

SHIRE OF SHARK BAY

MINUTES

5 March 2021

CHIEF EXECUTIVE OFFICER RECRUITMENT AND SELECTION COMMITTEE MEETING



PETIT BORE – NANGA - SHARK BAY



5 MARCH 2021



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The minutes of the inaugural meeting of the Chief Executive Officer Recruitment and Selection Committee held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 5 March 2021 commencing at 9.36 am.

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RC1.0 DECLARATION OF OPENING

The Chief Executive Officer declared the Chief Executive Officer Recruitment and Selection Committee open at 9.36 am.

RC2.0 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED

ATTENDANCES

Cr C Cowell	Chairperson / Minute Taker
Cr L Bellottie	
Cr J Burton	
Cr E Fenny	Deputy Chairperson
Cr G Ridgley	In attendance until 11.00 am.
Cr M Smith	
Cr P Stubberfield	
Vacant Position – Independent Member	

Mr P Anderson	Chief Executive Officer
Ms Lydia Highfield	Consultant
Mrs R Mettam	Executive Assistant

APOLOGIES

VISITORS

RC3.0 ELECTION OF CHAIRPERSON

The Chief Executive Officer called for nominations for the Chairperson of the committee.

Cr Ridgley nominated Cr Cowell – Cr Cowell accepted the nomination.

No further nominations were put forward Cr Cowell was elected as Chairperson of the committee. The Chairperson assumed the Chair.

The Chairperson Cr Cowell called for nominations for the Deputy Chairperson.

Cr Stubberfield nominated Cr Fenny as Deputy Chairperson.

Cr Fenny accepted the nomination and as no further nominations were put forward the Chairperson declared Cr Fenny as Deputy Chairperson.

Mr Paul Anderson and Mrs Rhonda Mettam left the Council Chamber at 9.44 am.

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RC4.0 CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE REPORTS

RC4.1 CHIEF EXECUTIVE OFFICER RECRUITMENT
GV10000

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Officer Recommendation

That the committee consider the appointment following options:
Recommend that in accordance with the Local Government (Administration)
Amendment Regulations 2021 Clause 8 Establishment of selection panel
for employment of Chief Executive Officer Subclause (3) the Council
appoint

.....

as an independent person to the Chief Executive Officer Recruitment and
Selection Committee.

OR

Recommend that the Council call for expressions of interest for an
independent person to be appointed to the Chief Executive Officer
Recruitment and Selection Committee.

Moved Cr Bellottie

Seconded Cr Burton

Committee Resolution

**That the committee choose to appoint an independent person to the
Chief Executive Officer Recruitment and Selection Committee for
Council approval.**

7/0 CARRIED

The Chairperson called for nominations to the committee

Cr Bellottie nominated Mr Dennis Hault and the nomination was seconded
by Cr Cowell

Cr Stubberfield nominated Mr Phillip Wood and the nomination was
seconded by Cr Fenny.

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Moved Cr Bellottie
Seconded Cr Cowell

Committee Resolution

**That the committee consider the appointment following options:
Recommend that in accordance with the Local Government
(Administration) Amendment Regulations 2021 Clause 8
Establishment of selection panel for employment of Chief Executive
Officer Subclause (3) the Council appoint Mr Dennis Hoult as an
independent person to the Chief Executive Officer Recruitment and
Selection Committee.**

4/3 CARRIED

Background

The Council at the December 2020 ordinary meeting resolved to commence a Chief Executive Officer recruitment process. At the Ordinary Council meeting held on the 24 February 2021, Council resolved the following:

***That Council in accordance with the Local Government
(Administration) Amendment Regulations 2021 Clause 8
Establishment of Selection Panel for Employment of Chief
Executive Officer Subclause (3) appoint Cr Smith (President) from
the Shire of Carnarvon as an independent person to the Chief
Executive Officer Recruitment and Selection Committee.***

Advice has been received that the appointment of a current councillor of any Local Government as an independent member is not in accordance with the regulations published in the Government Gazette.

The Council appointed Councillor Smith based on information published in the guidelines distributed by the Department of Local Government that have now been established to be at conflict with the gazetted regulations.

Comment

The Council will need to review the decision to appoint Councillor Smith to the committee to ensure the council complies with the regulations.

The committee can consider putting forward a recommendation for an appointment to the committee which need to be ratified by council at the next meeting.

The Committee may also consider recommending the council consider an expression of interest process and then appoint a person the Council considers appropriate for appointment to the committee.

Legal Implications

The Local Government (Administration) amendment regulations 2021 came into effect on 3 February 2021 and regulation 18C selection and appointment process for Chief Executive Officer was deleted and replaced

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COMMITTEE MEETING

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by Schedule 2 (clauses 3-14) of the Local Government (Administration)
Amendment Regulations 2021.

Policy Implications

There are no policy implications relative to this report.

Financial Implications

There may be the consideration of reimbursement of expenses relative to
this report which Council will consider at a later date.

It is anticipated that any possible reimbursement would form part of the
2021/2022 budget deliberations.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

26 February 2021

5 MARCH 2021

Moved Cr Ridgley
Seconded Cr Smith

Committee Resolution

That the meeting be closed to members of the public in accordance with section 5.23(2) of the Local Government Act 1995 for Council to discuss matters of a confidential nature.

7/0 CARRIED

Moved Cr Burton
Seconded Cr Ridgley

Committee Resolution

That the Committee suspend Standing Orders, clause 9.5 Limitation on number of speeches to be suspended at 10.25 am for open discussion on item 4.2 – Chief Executive Officer Recruitment.

7/0 CARRIED

Cr Ridgley left the Council Chamber at 11.00 am.

Moved Cr Fenny
Seconded Cr Smith

Committee Resolution

That the meeting be reopened to the members of the public.

6/0 CARRIED

Moved Cr Fenny
Seconded Cr Stubberfield

Committee Resolution

That the Committee reinstate Standing Orders at 11.12am.

6/0 CARRIED

RC4.2 CHIEF EXECUTIVE OFFICER RECRUITMENT
GV10000

Author
Chief Executive Officer

Disclosure of Any Interest
Nil

5 MARCH 2021

Officers Recommendation

That Committee note that the Council has adopted the Local Government (Code of Conduct) Regulations 2021 Schedule 2 - Model Standards for Chief Executive Officer Recruitment, Performance and Termination in accordance with section 5.39 A (1) of the *Local Government Act 1995* and the Local Government (Administration) Amendment Regulations 2021 section 18FA.

The committee review and recommend to Council the

- Chief Executive Officer position description, selection criteria and remuneration package with band 4 of the Salaries and Allowances Tribunal Chief Executive Officer Local Government determination.
- Preparation of Key Performance Indicators to be considered by committee/Council for the position.
- Draft job advertisement and applicant information package.

As presented as an attachment to the minutes be adopted by Council.

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: The committee felt that it should be stated that the President was the person to negotiate the contract with the candidate once Council endorsed the clauses and salary.

Moved Cr Burton

Seconded Cr Fenny

Committee Resolution

That Committee note that the Council has adopted the Local Government (Code of Conduct) Regulations 2021 Schedule 2 - Model Standards for Chief Executive Officer Recruitment, Performance and Termination in accordance with section 5.39 A (1) of the *Local Government Act 1995* and the Local Government (Administration) Amendment Regulations 2021 section 18FA.

The committee review and recommend to Council the

- **Chief Executive Officer position description, selection criteria and remuneration package within Band 4 of the Salaries and Allowances Tribunal Chief Executive Officer Local Government determination.**
- **Preparation of Key Performance Indicators to be considered by committee/Council for the position.**
- **Draft job advertisement and applicant information package.**

As presented as an attachment to the minutes be adopted by Council.

That the President to negotiate contract of employment with the preferred candidate once the Council has endorsed applicable clauses and salary range within Band 4.

6/0 CARRIED

5 MARCH 2021

Background

The Council at the December 2020 ordinary meeting resolved to commence a Chief Executive Officer recruitment process.

The amendment to the Local Government (Administration) Amendment Regulations 2021 have now come into effect on 3 February 2021 and include amendments to the process involved with the recruitment of Chief Executive Officers.

The terms of reference of the Committee are:

- The Chief Executive Officer Recruitment and Selection Committee is to be an advisory Committee for the duration of the Chief Executive Officer recruitment process.
- The Chief Executive Officer Recruitment and Selection Committee is to coordinate the recruitment process in an appropriately confidential manner, including working with the appointed independent recruitment consultant to attract and select appropriate candidates.
- The Chief Executive Officer Recruitment and Selection Committee, with the assistance of the independent recruitment consultant, is to coordinate the advertising, search for candidates, short listing, development of interview process, conducting interviews, screening, assessing, conducting second round interviews, conducting referee checks, writing reports and contract preparation; and
- The Chief Executive Officer Recruitment and Selection Committee is to report back to Council throughout the process and provide Council with sufficient advice to permit a determining decision to be made at an Ordinary Meeting of Council regarding the final selection, appointment and contracting of the Chief Executive Officer.

The Chief Executive Officer Recruitment and Selection Committee, with the assistance of the recruitment consultant, is to undertake the following tasks;

- Review of Chief Executive Officer position description, selection criteria and remuneration package with band 4 of the Salaries and Allowances Tribunal Chief Executive Officer Local Government determination
- Preparation of Key Performance Indicators to be considered by committee/council for the position
- Draft job advertisement and applicant information package
- Applicant preliminary assessments short listing
- Development of interview process
- Assist with the interviews process
- Conducting referee checks
- Prepare a report for the committee/Council consideration
- Prepare a contract of employment

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Comment

The Principal Consultant Lydia Highfield has been appointed and is available to attend the committee meeting scheduled for Friday 5 March 2021 commencing at 9.30 am.

The committee with the assistance of the consultant can now commence undertaking the tasks in accordance with the Terms of Reference and the Code of Conduct for the recruitment of the Chief Executive Officer.

A draft position description will be circulated under separate cover.

Legal Implications

The Local Government (Administration) Amendment Regulations 2021 came into effect on 3 February 2021 and regulation 18C selection and appointment process for Chief Executive Officer was deleted and replaced by Schedule 2 (clauses 3-14) of the Local Government (Administration) Amendment Regulations 2021.

Policy Implications

There are no policy implications relative to this report.

Financial Implications

The 2020/2021 budget includes an amount of \$7,500 for recruitment costs. The majority of costs associated with the recruitment of a Chief Executive Officer should be included in the 2021/2022 budget and expended in the 2021/2022 financial year.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

18 February 2021

CHIEF EXECUTIVE OFFICER RECRUITMENT AND SELECTION
COMMITTEE MEETING

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**RC5.0 NEXT CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE
MEETING**

The next meeting of the Chief Executive Officer Recruitment and Selection Committee will be advised as required.

RC6.0 CLOSURE OF MEETING

With no further business the Chairperson closed the Chief Executive Officer Recruitment and Selection Committee meeting at 11.25 am.