



# COMMITTEE MINUTES

## CEO Recruitment Committee

6pm, Tuesday 18 October 2022

Council Chambers, 6177 Great Northern Highway, Bindoon



### **PREFACE**

When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following CEO Recruitment Committee meeting, where the minutes will be confirmed subject to any amendments.

The "Confirmed" minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Chattering Audit & Risk Committee meeting are put together as an addendum to these Minutes.

### **UNCONFIRMED MINUTES**

These CEO Recruitment Committee minutes were approved for distribution on 21 October 2022.



**Matthew Giffellon**  
Chief Executive Officer

### **CONFIRMED MINUTES**

These CEO Recruitment Committee minutes were confirmed at the CEO Recruitment Committee meeting held on

Signed \_\_\_\_\_

NOTE: the Chairperson at the meeting at which these minutes are confirmed is the person who signs above.

### **OBJECTIVES**

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 Policy 3.26 Standards for Recruitment of CEO's.



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*Good evening Councillors and staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Yued people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.*

## **ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS**

The Presiding Member opened the Meeting at 6.00pm.

## **ITEM 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

### **Attendance**

The following members will be in attendance:

Cr Carmel Ross	Presiding Member
Cr Mary Angus	
Cr Kylie Hughes	
Cr John Curtis	

The following staff will be in attendance:

Matthew Gilfellon	Chief Executive Officer
Denaye Kerr	EA to the CEO

### **Apologies**

Cr Aaron King

### **Approved leave of absence**

Nil

## **ITEM 3. DISCLOSURE OF INTEREST**

Nil

## **ITEM 4. PUBLIC QUESTION TIME**

### **4.1 Public question time**

**ITEM 5. CONFIRMATION OF MINUTES**

**CEO Recruitment Committee: 29 August 2022**

**OFFICER RECOMMENDATION / COMMITTEE RESOLUTION**

Moved Cr Angus, seconded Cr Hughes

That the minutes of the CEO Recruitment Committee Meeting held on Monday 29 August 2022, as published on the Shire website, be confirmed.

**CARRIED 4 / 0**

TIME: 6.01

**ITEM 6. REPORTS**

**CEORC01 – 10/22 Chief Executive Officer Job Description Form**

<b>Applicant</b>	N/A
<b>File ref</b>	22/02/83
<b>Author</b>	Executive Assistant
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Impartiality. The JDF relates to the CEO position, however this is being adopted as part of the CEO Recruitment process.
<b>Voting requirements</b>	<b>Absolute Majority (per local government act)</b>
<b>Attachments</b>	1. DRAFT CEO Job Description Form – Version 1 <b>(confidential)</b> 2. DRAFT CEO Job Description Form – Version 2 <b>(confidential)</b>

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<b><i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

**Executive Summary**

The Committee is requested to consider the Shire's Chief Executive Officer Job Description Form and recommend to Council at their next Ordinary Meeting being held 19 October 2022.

**Background**

Adopting the CEO Job Description Form is a legal requirement as per the Local Government Act 1995 and Local Government (Administration) Amendment Regulations 2021.

Local Government (Administration) Amendment Regulations 2021 and Shire of Chittering Policy 3.26 Standards for Recruitment of CEO's states the following:

- "5. *Determination of selection criteria and approval of job description form*
- (1) *The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.*
  - (2) *The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —*
    - (a) *the duties and responsibilities of the position; and*

(b) *the selection criteria for the position determined in accordance with subclause (1)."*

The confidential Draft Job Description Form is attached to this item for further discussion and edits. Final draft will be recommended to Council at their next Ordinary Meeting.

**Consultation Summary**

Local

- CEO Recruitment Committee
- Mills Recruitment

State

Nil

**Legislative Implications**

State

- The establishment of a committee, CEO Recruitment and Delegation of Power are in accordance with the requirements of the Local Government Act 1995 and Local Government (Administration) Amendment Regulations 2021.

Local

Nil

**Policy Implications**

State

Nil

Local

- Policy 3.26 Standards for Recruitment of CEO's

**Financial Implications**

Nil

**Strategic Assessment / Implications**

Local

- Strategic Community Plan 2022-2032  
Focus area: Administration and Governance  
Objective: S5.2 Accountable and Transparent Governance  
Strategy: S5.2.1 Become a leader in the areas of transparency, disclosure and public accountability

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Compliance:</b> It is a legal requirement that the Council adopt by absolute majority the JDF of the CEO during the recruitment process	Possible	Moderate	Moderate	By having Council adopt the Chief Executive Officer Job Description Form, compliance will be met.
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

That the Committee recommend to Council the Shire’s Chief Executive Officer Job Description Form, as attached to this item, at their next Ordinary Meeting being held 19 October 2022.

MOTION  
 Moved Cr Ross, seconded Cr Angus  
 The Committee suspend Standing Orders.

**CARRIED 4 / 0**  
 TIME: 6.02PM

MOTION  
 Moved Cr Ross, seconded Cr Angus  
 The Committee resume Standing Orders.

**CARRIED 4 / 0**  
 TIME: 6.29PM

**OFFICER RECOMMENDATION / COMMITTEE RESOLUTION**  
 Moved Cr Hughes, seconded Cr Angus  
**The Committee recommend to Council the Shire’s Chief Executive Officer Job Description Form, as attached to this item, and as amended by the Committee, at their next Ordinary Meeting being held 19 October 2022.**

**CARRIED 4 / 0**  
 TIME: 6.30PM



## CEORC02 – 10/22 CEO Recruitment Committee – Independent Member

Applicant	N/A
File ref	22/02/83
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	<b>Absolute Majority (per local government act)</b>
Attachments	Nil

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<b><i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

**Executive Summary**

The Committee is requested to consider an Independent Member to join the CEO Recruitment Committee, and recommend to Council at their next Ordinary Meeting being held 19 October 2022.

**Background**

The Local Government (Administration) Amendment Regulations 2021 and Shire of Chittering Policy 3.26 Standards for Recruitment of CEO's states that a CEO Recruitment Committee must contain one (1) Independent Member that cannot be a Council Member, an employee of the local government or a human resources consultant engaged by the local government.

The following was advertised on the Shire's Facebook page and website on Monday 10 October 2022:

*"Council is seeking a suitably qualified and/or experienced Independent Committee Member for the CEO Recruitment Committee. The essence of the role of an independent committee member is to bring an impartial perspective to the process. It is important to be aware that this role is not involved in decision-making about the selection of the preferred candidate, rather, it is advisory to the Recruitment Committee.*

*The ideal member would have a background in recruiting senior executive staff. While not essential, it is desirable that the below criteria are met.*

- *Experience of senior management of a medium or large organisation (e.g., CFO, COO, CEO, etc.); and/or*
- *Experience as a board director of a medium or large organisation (or on the committee of an incorporated association); and/or*
- *Local government experience as an elected member, especially as President/Mayor or Deputy*

*President/Deputy Mayor.*

- *The above experience should be current or within the last 10 years"*

Applications close 4:00pm on Tuesday 18 October 2022.

At the time of distributing this agenda 0 submissions were received. If no submissions are received by the deadline the Committee will need to discuss approaching suitable members of the public to fill the position.

### **Consultation Summary**

#### Local

- CEO Recruitment Committee
- Mills Recruitment

#### State

Nil

### **Legislative Implications**

#### State

- The establishment of a committee, CEO Recruitment and Delegation of Power are in accordance with the requirements of the Local Government Act 1995 and Local Government (Administration) Amendment Regulations 2021.

#### Local

Nil

### **Policy Implications**

#### State

Nil

#### Local

- *Policy 3.26 Standards for Recruitment of CEO's*

### **Financial Implications**

Nil

### **Strategic Assessment / Implications**

#### Local

- *Strategic Community Plan 2022-2032*

Focus area: Administration and Governance

Objective: S5.2 Accountable and Transparent Governance

Strategy: S5.2.1 Become a leader in the areas of transparency, disclosure and public accountability

#### State

Nil

### **Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Compliance:</b> It is a legal requirement that the Council appoint an Independent Member to the CEO Recruitment Committee	Possible	Moderate	Moderate	By having Council adopt an Independent Member to the CEO Recruitment Committee, compliance will be met.
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

That the Committee consider an Independent Member to join the CEO Recruitment Committee, and recommend to Council at their next Ordinary Meeting being held 19 October 2022.

OFFICER RECOMMENDATION  
 Moved Cr , seconded Cr  
 That the Committee consider an Independent Member to join the CEO Recruitment Committee, and recommend to Council at their next Ordinary Meeting being held 19 October 2022.

MOTION  
 Moved Cr Ross, seconded Cr Angus  
 The Committee suspend Standing Orders.

**CARRIED 4 / 0**  
 TIME: 6.31PM

MOTION  
 Moved Cr Hughes, seconded Cr Angus  
 The Committee resume Standing Orders.

**CARRIED 4 / 0**  
 TIME: 6.33PM

**MOTION / COMMITTEE RESOLUTION**  
 Moved Cr Angus, seconded Cr Curtis  
 That the Committee;  
 1. Notes the expression of interest received from Cr Rosemary Madasci; and  
 2. Recommends to Council at their next Ordinary Meeting being held 19 October 2022 that Cr Rosemary Madasci be appointed as the Independent Member of the CEO Recruitment Committee.

**CARRIED 4 / 0**  
 TIME: 6..37PM

**ITEM 7. CLOSURE**

The Presiding Member closed the meeting at 6.38pm.