

District Council of Robe

SPECIAL COUNCIL MEETING MINUTES

Minutes of the Special Council Meeting held 27th November 2007, commencing at 5.00pm at the District Council of Robe Chambers, Smillie Street, Robe.

PRESENT Mayor Peden, Crs. P. Riseley, J Mathews, R Dell'Antonio, N Wright, R. Petrovic and D Loxton, William Hender, Acting Chief Executive Officer.

Michael Kelleedy and Natasha Jones, Wallmans Lawyers.

BUSINESS **CEO Recruitment Process**

Cr Wright moved **that:-**

1. **Council receives and notes this Report titled "CEO Recruitment Process"**
2. **Council notes the resignation of Mr Malcolm Crout as Chief Executive Officer of the Council effective from 9 November 2007.**
3. **That the Recruitment Protocol/Procedure attached at Appendix A be adopted as the process for the Selection Panel in the recruitment of the new Chief Executive Officer.**
4. **That the Council (pursuant to Section 98(4) of the Act establishes a Selection Panel for the appointment of the Chief Executive Officer which comprises all Council Members with support from Natasha Jones of Wallmans Lawyers as an external source of assistance.**
5. **That the Selection Panel undertake all of the tasks necessary to progress the selection process to the point of recommending to the Council the preferred candidate, the terms of appointment, and the job and person specification, having regard to the adopted protocol for the selection of the Chief Executive Officer.**
6. **That the job and person specification for the new CEO as provided in Attachment B be approved for the recruitment process.**
7. **That Council approve the preparation of a draft contract of employment reflecting industry standard of Chief Executive Officers in South Australia to be approved by Council and negotiated in conjunction with the preferred candidate.**
8. **That Council endorse the proposed timeframe for the completion of the recruitment process of the Chief Executive officer as provided at attachment C. (226/2008)**

Seconded Cr Petrovic

Carried

APPENDIX A

RECRUITMENT PROCEDURE/PROTOCOL

Legislative Requirements

The appointment of the CEO is made by Council (*Local Government Act* Section 98(5)).

Council must appoint a Selection Panel to assess applications for the position of Chief Executive officer, to recommend re-advertisement or to take other additional steps (if necessary), and to make recommendations to the Council on an appointment (*Local Government Act* Section 92(4)).

Council must invite applications by advertising in a newspaper circulating throughout the State, and may take other action as the Council thinks appropriate (*Local Government Act* Section 98(3)).

Section 99 of the *Local Government Act* sets out the minimum functions to be carried out by the CEO.

Protocol/procedure to be adopted

1. Role of Wallmans Lawyers

1.1. The terms of engagement to include:

- 1.1.1 an acknowledgement that Wallmans Lawyers is responsible to Council (through the Selection Panel);
- 1.1.2 Wallmans Lawyers to maintain confidentiality and not to discuss any matters with staff (other than simple administrative matters);
- 1.1.3 the Mayor to have principal carriage.

1.2. Wallmans Lawyers to carry out the following tasks (in consultation with the Selection Panel):

- 1.2.1 Advertising (in compliance with the *Local Government Act*);
- 1.2.2 Provision to applicants/potential applications of information as required;
- 1.2.3 Receipt of applications;
- 1.2.4 Preliminary assessment of ranking of applicants;
- 1.2.5 Assistance with the presentation of report for Council, including any other appropriate comments or recommendations (eg whether re-advertising is desirable) (also see 2.3 below).

2. Role of Council/Selection Panel

2.1. The following aspects of the selection process to be dealt with in confidence:

- 2.1.1 Identify of applicants (including any information that could identify them)
- 2.1.2 All discussions/negotiations with applicants
- 2.1.3 All deliberations of the Selection Panel are to be held in confidence and retained as confidential.
- 2.1.4 Identity of successful applicant (until such time as appointment is actually made and the applicant has had a reasonable opportunity to inform their current employer)
- 2.1.5 Information concerning the unsuccessful applicants is to remain confidential on an ongoing basis, including after the appointment of the CEO has been made and that fact publicly disclosed.

- 2.2. Selection Panel to liaise with Wallmans Lawyers as appropriate.
- 2.3. Selection Panel will determine:
 - 2.3.1 Who is to be interviewed
 - 2.3.2 Interview structure to be adopted
3. Role of Council after interviews complete
 - 3.1. When interview process has been completed, Council to resolve preferred candidate and Wallmans Lawyers is to follow up with this person.
 - 3.2. When a selection has been resolved, Wallmans Lawyers to advise the successful applicant. Contract of employment to be agreed between and executed by the Mayor and the new CEO.

APPENDIX B

DISTRICT COUNCIL OF ROBE

Job and Person Specification

POSITION: Chief Executive Officer

REPORTS TO: Mayor and Elected Council Members

POSITION OBJECTIVES:

Leadership and Management

Takes responsibility for the management of Council by developing, implementing, evaluating, reviewing and reporting on Council's Strategic, Corporate and Financial Plans

Community Development

Take responsibility for the community development of the council district through investigating, identifying, developing, promoting and implementing a range of strategically responsive community services and programs.

Economic Development and Financial Management

Take responsibility for the cost effective management of the Council's financial planning process. Monitor and review and report on Council assets, resources, investment, grant allocations and all committed expenditure. Apply a disciplined approach to the financial management of the budget and closely monitor actual versus budgeted expenditure in all areas.

Representation, Public Relations and Relationships

Liaise with other Government bodies. Represent Council on various committees. Manage and oversee the public relation, media liaison, and co-ordination of community events.

KEY RESULT AREAS:

1. Leadership and Management

KEY TASKS

Lead, control and take responsibility for the management of Council operations as provided for in the Local Government Act 1999, which includes:

- Ensuring that the policies and lawful decisions of the Council are implemented in a timely and efficient manner;
- Providing advice and reports to the Council on the exercise and performance of its powers and functions under the LG Act or any other Act;
- Co-ordinating proposals for consideration by the Council for developing objectives, policies and programs for the area;
- Providing information to assist the Council in assessing performance against its strategic management plans;
- Ensuring that timely and accurate information about Council policies and programs is regularly provided to the community, and ensure that appropriate and prompt responses are given to specific requests for information made to the Council.
- Ensuring that the assets and resources of the Council are properly managed and maintained;
- Ensuring that records required under the LG Act or another Act are properly kept and maintained;

- Giving effect to the principles of human resource management prescribed by the LG Act and to apply proper management practices;
- Exercising, performing or discharging other powers, functions, or duties conferred on the Chief Executive Officer by or under the LG Act or other Acts, and to perform other functions lawfully directed by the Council.
- Ensuring the effective implementation of Enterprise Agreement strategies and commitments impacting Council employees

KEY PERFORMANCE INDICATORS

- Develop, implement, evaluate and advise on strategic objectives, plans, programs and policies;
- Demonstrate a high level of leadership and effective management of Council activities;
- Provide information and accurate reporting on all aspects of Council operations, including economic, community, social and management issues;
- Demonstrate wide and effective community consultation and information provision;
- Demonstrate effective human resources management including the encouragement of a harmonious and participative employee culture, a sound industrial relations environment, ensuring employees are exercising their delegations as provided for under the LG Act and ensuring that Enterprise Agreement initiatives are progressing and operating effectively.

2. Community Development

KEY TASKS

Develop positive responses to the environmental, social and cultural issues of strategic importance to the future development of the region. Implement and further develop plans, programs, policies and strategies which meet the existing and emerging environmental, social and cultural needs of the community. Provide for wide community consultation and promote Council's role as a facilitator of community development, including

- Enhancing and promoting people's desire to live, work and invest in the region;
- Contributing and supporting the development of key events, the arts and cultural development;
- Co-ordinate or oversee activities related to the promotion of the region's tourist attractions, including the Visitor Information Centre, accessing grants and other sources of funding, attracting visitors to the region, marketing and promoting the area and identifying, developing and promoting tourism incentives;
- Overseeing the development of tenders for the provision of external works and services and contributing to the evaluation of the performance of external service providers and contractors;

KEY PERFORMANCE INDICATORS

- Deliver strategic, effective and timely plans in response to identified community issues, trends and needs;
- Implement, monitor, review and evaluate community development programs, policies and activities;
- Demonstrate high level contribution to the region's community events;
- Successful marketing and promotions campaigns as measured by increased tourism activity in the region;

- Demonstrate high levels of consultation with key community stakeholders to raise community awareness of Council's plans and directions and to encourage wide community participation

3. Economic Development and Financial Management

KEY TASKS

Implement, further develop and review the economic development strategy for the natural and built environment of the region, ensuring appropriate planning principles and controls are in place, by:

- Establishing effective relationships with key stakeholders;
- Developing positive responses to the economic and social issues of strategic importance to the future development of the region;
- Liaising and/or negotiating with external bodies and sources and, in particular, take an active involvement in, and contribute to, the activities of relevant Groups, Committees and the Regional Development Board;
- Liaise and network with appropriate external bodies to identify funding opportunities in order to develop and continue various programs and projects, including private sector interests, Government programs and funding sources with capability to facilitate development in the region;
- Overseeing and assisting with the preparation of grant proposals and submissions. Monitoring program outcomes against projected achievements. Receiving, allocating and monitoring grant expenditure;
- Researching and monitoring the town's economic and industrial base and identify strategies for development of the economic base, investment attraction and trade promotions;
- Planning, developing and implementing a range of responsive, relevant and cost effective special projects related to the Strategic and Corporate Plans. Planning and undertaking research, evaluation and community consultation. Reporting on outcomes and achievements and making recommendations to Council;
- Fostering and promoting increased opportunities for employment

KEY PERFORMANCE INDICATORS

- Application of a disciplined approach to the financial management of the budget and close monitoring of actual versus budgeted expenditure in all areas;
- Financial and economic plans are accurate and timely and reflect relevant and appropriate strategic focus;
- Grants and other funds are accessed successfully;
- Effective consultative policies are implemented and all relevant stakeholders are involved;
- Projects are managed in a cost effective and timely manner and effective outcomes achieved;
- High level, cost efficient asset management is achieved;
- Responsible financial planning processes are demonstrated in the areas of forecasting, monitoring, investment portfolios and committed expenditure;

4. Representation, public relations and relationships

KEY TASKS

- Develop effective relationships between Elected Members, Council staff and other key stakeholders. Liaise and/or negotiate with external bodies and sources on key issues as required;
- Represent Council on various committees, network with other professionals and representatives from the three spheres of government and with other organisations, report to Council on outcomes;
- Ensure Council's media liaison activities are timely and responsive, and portray a consistent, professional corporate image;
- Oversee the preparation of Council publications, annual reports, published advertisements and articles, and other promotional documents to ensure they present a professional image, and are consistent with Council's communications strategy.

KEY PERFORMANCE INDICATORS

- All relevant stakeholders are consulted and involved in Council activity as prescribed under the LG Act;
- Professional media releases and liaison with external bodies present a consistent corporate image and comply with the LG Act are released;
- Demonstrated professional presentation of all publications, including reports, advertisements, articles, promotional documents and displays;
- Increased community awareness of Council's role and activities

PERSON SPECIFICATION

Qualifications

- Tertiary qualification in Management, Business Administration, or other relevant field is preferred

Knowledge

- Local Government Act 1999 and the associated regulations;
- Commercial, business, tourism and other community services, policies and practices;
- Local government's role in the provision of community service programs together with an understanding of the needs and expectations of rural residents and community groups.
- The roles and relationships between Council, employees and the community;
- Strategic and business planning and budgetary processes and performance measurement of economic and community development principles;
- Quality management and best practice principles;
- Employment legislation, awards, human resources and administration policies and enterprise agreements.

Skills

- Decision making, analytical and conceptual thinking;
- Ability to make sound judgments, recommendations and devise innovative solutions and to follow through with their implementation;
- Organisation skills, including time management, prioritisation and the ability to delegate effectively;
- Verbal communication skills, in particular consultation, negotiation, conflict resolution, counselling, coaching and information sharing;
- Written communication skills including the preparation of plans, reports, policies and correspondence;

- Competence in the application and use of information technology

Experience

- Extensive experience and demonstrated success in initiating and managing projects, negotiating with the private sector and Government Agencies;
- Extensive experience in a public or private sector management role, particularly in the development of strategic planning and policies in the areas of economic and community development;
- Experience in identifying and negotiating joint ventures and developing strategic alliances to achieve outcomes;
- Experience in cultural change and the ability to contribute significantly to leading and facilitating a change management program

Personal Attributes

- Ability to foster, encourage and develop a participative employee relations environment;
- Ability to facilitate and support positive relationships with unions and workplace representatives;
- High levels of interpersonal skills and work ethics, including
 - Motivation and enthusiasm;
 - Commitment to thoroughness and attention to detail;
 - Professionalism
 - Flexibility and adaptability to a changing and dynamic environment;
 - Positive relationships with Elected Members
 - Strong commitment to, and focus on, customer service;
 - Team orientated;
 - Strong sense of social justice and sound social values.

Delegation and Authority

- As provided for in the Local Government Act

Job Requirement

- Some intrastate and interstate travel may be required;
- Current drivers licence;
- Attendance at Council Meetings;
- Attend conferences, seminars and training courses to maintain strong and effective networks and competencies

OH & S

- Ensure self and all employees comply with OH&S legislation, regulations, practices, and standards;
- Ensure compliance with Council's OH&S Policies, Procedures, Injury Management Policy and Responsibility Statement;
- Utilise safe working practices applicable to own work area and practices;
- To take reasonable care of their own safety and that of others at work;
- Contribute to the identification of hazards and risk and participate in their minimisation and/or appropriate corrective strategies.

Signed: _____ (Employee – CEO) ___ / ___ / ___

Approved by: _____ (Mayor) ___ / ___ / ___

Date last reviewed: ___ / ___ / ___

APPENDIX C

PROPOSED TIMEFRAMES

- CEO Applications close 14 December 2007
- Distribution of Applications to Panel Members 17 December 2007
- Telephone conference to discuss applications and compilation of a short-list for interview 21 December 2007
- Notification of short-listed candidates immediately by email
formal letters 7 January 2007
- Interview of short-listed candidates 21 January 2007
- Psychometric Testing and reference checking of preferred candidates 22-25 January 2007
- Special Council meeting to select preferred candidate (or next Ordinary meeting) 28 January 2007

NB: If the Council receives insufficient (or inadequate) applications then the position of Chief Executive Officer will be readvertised in late January 2008.

Bank Signatories

Cr Wright moved **that Councils bank signatories be Mayor, Acting Chief Executive Officer, Director of Engineering Services and Director of Administration and Communication, with any two to sign.** (227/2008)

Seconded Cr Loxton

Carried

Audit Report

Cr Riseley moved **that Council authorise the Mayor to respond, on behalf of Council, to the request from Council's auditor to supply information regarding the financial losses incurred on the sale of the real estate.** (228/2008)

Seconded Cr Petrovic

Carried

Cr Loxton moved **that pursuant to Section 90(3)(b)(i) of the Local Government Act 1999 that the matter contained in this report be considered in confidence under Chapter 6 Part 3 of the Local Government Act 1999. The information contained in this report is information in respect of which an order may be made if the Council so determines, to exclude the public from attendance at a meeting to the extent endorsed necessary for the Council to receive, discuss or consider the information in confidence pursuant to Section 90(3)(b)(i) of the Local Government Act 1999 on the basis that:**

It is:

information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct business or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest. (229/2008)

Seconded Cr Mathews

Carried

Meeting closed at 5.50pm.

Confirmed

_____ Mayor

_____ date