

**16.4 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW - 31 DECEMBER 2019**

**Responsible officer:** Katrina Bell, Coordinator Organisational Development

**Attachments:** Nil

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<b>Section under the Act</b>	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 90(2) & (3) of the <i>Local Government Act 1999</i> .
<b>Sub-clause and Reason:</b>	(a) - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

**Executive Summary**

The purpose of this report is to enable Council to appoint a CEO performance review panel to oversee the review of the CEO's December performance review and to decide how it will conduct the December 2019 review.

<p><b>RECOMMENDATION</b></p> <p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. appoints the Mayor and two Elected Members as the CEO performance review panel to oversee the process of the CEO's December review and to report back to Council</b></li> <li><b>2. appoints the Coordinator Organisational Development as the staff liaison to assist with the CEO's December review</b></li> <li><b>3. elects to conduct this review internally between the performance review panel and CEO for the period of 1 July 2019 to 31 December 2019</b></li> <li><b>4. receives a report on the outcome of the CEO performance review from the review panel at a future Council meeting.</b></li> </ol>
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**MOVED COUNCILLOR NEVILLE PFEIFFER  
SECONDED COUNCILLOR REBECCA BOSELEY**

**That Council:**

1. appoints the Mayor, Cr Paul Ireland and Cr Mick Sparnon as the CEO performance review panel to oversee the process of the CEO's December review and to report back to Council.
2. appoints the Coordinator Organisational Development as the staff liaison to assist with the CEO's December review.
3. elects to conduct this review internally between the performance review panel and CEO for the period of 1 July 2019 to 31 December 2019.
4. receives a report on the outcome of the CEO performance review from the review panel at a future Council meeting.

**CARRIED.**

## Background

The CEO, Jason Taylor, entered into a contract with Southern Mallee District Council and commenced employment on 19 July 2018. The contract has a term of three years with the potential for a one year extension.

The CEO's June Half Year Assessment was concluded at Council's September 2019 meeting formally resolving

*That Council:*

1. *Receives and notes the CEO Performance Review report and attachment;*
2. *Determines that the CEO's performance review is satisfactory, based on the information in the report*
3. *Engage Perks People Solutions to commence the remuneration review*
4. *Reviews the Key Performance Indicators to apply to the next review period being 1 July 2019 to 31 December 2019.*

## Context

The CEO's contract includes the following clause relating to the CEO's performance review:

### *8 Performance Review*

- a) *The Council will ensure that a review of the Chief Executive Officer's performance is conducted on a facilitated basis half yearly with the review for the end of the June being a 360-degree review of Elected Members, an agreed sample of staff and stakeholders to be undertaken in confidence, (both described as a Performance Review).*
- b) *The Council shall give the Chief Executive Officer a minimum of 10 working days' notice in writing that a Performance Review is to be conducted to enable the Chief Executive Officer sufficient time to prepare.*
- c) *The Chief Executive Officer will prepare and submit to the Council an assessment of his own performance at least 2 days prior to the Performance Review.*
- d) *The final report on the Performance Review of the Chief Executive Officer at the end of the June is to be forwarded to the Council or relevant Council committee for consideration (the **June Half Year Assessment**).*
- e) *In the event that the Chief Executive Officer does not achieve Competent Performance in the June Quarter Assessment, a written report shall be compiled with respect to the June Quarter Assessment and a copy provided to the Chief Executive Officer within 1 month of the June Half Year Assessment. The report shall set out in detail any particular aspects of the Chief Executive Officer's performance that requires improvement, together with timeframes during which the Council expects those areas of performance to be improved to a specified standard.*
- f) *The Council must provide whatever counselling, advice and assistance as may be reasonably necessary to enable the Chief Executive Officer to improve his performance during any specified timeframes referred to in clause 8 (e). If at the conclusion of the timeframes referred to in clause 8 (e) the Chief Executive Officer's performance is still below that required, the Council may:*
  - (i) take no further action: or*
  - (ii) extend the timeframe for specified improvement for a further specified period; or*
  - (iii) terminate the contract in accordance with clause 17.3 (b).*

**Policy and statutory implications**

The Local Government Act 1999, Chapter 7, deals with requirements related to the CEO.

**Issues**

The employment contract does not indicate the nature of this review, therefore it is assumed that this will be at Council's discretion in consultation with the CEO.

**Alternate options**

Council and the CEO have contractual obligations they must meet.

Engage an independent consultant:

Council could opt to outsource this process to an external consultant, but given the additional cost and time required to do this, it is not recommended for this review period. A 360-degree review will again take place with the June Half Year Assessment in 2020.

**Financial implications**

Nil.

**Work Health and Safety and Risk implications**

There are no work health and safety and risk implications for this item.

**Consultation**

The CEO, Mayor and Deputy Mayor have scheduled meetings weekly.