

# Minutes

## CEO Recruitment Committee

Tuesday 21 December 2021

*By signing these minutes I certify that they were confirmed at the  
CEO Recruitment Committee held on \_\_\_\_\_*

\_\_\_\_\_  
CR FILOMENA PIFFARETTI, MAYOR  
CHAIRPERSON

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**Minutes** of the CEO Recruitment Committee of the Bayswater City Council which took place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday 21 December 2021.

## 1 OFFICIAL OPENING

Mr Andrew Brien, Chief Executive Officer, declared the meeting open at 6:29pm.

## 2 ACKNOWLEDGEMENT OF COUNTRY

In accordance with the City of Bayswater's Reflect Reconciliation Action Plan November 2019- November 2020, the Presiding Member will deliver the Acknowledgement of Country.

### Noongar Language

*Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koorra koorra, boordiar's ye yay ba boordiar's boordawyn wah.*

### English Language Interpretation

*We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.*

Mr Andrew Brien, Chief Executive Officer, acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

## 3 ELECTION OF A CHAIRPERSON

In accordance with section 5.12 of the *Local Government Act 1995* the members of the Committee are to elect a chairperson (presiding member) from amongst themselves.

Mr Andrew Brien, Chief Executive Officer, called for nominations of Chairperson for the Committee.

Cr Catherine Ehrhardt, Deputy Mayor, nominated Cr Filomena Piffaretti, Mayor, for Chairperson. There being no other nominations, Cr Filomena Piffaretti, Mayor was declared duly elected.

At 6:31pm, Cr Filomena Piffaretti, Mayor, assumed the Chair.

## 4 ATTENDANCE

### Members

Cr Filomena Piffaretti, Mayor  
Cr Catherine Ehrhardt, Deputy Mayor  
Cr Steven Ostaszewskyj  
Cr Elli Petersen-Pik

### Officers

Mr Andrew Brien                      Chief Executive Officer  
Ms Anna Gillespie                  Manager People Culture and Safety  
Ms Cassandra Flanigan              Special Projects Advisor

### 4.1 Apologies

Cr Josh Eveson

**4.2 Approved Leave Of Absence**

Nil.

## 5 DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosures of interest were made at the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Cr Steven Ostaszewskij	8.2	Impartial	There was a photograph of Cr Ostaszewskij in one of the submissions provided.
Mr Andrew Brien, Chief Executive Officer	8.2	Impartial	Mr Brien has been interviewed by a number of the consultants mentioned in the item.
Ms Anna Gillespie, Manager People, Culture and Safety	8.2	Impartial	Ms Gillespie knows someone who works for one of the consultants mentioned in the item two years ago. Ms Gillespie abstained from providing comment during discussion of the item.
Cr Filomena Piffaretti, Mayor	8.3	Impartial	Cr Piffaretti, Mayor, knows Mr John Gangell, who is mentioned in the item.
Cr Catherine Ehrhardt, Deputy Mayor	8.3	Impartial	Cr Ehrhardt, Deputy Mayor, knows Mr John Gangell, who is mentioned in the item.
Cr Steven Ostaszewskij	8.3	Impartial	Cr Ostaszewskij knows Mr John Gangell, who is mentioned in the item.

## 6 DELEGATED AUTHORITY BY COUNCIL

In accordance with section 5.23(1)(b) of the *Local Government Act 1995* the CEO Recruitment Committee has delegated authority, as approved by Council, in relation to all the administrative aspects of the recruitment process including:

- a) The recruitment of an independent member to the Committee; and
- b) Appointment of a professional recruitment consultant.

## 7 TERMS OF REFERENCE

The Terms of Reference are a separate report in this agenda for the Committee's consideration.

**8 REPORTS****8.1 Terms Of Reference - CEO Recruitment Committee**

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	1. Terms of Reference - Chief Executive Officer Recruitment Committee [8.1.1 - 1 page]
<b>Refer:</b>	

**SUMMARY**

For Council to consider the terms of reference for the CEO Recruitment Committee, which has been established to lead Council in recruiting a new CEO following the resignation of the CEO.

**OFFICER'S RECOMMENDATION**

That Council adopts the terms of reference for the CEO Recruitment Committee as outlined in **Attachment 1**.

**COMMITTEE RECOMMENDATION TO COUNCIL**

That Council adopts the terms of reference for the CEO Recruitment Committee as outlined in **Attachment 1**, with the following amendments:

1. In the Role of Representatives section, the words "Spokesperson for the City of Bayswater" be removed.
2. In the Elected Member membership section, all other remaining Councillors are deputies.

Cr Elli Petersen-Pik Moved, Cr Steven Ostaszewskyj Seconded

**CARRIED UNANIMOUSLY: 4/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Steven Ostaszewskyj and Cr Elli Petersen-Pik.

**Against:** Nil.

**REASON FOR CHANGE**

***The Committee changed the officer's recommendation to remove the requirement for the committee members to act as spokesperson for the City of Bayswater and to enable other Councillors to be deputies.***

**BACKGROUND**

At the Ordinary Council Meeting on 7 December 2021, Council considered a number of items of urgent business in relation to the resignation of the City's CEO, Mr Andrew Brien.

To begin the recruitment process, Council resolved the following:

***"That Council:***

1. ***Establishes the CEO Recruitment Committee, comprising the following members:***
  - (a) ***The Mayor;***
  - (b) ***The Deputy Mayor;***

- (c) **One Elected Member from each Ward, being:**
- i. **Cr Steven Ostaszewskyj from Central Ward;**
  - ii. **Cr Josh Eveson from North Ward;**
  - iii. **Cr Elli Petersen-Pik from South Ward;**
  - iv. **Nil from West Ward; and**
- (d) **One independent member, to be selected by the CEO Recruitment Committee.**
2. **Endorses the position description of the Chief Executive Officer as outlined in Attachment 3, noting it has been updated to reflect the current organisation structure.**
3. **Delegates authority to the CEO Recruitment Committee all powers necessary to enable the Committee to undertake all the administrative aspects of the recruitment process including:**
- a) **The recruitment of an independent member to the Committee; and**
  - b) **Appointment of a professional recruitment consultant.”**

## **EXTERNAL CONSULTATION**

Nil.

## **OFFICER'S COMMENTS**

The terms of reference of the CEO Recruitment Committee have been drafted in line with the above Council resolution to enable the Committee to begin the recruitment process for a new CEO.

### Purpose

The purpose of the CEO Recruitment Committee has been drafted based on the guidelines distributed by the Department of Local Government, Sport and Cultural Industries in relation to CEO Recruitment. The purpose also makes reference to the Model Standards for CEO Recruitment, Performance and Termination adopted by Council at the Ordinary Council Meeting on 23 March 2021.

### Meeting details

Meeting Frequency:	As required
Day of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	City of Bayswater Civic Centre

Given the purpose of the Committee and acknowledging that there may be instances where the Committee is required to meet at short notice, the meeting details have been drafted broadly to allow the Committee to meet as and when required.

### Sitting fees

Included as part of the annual sitting fees paid to Councillors.

### Liaison Officer

It is recommended that the liaison officer be both the current CEO and the Manager People, Culture and Safety. This will allow for continuity in the process once the CEO departs the organisation.

Membership:

In accordance with the Council resolution of 7 December 2021, the Elected Member membership is:

- Cr Filomena Piffaretti, Mayor
- Cr Catherine Ehrhardt, Deputy Mayor
- Cr Steven Ostaszewskyj
- Cr Josh Eveson
- Cr Elli Petersen-Pik

In addition and in accordance with the legislative requirements, the Committee is required to have one independent member. The Committee has been granted delegated authority to appoint the independent member, with options for an independent member the subject of a separate report.

**LEGISLATIVE COMPLIANCE**

Council established the CEO Recruitment Committee at the Ordinary Council Meeting on 7 December 2021 in accordance with section 5.8 of the *Local Government Act 1995* (WA).

**RISK ASSESSMENT**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Officer's Recommendation</b>	<b>That Council adopts the terms of reference for the CEO Recruitment Committee as outlined in <u>Attachment 1</u>.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	
Strategic Direction	Moderate	Low	
Reputation	Low	Low	
Governance	Low	Low	
Community and Stakeholder	Moderate	Low	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
<b>Conclusion</b>	The terms of reference have been developed in accordance with Council's resolution to establish the CEO Recruitment Committee on 7 December 2021 and reflecting the Department's guidelines on CEO recruitment. It is therefore considered a low risk to adopt the terms of reference as presented.		

<b>Option 2</b>	<b>That Council adopts the terms of reference for the CEO Recruitment Committee as outlined in <u>Attachment 1</u> and as further amended by Council.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	
Strategic Direction	Moderate	Risks will be dependent on amendments made to the terms of reference.	
Reputation	Low		
Governance	Low		
Community and Stakeholder	Moderate		
Financial Management	Low		
Environmental Responsibility	Low		
Service Delivery	Low		
Organisational Health and Safety	Low		
<b>Conclusion</b>	Council may wish to further amend the terms of reference for the CEO Recruitment Committee, noting that there are legislative requirements that must be satisfied.		



## **FINANCIAL IMPLICATIONS**

Nil.

## **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## **CONCLUSION**

Council has established the CEO Recruitment Committee to lead the process of recruiting a new CEO. Terms of reference have been drafted in line with the Council resolution of 7 December 2021 to establish the Committee, and these are presented to Council for their consideration.

<b>TERMS OF REFERENCE</b>	
<b>Chief Executive Officer Recruitment Committee</b>	
<b>Purpose:</b>	The purpose of the Chief Executive Officer Recruitment Committee is to conduct the recruitment and selection process for a new Chief Executive Officer in accordance with the principles of merit, equity and transparency and consistent with Council's adopted <i>Model Standards for CEO Recruitment, Performance and Termination</i> .
<b>Elected membership:</b>	<b>Member</b> Cr Filomena Piffaretti, Mayor Cr Catherine Ehrhardt, Deputy Mayor Cr Steven Ostaszweskyj Cr Josh Eveson Cr Elli Petersen-Pik
<b>External membership:</b>	<b>Member</b> One independent member
<b>Role of Representatives:</b>	The roles and responsibilities of the City of Bayswater representatives on this Committee are: <ul style="list-style-type: none"> <li>• Member in own right; and</li> <li>• Spokesperson for City of Bayswater.</li> </ul>
<b>Delegated Authority:</b>	The CEO Recruitment Committee has been delegated all powers necessary to enable the Committee to undertake all the administrative aspects of the recruitment process including: <ol style="list-style-type: none"> <li>a) The recruitment of an independent member to the Committee; and</li> <li>b) Appointment of a professional recruitment consultant.</li> </ol>
<b>Meetings:</b>	Committee meetings are to be in accordance with the <i>City of Bayswater Standing Orders Local Law 2021</i> .
<b>Meeting Frequency:</b>	As required.
<b>Meeting Date and Time:</b>	When suitable.
<b>Location:</b>	City of Bayswater Civic Centre
<b>Liaison Officer:</b>	Chief Executive Officer Manager People, Culture and Safety

**8.2 Appointment Of Recruitment Consultant - CEO Recruitment Committee**

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Evaluation [8.2.1 - 1 page]</li> <li>2. CONFIDENTIAL - Proposal - Hudson [8.2.2 - 14 pages]</li> <li>3. CONFIDENTIAL - Proposal - Leading Roles [8.2.3 - 36 pages]</li> <li>4. CONFIDENTIAL - Proposal - Davidson [8.2.4 - 17 pages]</li> <li>5. CONFIDENTIAL - Proposal - Mills Recruitment [8.2.5 - 13 pages]</li> <li>6. CONFIDENTIAL - Proposal - Chandler Macleod [8.2.6 - 9 pages]</li> <li>7. CONFIDENTIAL - Proposal - Beilby Downing Teal [8.2.7 - 13 pages]</li> <li>8. CONFIDENTIAL - Proposal - Hunter Executive [8.2.8 - 14 pages]</li> <li>9. CONFIDENTIAL - Proposal - Lester Blades [8.2.9 - 28 pages]</li> </ol>
<b>Refer:</b>	<p>Item 13.1.1 OCM 7.12.2021</p> <p>Item 13.1.2 OCM 7.12.2021</p> <p>Item 13.1.3 OCM 7.12.2021</p>

**CR STEVEN OSTASZEWSKYJ DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Steven Ostaszewskyj declared an impartial interest in this item as a photograph of him is included in one of the submissions. Cr Steven Ostaszewskyj remained in the room during voting on this item.*

**MR ANDREW BRIEN, CHIEF EXECUTIVE OFFICER, DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Mr Andrew Brien, Chief Executive Officer declared an impartial interest in this item as he has been interviewed by a number of the consultants listed in the item. Mr Andrew Brien remained in the room during voting on this item.*

**MS ANNA GILLESPIE, MANAGER PEOPLE, CULTURE AND SAFETY, DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Ms Anna Gillespie, Manager People, Culture and Safety, declared an impartial interest in this item as she knows someone who works at one of the consultants two years ago. Ms Anna Gillespie remained in the room during voting on this item but abstained from making any comment on the item.*

**Confidential Attachment(s) in accordance with Section 5.23(2) of the Local Government Act 1995 (WA):**

- (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*

**SUMMARY**

For the CEO Recruitment Committee to appoint a professional recruitment consultant to assist with the recruitment process for a new CEO.

**OFFICER'S RECOMMENDATION**

That the CEO Recruitment Committee:

1. Appoints \_\_\_\_\_ as the professional recruitment consultant to assist the CEO Recruitment Committee with the recruitment of a new CEO.
2. Notes that \_\_\_\_\_ will assist the Committee to identify a preferred candidate that will be recommended to Council for consideration.
3. Requests the CEO to write to all recruitment companies who submitted a proposal to advise them of the request for quote process outcome.
4. Notes that the costs of professional recruitment consultancy are currently unbudgeted for and will be included as part of the mid-year budget review.

**COMMITTEE RESOLUTION****(OFFICER'S RECOMMENDATION)**

That the CEO Recruitment Committee:

1. **Appoints Lester Blades as the professional recruitment consultant to assist the CEO Recruitment Committee with the recruitment of a new CEO.**
2. **Notes that Lester Blades will assist the Committee to identify a preferred candidate that will be recommended to Council for consideration.**
3. **Requests the CEO to write to all recruitment companies who submitted a proposal to advise them of the request for quote process outcome.**
4. **Notes that the costs of professional recruitment consultancy are currently unbudgeted for and will be included as part of the mid-year budget review.**

**Cr Filomena Piffaretti, Mayor Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED UNANIMOUSLY: 4/0**

**For: Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Steven Ostaszewskyj and Cr Elli Petersen-Pik.**

**Against: Nil.**

**REASON FOR CHANGE**

***The Committee selected the recruitment consultant.***

**BACKGROUND**

At the Ordinary Council Meeting on 7 December 2021, Council considered a number of items of urgent business in relation to the resignation of the City's CEO, Mr Andrew Brien.

To begin the recruitment process, Council resolved the following:

***"That Council:***

1. ***Establishes the CEO Recruitment Committee, comprising the following members:***
  - (a) ***The Mayor;***
  - (b) ***The Deputy Mayor;***

- (c) **One Elected Member from each Ward, being:**
- i. **Cr Steven Ostaszewskyj from Central Ward;**
  - ii. **Cr Josh Eveson from North Ward;**
  - iii. **Cr Elli Petersen-Pik from South Ward;**
  - iv. **Nil from West Ward; and**
- (d) **One independent member, to be selected by the CEO Recruitment Committee.**
2. **Endorses the position description of the Chief Executive Officer as outlined in Attachment 3, noting it has been updated to reflect the current organisation structure.**
3. **Delegates authority to the CEO Recruitment Committee all powers necessary to enable the Committee to undertake all the administrative aspects of the recruitment process including:**
- a) **The recruitment of an independent member to the Committee; and**
  - b) **Appointment of a professional recruitment consultant.”**

Council separately considered the appointment of an external recruitment consultant to coordinate the recruitment process and resolved as follows:

**“That Council:**

1. **Requests the CEO undertake a request for quote process for the appointment of an professional recruitment consultant in relation to the recruitment of a new CEO; and**
2. **Notes that the CEO Recruitment Committee has been granted delegated authority to assess and appoint an external recruitment consultant following the request for quote process.”**

## **EXTERNAL CONSULTATION**

Nil.

## **OFFICER'S COMMENTS**

The professional recruitment consultant will assist the CEO Recruitment Committee with all stages of the recruitment process, with the preferred candidate to be recommended to Council. The consultant's remit will include:

- Drafting of advertisement
- Preliminary assessment of applications
- Final shortlisting
- Drafting of the questions for interviews
- Coordinating interviews
- Finalising the offer of the draft contract of employment

Following the December Ordinary Council Meeting, Officers contacted a number of recruitment companies to invite them to submit a quote for the recruitment consultant position, with proposals due by 12pm, Friday 17 December 2021). The City received submissions from the following companies:

- Hudson
- Leading Roles

- Davidson
- Mills Recruitment
- Chandler Macleod
- Beilby Downing Teal
- Hunter Executive
- Lester Blades

A copy of all proposals received are included at **Confidential Attachments 2-9**.

**Internal Evaluation**

An internal evaluation was undertaken by a panel consisting of the CEO, Manager People, Culture and Safety and Special Projects Advisor. The following criteria were assessed with a score of out of 10 for each criterion and the following weightings:

- Market presence of key personnel (state/interstate/international connections) (10%)
- Experience in similar processes (recent CEO recruitment) (30%)
- Recruitment methodology (20%)
- Timeframe to deliver recruitment process (10%)
- Cost to deliver recruitment process (30%)

The panel assessed the applications individually, and then an average was calculated to arrive at an overall score. The results of the internal evaluation are included at **Confidential Attachment 1**.

**Recommendation**

The internal panel evaluation identified that there are three consultants with identical scores that are considered suitable to undertake the recruitment process for the City. All three came to the same score with different results for each criteria. The Officers are unable to split the consultants any further without going down to further decimal places.

As all three top candidates are considered suitable it is recommended that the CEO Recruitment Committee select their preferred consultant.

**LEGISLATIVE COMPLIANCE**

The CEO Recruitment Committee has been granted delegated authority to appoint a recruitment consultant to assist the Committee with the recruitment process. The process outlined by the preferred recruitment consultant is consistent with the legislative requirements for CEO recruitment.

**RISK ASSESSMENT**

In accordance with the City’s Risk Management Framework, the following options have been assessed against the City’s adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Officer’s Recommendation</b>	<p><b>That the CEO Recruitment Committee:</b></p> <ol style="list-style-type: none"> <li>1. <b>Appoints _____ as the professional recruitment consultant to assist the CEO Recruitment Committee with the recruitment of a new CEO.</b></li> <li>2. <b>Notes that _____ will assist the Committee to identify a preferred candidate that will be recommended to Council for consideration.</b></li> <li>3. <b>Requests the CEO to write to all recruitment companies who submitted a proposal to advise them of the request for quote process outcome.</b></li> </ol>
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	<b>4. Notes that the costs of professional recruitment consultancy will be drawn from the salaries and wages budget and reflected in the mid-year budget review.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	An internal panel has undertaken an evaluation of proposals and identified three consultants who scored identical in the evaluation process. It is therefore recommended the Committee select their preferred consultant from these three, which is considered a low risk.	

### FINANCIAL IMPLICATIONS

The costs for engagement of a professional recruitment consultant to recruit a new CEO will come out of the salaries and wages budget and addressed as part of the mid-year budget review process.

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

### CONCLUSION

Following the December Ordinary Council Meeting, Officers sought quotes from a number of professional recruitment consultants to assist the Committee with the CEO recruitment process. An internal panel has evaluated the proposals received, with three consultants receiving identical scores, noting the results varied across different criterion. It is therefore recommended that the Committee appoint a consultant from top three.

Panel Evaluation - RFQ for Recruitment Consultant

Criteria	Weighting	Hudson		Leading Roles		Davidson		Mills Recruitment		Chandler Macleod		Beilby Downing Teal		Hunter Executive		Lester Blades	
		Scoring		Scoring		Scoring		Scoring		Scoring		Scoring		Scoring			
Market presence and skills of key personnel	10%	CEO	8	CEO	7	CEO	6	CEO	7	CEO	8	CEO	7	CEO	7	CEO	8
		MPCS	9	MPCS	8	MPCS	7	MPCS	7	MPCS		MPCS	9	MPCS	8	MPCS	7
		SPA	7	SPA	6	SPA	6	SPA	7	SPA	7	SPA	8	SPA	7	SPA	8
		<b>Average</b>	<b>8</b>	<b>Average</b>	<b>7</b>	<b>Average</b>	<b>6.3</b>	<b>Average</b>	<b>7</b>	<b>Average</b>	<b>7.5</b>	<b>Average</b>	<b>8</b>	<b>Average</b>	<b>7.3</b>	<b>Average</b>	<b>7.6</b>
Experience in similar processes	30%	CEO	7	CEO	7	CEO	7	CEO	8	CEO	5	CEO	7	CEO	7	CEO	8
		MPCS	5	MPCS	6	MPCS	6	MPCS	8	MPCS		MPCS	8	MPCS	7	MPCS	9
		SPA	6	SPA	6	SPA	6	SPA	8	SPA	5	SPA	8	SPA	6	SPA	9
		<b>Average</b>	<b>6</b>	<b>Average</b>	<b>6.3</b>	<b>Average</b>	<b>6.3</b>	<b>Average</b>	<b>8</b>	<b>Average</b>	<b>5</b>	<b>Average</b>	<b>7.6</b>	<b>Average</b>	<b>6.6</b>	<b>Average</b>	<b>8.6</b>
Recruitment methodology	20%	CEO	7	CEO	7	CEO	7	CEO	7	CEO	5	CEO	7	CEO	7	CEO	8
		MPCS	7	MPCS	6	MPCS	7	MPCS	8	MPCS		MPCS	8	MPCS	7	MPCS	8
		SPA	7	SPA	6	SPA	7	SPA	8	SPA	5	SPA	8	SPA	7	SPA	8
		<b>Average</b>	<b>7</b>	<b>Average</b>	<b>6.3</b>	<b>Average</b>	<b>7</b>	<b>Average</b>	<b>7.6</b>	<b>Average</b>	<b>5</b>	<b>Average</b>	<b>7.6</b>	<b>Average</b>	<b>7</b>	<b>Average</b>	<b>8</b>
Timeframe to deliver recruitment process	10%	CEO	8	CEO	7	CEO	7	CEO	8	CEO	5	CEO	7	CEO	7	CEO	8
		MPCS	8	MPCS	9	MPCS	8	MPCS	8	MPCS		MPCS	7	MPCS	8	MPCS	6
		SPA	8	SPA	7	SPA	8	SPA	8	SPA	5	SPA	7	SPA	8	SPA	8
		<b>Average</b>	<b>8</b>	<b>Average</b>	<b>7.6</b>	<b>Average</b>	<b>7.6</b>	<b>Average</b>	<b>8</b>	<b>Average</b>	<b>5</b>	<b>Average</b>	<b>7</b>	<b>Average</b>	<b>7.6</b>	<b>Average</b>	<b>7.3</b>
Cost to deliver recruitment process	30%	CEO	7	CEO	7	CEO	5	CEO	8	CEO	8	CEO	8	CEO	6	CEO	7
		MPCS	7	MPCS	8	MPCS	5	MPCS	8	MPCS		MPCS	9	MPCS	6	MPCS	7
		SPA	7	SPA	7	SPA	5	SPA	8	SPA	8	SPA	8	SPA	6	SPA	7
		<b>Average</b>	<b>7</b>	<b>Average</b>	<b>7.3</b>	<b>Average</b>	<b>5</b>	<b>Average</b>	<b>8</b>	<b>Average</b>	<b>8</b>	<b>Average</b>	<b>8.3</b>	<b>Average</b>	<b>6</b>	<b>Average</b>	<b>7</b>
<b>Overall Score</b>		<b>6.9</b>	<b>6.8</b>	<b>6.2</b>	<b>7.8</b>	<b>6.1</b>	<b>7.8</b>	<b>6.7</b>	<b>7.8</b>								



**8.3 Independent Member Of The CEO Recruitment Committee**

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	Nil
<b>Refer:</b>	Item 13.1.1 OCM 7.12.2021 Item 13.1.2 OCM 7.12.2021 Item 13.1.3 OCM 7.12.2021

**CR STEVEN OSTASZEWSKYJ DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Steven Ostaszewskyj declared an impartial interest in this item as he knows Mr John Gangell. Cr Steven Ostaszewskyj remained in the room during voting on this item.*

**CR FILOMENA PIFFARETTI, MAYOR, DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Filomena Piffaretti, Mayor declared an impartial interest in this item as she knows Mr John Gangell. Cr Filomena Piffaretti, Mayor, remained in the room during voting on this item.*

**CR CATHERINE EHRHARDT, DEPUTY MAYOR, DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Catherine Ehrhardt, Deputy Mayor, declared an impartial interest in this item as she knows Mr John Gangell. Cr Catherine Ehrhardt, Deputy Mayor, remained in the room during voting on this item.*

**SUMMARY**

For the CEO Recruitment Committee to consider options for the appointment of the independent member to the CEO Recruitment Committee.

**OFFICER'S RECOMMENDATION**

That the CEO Recruitment Committee requests the appointed recruitment consultant provide a shortlist of potential independent members to the CEO Recruitment Committee by 18 January 2022.

**MOTION**

That:

1. The CEO Recruitment Committee invites Mr John Gangell to be the independent Committee member.
2. If Mr John Gangell declines, the Committee invites Lester Blades to be the independent Committee member.

**Cr Filomena Piffaretti, Mayor, Cr Steven Ostaszewskyj Seconded Pro Forma**

**In accordance with the City of Bayswater Standing Orders Local Law 2021 section 10.15(l), the motion was withdrawn on the request of Cr Filomena Piffaretti, Mayor, with the approval of Cr Steven Ostaszewskyj as the seconder.**

**MOTION**

That:

1. The CEO Recruitment Committee requests the appointed recruitment consultant provide a shortlist of potential independent members to the CEO Recruitment Committee by 18 January 2022.
2. Each CEO Recruitment Committee member puts forward three names for the independent member.

Cr Catherine Ehrhardt, Deputy Mayor Moved

LAPSED FOR WANT OF A SECONDER

**COMMITTEE RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

That the CEO Recruitment Committee requests the appointed recruitment consultant provide a shortlist of potential independent members to the CEO Recruitment Committee by 18 January 2022.

Cr Filomena Piffaretti, Mayor Moved, Cr Elli Petersen-Pik Seconded

CARRIED UNANIMOUSLY: 4/0

*For: Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Steven Ostaszewskyj and Cr Elli Petersen-Pik.*

*Against: Nil.*

**BACKGROUND**

At the Ordinary Council Meeting on 7 December 2021, Council considered a number of items of urgent business in relation to the resignation of the City's CEO, Mr Andrew Brien.

To begin the recruitment process, Council resolved the following:

***"That Council:***

1. ***Establishes the CEO Recruitment Committee, comprising the following members:***
  - (a) ***The Mayor;***
  - (b) ***The Deputy Mayor;***
  - (c) ***One Elected Member from each Ward, being:***
    - i. ***Cr Steven Ostaszewskyj from Central Ward;***
    - ii. ***Cr Josh Eveson from North Ward;***
    - iii. ***Cr Elli Petersen-Pik from South Ward;***
    - iv. ***Nil from West Ward; and***
  - (d) ***One independent member, to be selected by the CEO Recruitment Committee.***
2. ***Endorses the position description of the Chief Executive Officer as outlined in Attachment 3, noting it has been updated to reflect the current organisation structure.***
3. ***Delegates authority to the CEO Recruitment Committee all powers necessary to enable the Committee to undertake all the administrative aspects of the recruitment process including:***

- a) *The recruitment of an independent member to the Committee; and*
- b) *Appointment of a professional recruitment consultant.”*

Council separately considered the appointment of an external recruitment consultant to coordinate the recruitment process and resolved as follows:

**“That Council:**

1. ***Requests the CEO undertake a request for quote process for the appointment of an professional recruitment consultant in relation to the recruitment of a new CEO; and***
2. ***Notes that the CEO Recruitment Committee has been granted delegated authority to assess and appoint an external recruitment consultant following the request for quote process.”***

The appointment of a professional recruitment consultant is the subject of a separate report to the CEO Recruitment Committee.

#### **EXTERNAL CONSULTATION**

Nil.

#### **OFFICER'S COMMENTS**

Council is required to establish a CEO Selection Panel in accordance with s 5.39A(1) of the *Local Government Act 1995 (WA)* (**‘the Act**), which requires that the panel comprise of Council members (the number of which must be determined by the local government) and at least 1 independent person (cl 8, Division 2 of the Regulations)

Clause 8, Division 2 of the Regulations as well as Council’s adopted Model Standards for CEO Recruitment, Performance and Termination provides that the independent member cannot be:

- A Council Member;
- An employee of the local government; or
- A human resources consultant engaged by the local government.

Since the introduction of legislation, it is noted that independent members to recruitment panels have been previous CEOs, or senior employees with knowledge of the role of CEOs in local governments. Examples of potential independent members provided by the Department include:

- Former Elected Members or former staff members of the Local Government;
- Former or current Elected Members (such as the Mayor or Shire President) or staff members of another local government;
- A prominent or highly regard member of the community; or
- A person with experience in the recruitment of CEOs and senior executives.

Given the considerable experience and exposure that the professional recruitment consultant will have in relation to appropriate and available independent members for CEO recruitment panels, it is recommended that they provide a shortlist of potential applicants for the Committee’s consideration. It is noted that the consultant will have a greater understanding of those who would be appropriate and/or available in the sector to sit on the CEO’s Recruitment Committee.

Council could alternatively request the CEO present a shortlist of potential independent members to the Committee, however as noted above the CEO may not be aware of those who are available and active in this space.

When the shortlist is presented to the Committee, regard will need to be given as to whether the Committee will provide reimbursement for expenses to the independent member and will need to take advice from the recruitment consultant on the most appropriate approach.

### LEGISLATIVE COMPLIANCE

The appointment of an independent member is in accordance with clause 8, Division 2 of the *Local Government (Administration) Regulations 1996*.

### RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Officer's Recommendation</b>	<b>That the CEO Recruitment Committee requests the appointed recruitment consultant provide a shortlist of potential independent members to the CEO Recruitment Committee by 18 January 2022.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	
Strategic Direction	Moderate	Low	
Reputation	Low	Low	
Governance	Low	Low	
Community and Stakeholder	Moderate	Low	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
<b>Conclusion</b>	It is recommended that the professional recruitment consultant provide a shortlist of potential independent members, given their experience and knowledge of CEO recruitment following the legislative amendments. This is considered a low risk in all risk categories.		

<b>Option 2</b>	<b>That the CEO Recruitment Committee requests the CEO provide a shortlist of potential independent members to the CEO Recruitment Committee by 18 January 2022.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	
Strategic Direction	Moderate	Low	
Reputation	Low	Moderate	
Governance	Low	Low	
Community and Stakeholder	Moderate	Low	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
<b>Conclusion</b>	Whilst the CEO could provide a list of potential independent members to the CEO Recruitment Committee, this may pose a reputation risk given that the CEO may not be fully aware of those available or active in the CEO recruitment space.		

### FINANCIAL IMPLICATIONS

Whilst there are no financial implications at this stage, it is noted that the CEO Recruitment will need to consider whether reimbursement is provided to the independent member when the appointment is made.

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## **CONCLUSION**

Amendments were made to the *Local Government Act 1995 (WA)* and associated Regulations in 2019 to require an independent member be part of the CEO selection panel. It is recommended that the professional recruitment consultant provide a shortlist of potential independent members to the Committee for their consideration, given their experience and knowledge of those available in the sector to act as the Committee's independent member.

**9 CONFIDENTIAL ITEMS**

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Authority/Discretion:</b>	Executive/Strategic Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil
<b>Refer:</b>	Item 13.1.1 OCM 7.12.2021 Item 13.1.2 OCM 7.12.2021 Item 13.1.3 OCM 7.12.2021

**REASON FOR CONFIDENTIALITY**

*This is a CONFIDENTIAL REPORT in accordance with section 5.23(2) of the Local Government Act 1995 (WA), which permits the meeting to be closed to the public for the business relating to:*

- (a) *A matter affecting an employee or employees*

**COMMITTEE RESOLUTION**

That the meeting be closed to the public.

Cr Filomena Piffaretti, Mayor Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED: 2/2**

*For: Cr Filomena Piffaretti, Mayor and Cr Catherine Ehrhardt, Deputy Mayor.*

*Against: Cr Steven Ostaszewskyj and Cr Elli Petersen-Pik.*

*In accordance with section 5.21(3) of the Local Government Act 1995, as the votes were equally divided, the Presiding Member (Chairperson), Cr Filomena Piffaretti, Mayor, cast a second vote.*

*At 7:35pm, the meeting closed to the public.*

**COMMITTEE RECOMMENDATION TO COUNCIL**

That the recommendation as contained in the "Confidential Report" be adopted.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Filomena Piffaretti, Mayor Seconded

**CARRIED: 3/1**

*For: Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor and Cr Steven Ostaszewskyj.*

*Against: Cr Elli Petersen-Pik.*

**COMMITTEE RESOLUTION**

That the meeting be reopened to the public.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Steven Ostaszewskyj Seconded

**CARRIED UNANIMOUSLY: 4/0**

*For: Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Steven Ostaszewskyj and Cr Elli Petersen-Pik.*

*Against: Nil.*

*At 7:59pm, the meeting was reopened to the public.*

**10 GENERAL BUSINESS**

Nil.

**11 NEXT MEETING**

To be advised.

**12 CLOSURE**

There being no further business to discuss, the Chairperson, Cr Filomena Piffaretti, Mayor, declared the meeting closed at 8:00pm.