

Minutes

Chief Executive Officer Review Committee

Monday 21 August 2023

By signing these minutes I certify that they were confirmed at the Chief Executive Officer Review Committee held on: _____

CHAIRPERSON

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Minutes of the Chief Executive Officer Review Committee of the Bayswater City Council which took place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Monday 21 August 2023.

1 OFFICIAL OPENING

The Presiding Member, Cr Filomena Piffaretti, Mayor declared the meeting open at 5:00pm.

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 koora koora, 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.

The Presiding Member, Cr Filomena Piffaretti, Mayor acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

3 ATTENDANCE

Members

Cr Filomena Piffaretti, Mayor Chairperson
Cr Elli Petersen-Pik
Cr Giorgia Johnson

Officers

Mr Jeremy Edwards	Chief Executive Officer
Mrs Amanda Albrecht	Manager, Governance and OPD (minute-taker)
	(Left the meeting at the request of the Committee from 5:02pm to 6:25pm)

Consultant

Ms Helen Hardcastle AM	Director – Learning Horizons
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3.1 Apologies

Nil.

3.2 Approved Leave of Absence

Nil.

4 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 was provided before the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Mr Jeremy Edwards, Chief Executive Officer	11.1	Financial	Mr Jeremy Edwards has declared a financial interest in this report as it relates to his performance and remuneration.
Ms Amanda Albrecht	11.1	Impartial	Item 11.1 was prepared by the Ms Amanda Albrecht, Manager, Governance and Organisational Planning and Development (MGOPD). The Chief Executive Officer was consulted in the drafting of the report. Ms Albrecht has declared an impartiality interest in this item as she is a direct report to the Chief Executive Officer.

No additional declarations of interest were made at the meeting.

5 DELEGATED AUTHORITY BY COUNCIL

There are no item appearing in this agenda for which the Chief Executive Officer Review Committee has been granted delegated authority by Council in accordance with section 5.23(1)(b) of the *Local Government Act 1995 (WA)*; this meeting is closed to the Public.

6 TERMS OF REFERENCE

TERMS OF REFERENCE Chief Executive Officer Review Committee	
Purpose:	<p>The purpose of the Chief Executive Officer Review Committee is:</p> <ol style="list-style-type: none"> To ensure compliance with Section 5.39 and 5.39A of the <i>Local Government Act 1995</i> (WA); and To ensure the annual review of performance is consistent with the principles and standards outlined by the Department of Local Government in the Operational Guideline 'Guidelines For Local Government CEO Recruitment and Selection, Performance Review and Termination' (https://www.dlgsc.wa.gov.au/departments/publications/publication/appointing-a-ceo), specifically: <ul style="list-style-type: none"> The principles of fairness, integrity and impartiality; The minimum approved standards; namely <ul style="list-style-type: none"> S2.1 Performance criteria is specific, relevant, measurable, achievable and time-based. S2.2 The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council. S2.3 The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment. S2.4 The collection of evidence regarding performance outcomes is thorough and comprehensive. S2.5 Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent. S2.6 The council has endorsed the performance review assessment by absolute majority. To make recommendations to Council on any proposed changes to the Chief Executive Officer's Contract of Employment or Conditions of Employment.
Training in CEO Performance Reviews:	At least one member will be required to appropriate training in undertaking Chief Executive Officer performance reviews.
Elected Member membership:	<p>Three Elected Members*.</p> <p><i>*minimum three required under legislation</i></p>
External Member membership:	Nil.
Role of Representatives:	<p>The roles and responsibilities of the City of Bayswater representatives on this Committee are:</p> <ul style="list-style-type: none"> Member in own right; and Spokesperson for City of Bayswater.
Delegated Authority:	Nil.
Meetings:	Committee meetings are to be in accordance with the <i>City of Bayswater Standing Orders Local Law 2021</i> .
Meeting Frequency:	Quarterly or as required.
Meeting Date and Time:	When suitable.
Location:	City of Bayswater Civic Centre
Liaison Officer:	Chief Executive Officer.

7 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

The Minutes of the Chief Executive Officer Review Committee held on 15 March 2023 which have been distributed, be confirmed as a true and correct record.

Cr Elli Petersen-Pik Moved, Cr Giorgia Johnson Seconded

CARRIED UNANIMOUSLY: 3/0

For: *Cr Filomena Piffaretti, Mayor, Cr Giorgia Johnson and Cr Elli Petersen-Pik.*
Against: *Nil.*

8 REPORTS

8.1 Reports

Nil.

9 PREVIOUS MATTERS DEALT WITH NOT ON THE AGENDA

Nil.

10 GENERAL BUSINESS

Nil.

11 CONFIDENTIAL ITEMS**11.1 Chief Executive Officer Annual Performance Review 2022/23**

Responsible Branch:	Governance and Organisational Planning and Development
Responsible Directorate:	Office of the Chief Executive Officer
Authority/Discretion:	Legislative
Voting Requirement:	Simple Majority (for the Committee) ABSOLUTE MAJORITY REQUIRED (Council must approve the Performance Review by Absolute Majority)
Attachments:	<ol style="list-style-type: none"> 1. CONFIDENTIAL - Attachment 1 - CEO Performance Review 2023-23 with attachments - August 21.07.23 [11.1.1 - 98 pages] 2. CONFIDENTIAL - Attachment 2 - Performance Appraisal Report 2022 to 2023 - Learning Horizons - August 2023 [11.1.2 - 10 pages] 3. CONFIDENTIAL - Attachment 3 - Draft CEO KPIs 2023-24 [11.1.3 - 1 page] 4. CONFIDENTIAL – Attachment 4 – Revised Draft CEO KPIs 2023-24 [11.1.4 – 2 pages]

MR JEREMY EDWARDS DECLARED A FINANCIAL INTEREST

Mr Jeremy Edwards has declared a financial interest in this report as he holds the position of Chief Executive Officer and this report relates to his performance and remuneration.

MS AMANDA ALBRECHT DECLARED AN IMPARTIAL INTEREST

This report has been prepared by the Ms Amanda Albrecht, Manager, Governance and Organisational Planning and Development (MGOPD). The Chief Executive Officer has been consulted in the drafting of this report. Ms Albrecht has declared an impartiality interest in this item as she is a direct report to the Chief Executive Officer.

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 go behind closed doors to consider confidential item 11.1.

Cr Giorgia Johnson Moved, Cr Elli Petersen-Pik Seconded

CARRIED UNANIMOUSLY: 3/0

For: Cr Filomena Piffaretti, Mayor, Cr Giorgia Johnson and Cr Elli Petersen-Pik.

Against: Nil.

At 5:02 pm, the meeting went behind closed doors to consider confidential item 11.1.

COMMITTEE RECOMMENDATION TO COUNCIL

That the recommendation contained in the "Confidential Report", as amended by the Committee, be adopted.

Cr Elli Petersen-Pik Moved, Cr Giorgia Johnson Seconded

CARRIED UNANIMOUSLY: 3/0

For: Cr Filomena Piffaretti, Mayor, Cr Giorgia Johnson and Cr Elli Petersen-Pik.
Against: Nil.

12 NEXT MEETING

The next annual performance review for the CEO will be due in August 2024. The meeting will be scheduled in consultation with the Presiding Member of the Committee following the 2023 local government elections.

13 CLOSURE

There being no further business to discuss, the Presiding Member, Cr Filomena Piffaretti, Mayor, declared the meeting closed at 6:32pm.