



14 Confidential Items

14.1 Chief Executive Officer Performance Review

Recommendation

Pursuant to Section 90 [2] of the Local Government Act 1999 the Council orders that all persons, except the Chief Executive Officer be excluded from attendance at the meeting for Agenda Item 14.1 Chief Executive Officer Performance Review

The Council is satisfied that pursuant to section 90 [3] [a] of the Act, the information to be received, discussed or considered in relation to the agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because of information that has been provided previously to the Council under Section 90 of the Local Government Act and retained under Section 91 of the Local Government Act

As the Council is aware an annual review of the Chief Executive Officer's performance is required to be undertaken annually as per clause 13.5 of the Employment Contract which reads as follows;

13.5 The Employee's performance will otherwise be reviewed annually by the Council or more frequently if the Council requires.

Contact was made with the Mayor and Councillor Stacey Milde in December 2017 / January 2018 to initiate the process. It was proposed by the Council at the February 2018 Council meeting that the Council would undertake the review without the assistance of McArthur. Councillor Milde asked the Chief Executive Officer to provide a copy of the annual review document template from the previous year which was provided via email on 9 February 2018 and with suggested changes again on 15th February 2018. It was determined that these review documents would be distributed to Councillors at the February 2018 Council meeting for Councillors to return and review to be conducted at the March 2018 Council meeting.

However it was then realised that the negotiation of the previous years review included this current year included an agreement to use McArthur for a two year period which would include the 2018 review

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Clause 14.1 of the Total Employment Package states “The TEC Package specified in Schedule 1 of this Agreement shall be reviewed annually.

Clause 14.2 states;

The Council will review the TEC Package, having regard to the following:

- 14.2.1 The Employee's performance against the agreed performance criteria for the preceding year;
 - 14.2.2 The acquisition and satisfactory utilisation of new or enhanced skills by the Employee, if beneficial to or required by the Council;
 - 14.2.3 Comparative remuneration received by persons in similar position with the Local Government sector;
 - 14.2.4 Budgetary considerations of the Council; and
- 14.3 Movements in the Consumer Price

	Strategic Performance Objective/KPI	Proposed Timeline
1.	Complete the Strategic Plan and communicate and implement the Plan including Information Sessions and linkage to Council Documents through the adoption of a new Council Agenda.	Feb 2018
2.	Complete a review of all Human Resources processes, policies and procedures – including Training and Development Plans All external staff to have completed a formal performance review including up to date position descriptions and personal development plans. All internal staff to have completed a formal performance review including up to date position descriptions and personal development plans.	Aug 2017 Feb 2018
3.	Develop and adopt a new Community Consultation/Communication Plan	Feb 2018
4.	Report quarterly on Economic Development opportunities identified and current statuses	Quarterly Reports Feb 2018

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My Response to the KPI's are as follows

- 1) The strategic plan was delivered to the outdoor workforce, office staff and community consultation between mid-May and the end of May.
- 2) External Staff reviews were all completed by early September. There was a two week delay in this with the turnover of the Manager of Corporate Services and Human Resources / Payroll Officer in June 2017.
- 3) Community Consultation / Communication Plan was not completed. As discussed with Council
- 4) Economic Development opportunities

Mayor Grieger and I met with Jo Podiliak from RDA in May 2017 to discuss energy security in the District. Jo provided a contact at Seed Consulting to meet with to discuss what Council was looking for and for them to prepare a proposal to assist with this work.

The proposal was prepared however it was much too expensive for Council to engage this work.

Jo Podiliak was going to arrange various meetings with external stakeholders such as SAPN as a result of the initial meeting however this never eventuated.

I worked with Lameroo Lions Club on approving various community projects throughout the year.

Attended the Community Engagement Progress and Development meetings and was available to assist various community groups with grant funding enquiries.

Other projects completed that did not form part of the formal KPI's:

- Major review of the Pinnaroo Retirement Village operations
- Major review of the Community Lands Register, Community Lands Management Plan with the leases and licenses aspect still continuing
- Completion of the Strategic Management Plan and Operational Plans

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Notwithstanding the formal resignation of the Chief Executive Officer on 23/3/18 it is my opinion that had the Council undertaken the annual review of the Chief Executive Officer in February 2018 when required and with consideration to the achievements against the KPI's together with the completion of the other major projects that an increase in the TEC package would have likely occurred in line with the December quarter CPI for Adelaide (2.3%)

I am therefore requesting that the Council now consider this and approve an increase to the TEC package in line with the December quarter CPI for Adelaide (2.3%) back dated to 8 February 2018.

Recommendation

That the Council approve an increase to the Chief Executive Officer cash component of the TEC package of 2.3% in line with the December quarter CPI for Adelaide back dated to 8 February 2018.

Recommendation

Having considered agenda Item 14.1 in confidence under section 90 [2] and [3] [a] of the Local Government Act 1999, the Council pursuant to section 91 [7] of the Act orders that the item and the minutes, reports and all other records, relating to the matter be retained in confidence. This order is to be reviewed at or before the Ordinary Council Meeting to be held in January 2019, as to if this order is to continue in operation

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14.4 Chief Executive Officer Performance Review

Cr Neville Pfeiffer moved Cr Allan Dunsford seconded that pursuant to Section 90 [2] of the Local Government Act 1999 the Council orders that all persons, except the Chief Executive Officer be excluded from attendance at the meeting for Agenda Item 14.1 Chief Executive Officer Performance Review

The Council is satisfied that pursuant to section 90 [3] [a] of the Act, the information to be received, discussed or considered in relation to the agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because of information that has been provided previously to the Council under Section 90 of the Local Government Act and retained under Section 91 of the Local Government Act at 12.20 pm

Carried 27 / 0418

Cr Neville Pfeiffer moved Cr Allan Dunsford seconded that following the review and satisfactory performance of the Chief Executive Officer the Council approve an increase to the Chief Executive Officer's cash component of the TEC package of 2.3% in line with the December quarter CPI for Adelaide back dated to 8 February 2018.

Carried 28 / 0418

Cr Allan Dunsford moved Cr Brian Toogood seconded having considered agenda Item 14.1 in confidence under section 90 [2] and [3] [a] of the Local Government Act 1999, the Council pursuant to section 91 [7] of the Act orders that the item and the minutes, reports and all other records, relating to the matter be retained in confidence. This order is to be reviewed at or before the Ordinary Council Meeting to be held in January 2019, as to if this order is to continue in operation at 12.59 pm

Carried 29 / 0418

1.00 pm Cr Neville Pfeiffer moved Cr Allan Dunsford seconded that the meeting be adjourned for luncheon

Carried 30 / 0418

1.47 pm The meeting reconvened. Cr Stacey Milde was not present