



MINUTES

CEO Recruitment

Committee Meeting

28 September 2022

Shire of Victoria Plains
Council Chambers,
Calingiri AND
via E-Meeting Protocol

Commencing:
11:03 am

DISCLAIMER:

The decisions of the Committee are not considered final until the minutes of the Committee meeting are adopted by the Committee at a subsequent meeting or advised in writing by the CEO or authorised person.

Please note that meetings may be recorded for minute taking purposes.

E – Disclaimer

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

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PUBLIC CONFIRMED



MINUTES

Shire of Victoria Plains
CEO Recruitment
Committee Meeting

Held in the Council Chambers and via E-meeting protocol, Cavell Street, Calingiri,
on Wednesday 28 September 2022 commencing at 11:03 AM

1. DECLARATION OF OPENING

1.1 Opening

The Meeting was declared open by the Temporary Chief Executive Officer at 11.03am.

The first Order of Business is for the CEO Recruitment Committee to elect a Presiding Member of its Committee. The nomination, received in writing, and put forward:

- Shire President - Cr P Bantock

As there were no further nominations forthcoming, the Temporary Chief Executive Officer declared Cr P Bantock as the unopposed Presiding Member of the CEO Recruitment Committee.

1.2 Announcements by Presiding Member

The Presiding Member reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing and the meeting will be run in accordance with the Shire's Meeting Procedures Law 2018.

2. RECORD OF ATTENDANCE

Members	Shire President – Cr P Bantock – Presiding Member Cr N Clarke -Deputy Shire President Cr D Lovelock Cr S Woods Cr S Penn Cr S Woods Cr J Kelly Mr Robert Dew – Independent Representative Dr Shayne Silcox – Recruitment Advisor
Staff	Temporary Chief Executive Officer – Mr Sean Fletcher (withdrew from the meeting at 11.14am). Council Meeting Officer – Mrs J Klobas
Apologies	Nil
Approved leave of absence	Nil
Members of the public	Nil

3. DISCLOSURES OF INTEREST

	<i>Type</i>	<i>Item</i>	<i>Person / Details</i>
3.1	Financial		Mr S Fletcher declared a financial interest in item 7.2 “CEO Recruitment Matters for Consideration (Confidential) ”due to ‘Conflict of interest in the Recruitment / Role’.
3.2	Proximity		Nil
3.3	Impartiality		Nil

4. PUBLIC QUESTION TIME

Not applicable as this committee does not have delegation of authority

5. CONFIRMATION OF MINUTES

VOTING REQUIREMENTS

Absolute Majority Required: No

Officer Recommendation

N/A

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6. REPORTS REQUIRING DECISION BY COUNCIL

6.1 Update the CEO Recruitment Committee Regarding its Role

File reference	
Report date	21 September 2022
Applicant/proponent	Council
Officer disclosure of interest	Nil
Previous meeting references	OCM - 27 April 2022: 2204-20; 2204-21; OCM – 22 June 2022, 2206-07
Prepared by	Sean Fletcher, Temporary CEO
Authorised by	Sean Fletcher, Temporary CEO
Attachments	
Attachment 1	Page Nil

PURPOSE

To provide an update to the Committee on its role and function.

BACKGROUND

At the meeting on 22 June 2022 Council resolved to form a standing committee of council for the purpose of undertaking the CEO recruitment process.

Terms of Reference

The Committee's terms of reference is as follows:

TERMS OF REFERENCE CEO Recruitment Committee	
Purpose	The purpose of the CEO 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 Model Standards for CEO Recruitment, Performance and Termination
Head of Power	<ul style="list-style-type: none"> • s.5.39A <i>Local Government Act 1995</i> • <i>Local Government (Administration Regulations) 1996</i> – Division 2 • Policy 2.6: Standards for CEO Recruitment, Performance and Termination
Membership	<p>Elected Members All of Council</p> <p>External Members One Independent Person</p> <p>Deputy Members Nil</p>
Quorum	5
Delegated Authority (Delegation)	The CEO Recruitment Committee has been delegated all powers necessary to enable the Committee to undertake relevant administrative aspects of the recruitment process. Refer to the list of Recruitment Tasks.

	<p>Note: Council may wish to amend the Terms of Reference in future so that the CEO Recruitment Committee can appoint:</p> <ul style="list-style-type: none"> • The Independent Person; • The Recruitment Consultant
Duration of Committee	The Committee is a standing committee of Council. It's term and membership expires at each ordinary local government election
Meetings	Committee meetings are to be in accordance with the <i>Shire of Victoria Plains Meeting Procedures Local Law 2018</i>
Meeting Frequency	As required
Meeting Date and Time	When suitable
Remuneration	<p>Elected Members Nil</p> <p>Independent Person Mileage and meals</p>
Location	Shire of Victoria Plains Office Block
Liaison and Support	<ul style="list-style-type: none"> • Chief Executive Officer • Facilitator (Recruitment Consultancy) • OCM Officer

Delegation

The Committee does have delegation of authority on one matter that is allowed from the list of recruitment tasks and that is to do with the advertisement used to recruit a new CEO.

As the Committee has a delegation, it must be open to the public. However, matters that are of a confidential nature are dealt with "in camera," - behind closed doors.

Independent Person

The Independent Person or member is Mr Robert Dew.

COMMENT.

The background item provides all the necessary information regarding this item.

CONSULTATION

Nil

STATUTORY CONTEXT

Council is required to establish a CEO Selection Panel in accordance with s 5.39A(1) of the Local Government Act 1995 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).

CORPORATE CONTEXT

Strategic Community Plan and Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Delegations Register

Delegation to be created as follows:

The CEO Recruitment Committee has been delegated all powers necessary to enable the Committee to undertake relevant administrative aspects of the recruitment process. Refer to the list of Recruitment Tasks.

Note: Committees with delegations must have meetings that are open to the public.

Policy Manual

Policy 2.6: Standards for CEO Recruitment, Performance and Termination

Risk Assessment

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Non - compliance Not conducting the CEO Recruitment process according to the Act, Regulations and Council's policy	Extreme (5) Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Likely (4) Probably occur in most circumstances At least once every three years	Extreme (20)	CEO & Council Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring Effective: - There is little scope for improvement	Shire has relevant CEO Standards in place. Council, CEO and Governance ensures that process is followed as required. The above will ensure that the risk is kept low

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: Yes For the appointment of the recruitment consultant

2209-01 Officer Recommendation/Council Resolution

Moved: Cr D Lovelock

Seconded: Cr S Woods

That the CEO Performance Review Committee **NOTES** the update regarding its role and function.

CARRIED BY ABSOLUTE MAJORITY AND BY UNANIMOUS DECISION OF COUNCIL

PUBLIC CONFIRMED

7. MEETING CLOSED TO PUBLIC**7.1 Matters for Which the Meeting May Be Closed**

File reference			
Report date	20 July 2022		
Applicant/proponent	CEO		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Sean Fletcher, Temporary CEO		
Authorised by	CEO		
Attachments			
Attachment 1	Page		Nil

PURPOSE

For Council to move "in camera" (behind closed doors) and consider matters regarding matters of a confidential nature.

BACKGROUND

Under section 5.23 (2)(a) of the Local Government Act and in accordance with the Shire's meeting procedures local law, Council may close a meeting, or part of a meeting if it is dealing with a matter affecting an employee or employees.

COMMENT

There is one matter for consideration:

- Item - 7.2 - is required to be closed to the public as it deals with matters relating to the CEO Recruitment.

CONSULTATION

Nil

STATUTORY CONTEXT

As per the background to this item.

CORPORATE CONTEXT

N/A

FINANCIAL IMPLICATIONS

N/A

VOTING REQUIREMENTS

Absolute majority required: No

2209-02 Officer Recommendation / Council Resolution

Moved: Cr G O'Brien

Seconded: Cr N Clarke

That Council **CLOSE** the meeting under section 5.23 (2)(a) of the Local Government Act 1995 to consider matters regarding an employee or employees at 11.11am.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

Recording ceased at 11.11pm.

The Temporary CEO, Mr S Fletcher, having declared a financial interest in this item due to "Conflict of interest in the Recruitment / Role" withdrew from meeting at 11.14am.

7.2 CEO Recruitment Matters for Consideration (Confidential)

File reference	
Report date	21 September 2022
Applicant/proponent	Council
Officer disclosure of interest	Financial. Matter affects Mr Fletcher's employment
Previous meeting references	OCM - 27 April 2022: 2204-20; 2204-21; OCM – 22 June 2022, 2206-07
Prepared by	Sean Fletcher, Temporary CEO; Dr Shane Silcox
Authorised by	Sean Fletcher, Temporary CEO
Attachments	
Attachment 1	Page Shire of Victoria Plains Recruitment Process
Attachment 2	Page SoVP CEO Recruitment Advertisement
Attachment 3	Page SoVP Applicant Matrix
Attachment 4	Page SoVP Interview Matrix

VOTING REQUIREMENTS

Absolute majority required: No

2209-03 Councillor Motion/Council Resolution

Moved: Cr S Woods

Seconded: Cr D Lovelock

That Council suspend standing orders to open discussion for debate at 11.14am.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

The Temporary Chief Executive Officer, Mr S Fletcher, withdrew from the meeting at 11.14pm.

2209-04 Councillor Motion/Council Resolution

Moved: Cr G O'Brien

Seconded: Cr S Woods

That Council resume Standing Orders at 12.20pm

CARRIED BY UNANIMOUS DECISION OF COUNCIL

2209-05 Officer Recommendation/Council Resolution

Moved: Cr S Woods

Seconded: Cr G O'Brien

That the CEO Recruitment Committee has:

1. **CONSIDERED** and **RESOLVED** with Dr Silcox the following:

- a. The type of person (attributes) that Council would want as CEO.
- b. The 'must have' competencies the CEO should have.
- c. The recruitment process and responsibilities.

- d. The applicant evaluation matrix criteria.
- e. That a Position Description be drafted and provided to the CEO Recruitment Committee by no later than 10 October 2022
- f. The CEO Committee shall meet on the 17 October 2022 to set the position description, advert, interview questions and presentation criteria.

2. **RE-OPEN** the meeting to the public at 12.24pm

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY

The Temporary CEO returned to the meeting at 12.24pm.

PUBLIC CONFIRMED

12. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 5.27pm.

CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on 23rd Nov 2022.

Signed JABantocke
(Presiding member at the meeting which confirmed the minutes)

Date 23rd Nov 2022

Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.

PUBLIC CONFIRMED