government and the functions of the Council to be performed.

The manner of the recruitment is prescribed in the *Local Government Act 1995* and the *Local Government (Administration) Regulations Act 1996*.

#### 3. Definitions

**Act** means the *Local Government Act 1995*.

**Committee** means the Shire of Mundaring CEO Recruitment Committee as stipulated in this document.

**Council** means the Council of the Shire of Mundaring.

**Chief Executive Officer (CEO)** means the Chief Executive Officer of the Shire of Mundaring.

**Council Member** means an Elected Member or Councillor of the Shire of Mundaring Council.

**Independent person** means a member of the committee as defined by the *Local Government (Administration) Regulations 1996* Schedule 2, clause 8.

**Independent Human Resources Consultant** means an independent human resources professional, recruitment consultant, or recruitment agency who is not a member of the Committee and shall be appointed by Council to assist with the selection.

#### 4. Objectives

The Committee is established to fulfil the following functions:

- 4.1 Conduct the recruitment and selection process for a Chief Executive Officer in accordance with the principles of merit, equity and transparency consistent with Council's adopted Standards for CEO Recruitment, Performance and Termination Policy.

## **5. Committee Structure**

The Committee shall consist of five elected members;

- 5.1 At least one External Committee member (Independent Person)

- 5.2 A quorum will be three Committee Members being at least 50% of members.

- 5.3 The Independent Human Resources Consultant is not a member of the Committee

When interviews are held by the Selection Panel, all Elected Members are able to attend, provided that if one interview is attended, every effort is made to attend all interviews.

Where Elected Members are unable to attend, interviews will be recorded for their later perusal to assist with decision making.

## **6. Declaration of Conflict of Interest and Confidentiality**

Due to the nature of the CEO Recruitment Committee, Committee members, and by extension, all Elected Members, are to treat any information relating to the CEO Recruitment Committee as strictly confidential.

A Declaration of Conflict of Interest and Confidentiality is to be completed by all Committee Members and any Elected Members who attend CEO Recruitment Committee meetings or attend/ observe interviews. Declarations are to be completed prior to interviews commencing.

If the potential conflict of interest is significant, the Independent Human Resources Consultant is to advise Council to determine if it is appropriate to exclude the Elected Member from the interviews and recruitment process.

Any resolution regarding an Elected Member's participation resulting from a conflict of interest is to be documented and recorded for future reference.

## **7. Terms of Appointment**

Appointment to the Committee shall be determined by the Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections. If a member of the Committee resigns prior to an ordinary local government election, the Council will appoint a replacement.

## **8. Presiding Member**

- 8.1 The Committee is to determine the Presiding Member of the Committee at the first meeting of the Committee following each biennial local government election, whichever is applicable;
- 8.2 The Committee is to determine a Deputy Presiding Member of the Committee at the first meeting of the following each biennial local government election, whichever is applicable;
- 8.3 If the Presiding Member is absent from a meeting, the Deputy Presiding Member is to preside at that meeting.
- 8.4 The role of the Presiding Member includes:
  - 8.4.1 overseeing and facilitating the conduct of meetings in accordance with the Act and the Shire's Meeting Procedures Local Law 2015;
  - 8.4.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
  - 8.4.3 where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the motion to be put.

## **9. Meetings of the Committee**

Meetings will be held as required.

## **10. Powers of the Committee**

- 10.1 The Committee is a formally appointed committee of Council and is responsible to that body.
- 10.2 The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility.
- 10.3 The Committee does not have any delegated authority.
- 10.4 The Committee recommendations must be adopted by Council before implementation.

## **11. Voting**

- 11.1 Each member of the Committee at a meeting will have one vote.
- 11.2 In accordance with section 5.21 (3) of the *Local Government Act 1995*, the Presiding Member, in the event of an equality of votes, is to cast a second vote.

## **12. Timetable**

The timetable for the recruitment review process will be determined by the Committee and the Independent Human Resources Consultant as required

## **13. Reporting Requirements**

Recommendations arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

## **14. Alteration to Terms of Reference**

The Committee is to conduct a review of its terms of reference prior to commencing any recruitment process and provide Council with recommendations for any changes.

## **15. Termination of Committee**

Termination of the Committee shall be at the discretion of Council and in accordance with the Act.

Established	May 2022 C6.05.22
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