



MINUTES

of

CEO PERFORMANCE REVIEW COMMITTEE MEETING

Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999

Held at

**WALKERVILLE CIVIC CENTRE
COUNCIL CHAMBERS
66 WALKERVILLE TERRACE GILBERTON**

on

31 JANUARY 2023 AT 6:00PM

MINUTES

31 January 2023

The meeting was declared open at 6:00pm.

1. ATTENDANCE RECORD

1.1 Present

Mayor Melissa Jones
Deputy Mayor Cr Liz Trotter
Cr Jay Allanson
Cr Steven Rypp
Cr John Zeppel

In Attendance

Acting Chief Executive Officer, Scott Reardon
Council Secretariat, Danielle Edwards

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

Nil.

2. REPORTS REQUIRING DECISION OF COMMITTEE

Nil.

3. REPORTS REQUIRING DISCUSSION AND / OR PRESENTED FOR INFORMATION

Nil.

4. CONFIDENTIAL REPORTS

4.1 CEO Recruitment Process

CEO17/21-22

Moved: Cr Rypp

Seconded: Cr Trotter

Recommendation (Public)

Pursuant to section 90(3)(b),(h)&(k)

Pursuant to section 90(2) of the *Local Government Act 1999* (the **Act**) the CEO Performance Review Committee orders that all members of the public, except the Acting Chief Executive Officer Scott Reardon and Council Secretariat Danielle Edwards be excluded from attendance at the meeting for Agenda Item 4.1 CEO Recruitment Process.

The CEO Performance Review Committee is satisfied that pursuant to sections 90(3)(b),(h)&(k) of the Act, the information to be received, discussed and considered in relation to this Agenda Item is information relating to the personal affairs of living person, is based on legal advice, and is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person or company with whom Council is proposing to conduct business.

CARRIED

The time being 6:02pm the meeting moved into confidence.

The presiding member called to suspend standing orders of the meeting until 6:23pm.

Unanimously supported

CARRIED

The presiding member called to further suspend standing orders of the meeting until 6:45pm.

Unanimously supported

CARRIED

CEO18/21-22

Moved: Cr Rypp

Seconded: Cr Trotter

That standing orders be further suspended until 7:00pm.

CARRIED UNANIMOUSLY

CEO19/21-22

Moved: Cr Trotter

Seconded: Cr Allanson

Recommendation (Confidential)

1. That Members of the CEO Performance Review Committee be advised that the initial three (3) proposals from Hender Consulting, McArthur Consulting and Perks People Solutions as obtained by Her Worship the Mayor Melissa Jones and distributed to said Members on 16 January 2023 are unable to be received and considered, and must be disregarded as the quotes were obtained prematurely and without authorisation.
2. That the CEO Performance Review Committee in their capacity as the CEO Recruitment and Selection Panel recommend to Council at their Ordinary Meeting of 20 February 2023 that the recruitment process for the Chief Executive Officer now commence and be undertaken in accordance with both the prescribed 'appointment procedures' as outlined under section 98 of the *Local Government Act 1999* and the legal advice obtained, appearing as Attachment B to this report, and in doing so Council:
 - a. appoints a suitably qualified recruitment company through an open request for quotes tender process conducted via Vendor Panel to assist with the CEO recruitment process, and that subject to Council's endorsement this open request for quotes tender process be undertaken for the 21 day period as soon as reasonable practical after the Council's determination but no later than Monday 27 February 2023.
 - b. engages an independent legal adviser to provide advice and probity on issues relating to the CEO recruitment process through an open request for quotes tender process conducted via Vendor Panel, and that subject to Council's endorsement this open request for quotes tender process be undertaken for the 21 day period as soon as reasonable practical after the Council's determination but no later than Monday 27 February 2023.
3. That the CEO Performance Review Committee recommend to Council that the Acting Chief Executive Officer be authorised to write to those three (3) companies, namely Hender Consulting, McArthur Consulting and Perks People Solutions, to advise that Council will undertake an open tender process to appoint a suitably qualified recruitment company, and as part of which the respective companies may submit a proposal.
4. That the CEO Performance Review Committee request that Administration draft the requisite tender documentation relating to recommendations 2 a. and 2 b. above, and that this draft documentation be submitted to Council for reference and noting at their Ordinary Meeting of 20 February 2023.
5. That following completion of recommendations 1, 2 and 3 above, the CEO Performance Committee convene a Special Meeting at which [REDACTED] [REDACTED] be invited to assist and provide guidance to Council on any/all tender submissions received, so that the Committee can subsequently make recommendations to Council on the appointment of both a suitably qualified recruitment company and independent legal adviser.

CARRIED UNANIMOUSLY

CEO20/21-22

Moved: Cr Rypp

Seconded: Cr Zeppel

Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 4.1 CEO Recruitment Process in confidence under section 90(2), 90(3)(b),(h)&(k) of the Act, the CEO Performance Review Committee, pursuant to section 91(7) of that Act orders that the report, Attachment B, and minutes relevant to this Agenda Item be retained in confidence for a period of 12 months or until the conclusion of the recruitment process, and that pursuant to section 91(9)(c) of the Act the CEO Performance Review Committee delegates to the Acting Chief Executive Officer the review and power to revoke this Order;

and

That the CEO Performance Review Committee resolves to end its confidential deliberations pursuant to section 90(2) of the Act and re-admit the public.

CARRIED UNANIMOUSLY

The time being 7:01pm the meeting moved out of confidence.

6. CLOSURE

The meeting was declared closed at 7:01pm.