



# Chief Executive Officer Employment Matters Advisory Committee Policy

Category: Council Policy  
Adoption: Council Date: 26 May 2020  
Review Period: 30 June 2021  
Responsible Manager: General Manager Corporate Performance  
Signed by General Manager Corporate Performance:   
Date: 29<sup>th</sup> May 2020

## 1. Purpose

---

The purpose of the Chief Executive Officer Employment Matters Advisory Committee (the Committee) is to advise the Council on all contractual matters relating to the employment of the Chief Executive Officer (CEO).

## 2. Function of the Chief Executive Officer and Appointment Requirements

---

Sections 94 and 94A of the *Local Government Act 1989* (the Act) contain specific provisions regarding the appointment and functions of the CEO. Sections 44 and 46 of the *Local Government Act 2020* contain similar provisions.

## 3. Membership

---

The Chief Executive Officer Employment Matters Advisory Committee shall comprise of the Mayor of the Central Goldfields Shire Council together with a minimum of two Councillors and the Independent Chairperson. (The General Manager Corporate Performance will provide support as required, but is not a member of the committee).

### Terms of Appointment

- Appointment of the Councillor members of this committee will occur annually at the Statutory Meeting of Council
- Appointment of the Independent Chairperson will be for a two-year term with an option to extend for a further two-years, with the commencement date being the engagement date of the Independent Chairperson



- The operations of the Committee will be evaluated annually to ensure it continues to be effective and contemporary
- The Committee must meet at a minimum annually, or more frequently as directed by Council.

#### 4. Accountability and Extent of Authority

---

Committee members have an advisory role and do not hold any authority to make decisions or commitments on behalf on Council.

The Chief Executive Officer Employment Matters Advisory Committee is an Advisory Committee of Council. Council authorises the Committee within its scope of responsibilities to make recommendations to Council on contractual matters relating to the Chief Executive Officer or the person appointed to act as the Chief Executive Officer including the following:

- Appointment of the Chief Executive Officer
- The remuneration and conditions of appointment of the Chief Executive Officer (including annual remuneration review)
- Negotiating any extension of the appointment of the Chief Executive Officer under section 94(4) of the Act
- Conduct of the annual performance review of the Chief Executive Officer; and
- Performing other functions as required in supporting the performance review and performance development of the Chief Executive Officer.

#### 5. Role and Criteria of Independent Chairperson

---

The Independent Chairperson of the Chief Executive Officer Employment Matters Advisory Committee must—

- not be a Councillor; and
- not be a member of Council staff; and
- be suitably qualified with regard to the selection criteria.

The following selection criteria applies to the appointment of the Independent Chairperson:

- A clear understanding of the objectives, roles, duties and obligations of the Chief Executive Officer and Council under the Local Government Act and all other associated legislation
- Ability to exhibit clear leadership
- Ability to work effectively with Councillors and the Chief Executive Officer
- Demonstrated human resource management skills, senior business experience and relevant qualifications
- Experience in senior management recruitment and development
- Understanding of performance management processes and procedural fairness
- Senior Level experience within a Government framework and sound knowledge of governance and legal obligations
- Previous experience working with Councillors, Executive Governance bodies or Board Members in advisory and/or facilitation roles.



## 6. Selection process

---

The Chair of the Chief Executive Officer Employment Matters Advisory Committee must be appointed by Council and must be an Independent Representative. Any extension of term must be made by Council in accordance with the “Terms of Appointment” clause.

The selection committee for the Independent Chairperson will include the Mayor, any interested Councillors and the General Manager Corporate Performance. The Committee will assess the nominations against the selection criteria and recommend an appointment to Council.

## 7. Conduct

---

In performing the role of Committee Member, a person must:

- act with **integrity**
- **impartially** exercise his or her responsibilities in the interests of the local community
- **not improperly** seek to confer an advantage or disadvantage
- **avoid conflicts** between his or her public duties and his or her personal interests and obligations
- commit to **regular attendance** at meetings.

## 8. Confidentiality and Use of Information

---

Committee Members agree to comply with their obligations under section 77 of the Act in relation to confidential briefings or information as defined under the Act and recognise that this obligation extends to ensuring the safekeeping of confidential information. Committee Members must not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

## 9. Chairperson - Fees and Reimbursement of expenses

---

Council will pay a set fee, to be determined on an hourly or per meeting basis, to the Independent Chairperson as determined through a competitive procurement process. The amount of the fee has regard to the specific roles and responsibilities the chairperson will undertake.

The Chairperson of the Committee will also be reimbursed for any transport costs they have incurred in participating in meetings and related activities.

## 10. Reporting

---

The committee must provide a report on the Chief Executive Officer’s performance review and a recommendation on the Chief Executive Officer’s remuneration, annually to a meeting of the Council, within two months of the Chief Executive Officer’s employment anniversary.



## 11. Administration Support

---

Administration support will be provided by the office of the General Manager Corporate Performance, as required.

## 12. Review Date

---

The Local Government Act 2020 was passed by parliament in March 2020 and Division 7 (Sections 44-52) which relates specifically to the Chief Executive Office is scheduled to come into force on 1 July 2021. This policy will be reviewed to align with the requirements of the Local Government Act 2020 prior to the relevant Sections of the Act coming into force.

## 13. Date Adopted

---

Date Adopted: 26 May 2020

Date for review: 30 June 2021.

## 14. Roles and Responsibilities

---

Person/s responsible	Accountability
<b>Council</b>	<ul style="list-style-type: none"><li>To appoint members of the committee</li><li>To appoint an Independent Chairperson</li></ul>
<b>Committee members</b>	<ul style="list-style-type: none"><li>To undertake the duties set out in this policy in accordance with the terms of the policy</li></ul>
<b>General Manager Corporate Performance</b>	<ul style="list-style-type: none"><li>To provide administrative support to the committee, as required.</li></ul>

## 15. Human Rights Statement

---

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007). Central Goldfields Shire Council is committed to consultation and cooperation between management and employees.

## 16. Related Policies and Procedures

---

- Nil

## 17. Relevant Legislation and Guidelines

---

- Local Government Act 1989 – specifically:
  - Section 94 outlines the required CEO appointment process



- Section 94A outlines the functions of the CEO
- Local Government Act 2020– specifically:
  - Section 44 outlines the required CEO appointment process
  - Section 45 outlines the required Chief Executive Officer Employment and Remuneration Policy
  - Section 46 outlines the functions of the CEO