COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve
6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.

PURPOSE

The purpose of this report is to provide Elected Members with the final outcomes of the Chief Executive Officer's performance and development review in line with the provisions of the CEO’s Contract of Employment and the CEO Performance Evaluation & Development Policy 3.1.18.

RECOMMENDATION

1. That Council endorse the Panel’s performance review of the CEO and personal and organisational performance goals for 2019/2020 as follows:

   Goals for next period (2019/2020)

<table>
<thead>
<tr>
<th>Goal</th>
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<td>Coordinate an invitation to each elected member to meet with the CEO 1:1 each quarter to get an update and as part of the relationship building exercise.</td>
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</tr>
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2. That Council resolves that the CEO be provided an increase as outlined in report AR19/53714 to his base salary effective 1 October 2019.

3. That Council communicate in the media (public announcement) of the good work being undertaken by the CEO on behalf of Council and the Elected Members. Confirmation that all KPI’s and goals that were set have been achieved and the
overall performance result was 4.4 out of a possible 5, which is an exemplary result.

4. That Council undertakes a review of the CEO Performance Evaluation & Development Policy 3.1.18 and the Chief Executive Officer Performance Review Committee Terms of Reference.

BACKGROUND

The Review Panel appointed by Council consists of:

- Mayor Brett Benbow
- Deputy Mayor Cr Phil Brown
- Cr Louise Foote (formerly Cr Shine)
- Independent HR Management Specialist.

Perks People Solutions (PPS) were requested to act as an independent Human Resource Management Specialist to help guide the review panel for the Port Augusta City Council to ensure that the process is fair, equitable and meets the requirements of the contract.

DISCUSSION

Process Undertaken

Preliminary conversations occurred (September) to educate the Performance Review Panel and that occurred on two occasions as there was a change in members of the Performance Review Panel part way through the process. Council’s Strategy and People Manager, Theressa Hines, undertook both those sessions.

The process that was undertaken was for the CEO Review Panel to meet on Wednesday 25 October 2019 and discuss the CEO’s performance, using the Evaluation Tool.

PPS helped to facilitate this conversation with the support and facilitation of Council’s Manager Strategy and People.

An initial meeting was undertaken with the CEO to communicate the process and requirements for the CEO’s participation.

A meeting was conducted with the CEO Performance Review Panel to determine an appropriate level of increased remuneration on 28 November 2019.

Evaluation Tool – CEO Performance Panel Agreed Scores and Comments

Below is the completed CEO Performance Review Panel’s Evaluation Tool.

<table>
<thead>
<tr>
<th>Leadership &amp; Managerial Qualities</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
</table>

Section 1 – Professional Standards Evaluation
• Implements strategies aligned with and contribute to deliver Council’s Strategic Plan

1  2  3  4  5

• Exercises sound judgement and political nous

1  2  3  4  5

• Responds appropriately to internal and external influences and their likely impact on risk, governance, sustainability and organisational performance

1  2  3  4  5

• Thinks conceptually about long term opportunities and considers a wide range of strategic options in conjunction with emerging trends

1  2  3  4  5

• Performs functions within scope of responsibility and refers matters appropriately

1  2  3  4  5

• Demonstrates an understanding of value creation

1  2  3  4  5

• Facilitates an organisational culture required for the organisation to succeed

1  2  3  4  5

• Helps employees to understand personal and professional behavioural implications on the culture of the organisation

1  2  3  4  5

• Maintains a work style which is open to constructive suggestions

1  2  3  4  5

• Functions as an effective leader, gaining the respect and cooperation of others

1  2  3  4  5

• Evaluates programs, practices, policies, procedures and personnel effectively

1  2  3  4  5

• Uses creative, innovation problem-solving strategies for adapting to uncertainties and complexities

1  2  3  4  5

• Manages current budget and performance data to assure continued success of the organisation

1  2  3  4  5

• Communications matters of importance to staff

1  2  3  4  5

Average Score = 4/5

**Personal Qualities**

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
</table>
• Displays integrity and promotes ethical corporate behaviour and practice | 1 2 3 4 5 |
• Exercises courage required to make corporate decisions that are in the best interests of the organisation even when these may not be popular | 1 2 3 4 5 |
• Functions as a self-starter, setting high personal standards and pursuing goals with a high level of personal drive and energy | 1 2 3 4 5 |

Average Score = 5/5

**Judgement and Sensitivity**

<table>
<thead>
<tr>
<th>1</th>
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<th>3</th>
<th>4</th>
<th>5</th>
</tr>
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</table>
• Affirms the unique contributions of all persons recognising their diverse backgrounds and varying needs in the workplace | 1 2 3 4 5 |
• Challenges, motivates, evaluates, and rewards employees and managers toward the achievement of goals and objectives | 1 2 3 4 5 |
• Values people and shows genuine concern for their well-being | 1 2 3 4 5 |
• Builds a track record of achieving results and meets commitments in a timely and effective manner | 1 2 3 4 5 |
• Generates realistic solutions to effectively solve problems | 1 2 3 4 5 |
• Constructively engages key stakeholders on key issues | 1 2 3 4 5 |

Average Score = 3.8/5

**Knowledge and Skills**

<table>
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<tr>
<th>1</th>
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<th>3</th>
<th>4</th>
<th>5</th>
</tr>
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</table>
• Demonstrates thorough knowledge and understanding of Council management and operations | 1 2 3 4 5 |
• Is a prudent steward of physical and financial resources | 1 2 3 4 5 |
• Evaluates and identifies that facilities and equipment are required for the Council’s immediate and long-term goals | 1 2 3 4 5 |
• Assures the Council operations are in accordance with applicable standards, codes, laws, and regulations | 1 2 3 4 5 |
• Anticipates trends and opportunities affecting Council operations and develops an | 1 2 3 4 5 |
The Panel agreed that the CEO’s strengths are that he tries to listen and adapt to the audience. The CEO’s knowledge regarding governance is acknowledged as a real strength. In particular the Panel cited that the CEO advocates strongly, effectively and passionately for Port Augusta e.g. wharf/jetty strategy.

The CEO has developed and maintained good, respectful and professional relationships with Federal and State Ministers and members of Government, Business Port Augusta and Senior Executives. Notwithstanding the professional repour in place, the CEO is mindful of his role and purpose to work for and advocate for the Port Augusta region.
Accordingly, it is understood the standing of those relationships from time to time will fluctuate and reflect the difficult and complex working environment that the CEO is operating within. The CEO Review Panel appreciate that maintaining and massaging those relationships for the betterment of the Port Augusta region impacts on the CEO’s personal and private life.

The CEO’s patience and resilience are character traits that have been critical over the past 12 months in what have been some contentious and difficult times. Those challenges are expected to continue into the future. The Panel are well aware of the impact to the CEO personally, his private life and family and this is acknowledged and he is thanked for his commitment.

The Panel advised that at times they believed the CEO had been retaining too much information that he could have shared with the Elected Members to ensure they had enough information and background on matters. They agreed that this was likely to ensure that they were not overburdened with too much information too soon, as many are new to the role. They did indicate however that they would prefer the CEO shares the broader story in future so that they are fully informed of matters.

The CEO indicated that an inordinate amount of time and resources were being allocated to Elected Member enquiries outside Council’s formal processes and the Chamber, which was significantly impacting upon productivity and the Council’s ability to achieve its objectives.

Further, it was observed that administration responses outside of the approved formal process often prompted more queries and the redistribution of information that had already been provided, this inhibited Council’s productivity.

It was noted that Elected Members need to have adequate information to undertake the role and each member has different requirements to meet a point of satisfaction. However Elected Members also needed to be cognisant of the organisations’ capacity and established processes.

The appropriate use of informal gatherings and collective briefings on complex issues is preferred to ensure a streamlined and transparent process. The intent is to share information in a manner that enhances trust and confidence. It is acknowledged that an appropriate and preferred forum for information sharing is the collective briefings and informal gatherings. It is agreed that this is an acceptable medium for both Elected Members and the CEO.

**Section 2 – Current Year Goal Achievement**

Status of Goals for the previous review period were:

<table>
<thead>
<tr>
<th>Number</th>
<th>Goal</th>
<th>KPI</th>
<th>Met/ Not Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Community Relations</td>
<td>Develop a communications/media plan</td>
<td>MET</td>
</tr>
<tr>
<td>2</td>
<td>Strategic Plan</td>
<td>Continue to develop and maintain the Strategic Plan</td>
<td>MET</td>
</tr>
<tr>
<td>3</td>
<td>Long Term Financial Plan</td>
<td>Continue to measure performance against Plan</td>
<td>MET</td>
</tr>
<tr>
<td>4</td>
<td>Asset Management Plan</td>
<td>Continue to measure performance against Plan</td>
<td>MET</td>
</tr>
<tr>
<td>5</td>
<td>Constructively Engages Key Stakeholders on Key Issues</td>
<td>Continue to develop and increase stakeholder engagement</td>
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</table>
Section 3 – CEO Strengths and Development Needs

Identification of strengths and areas where development is needed are incorporated into the coming year’s goals.

The identification of how the organisation can assist the CEO in addressing developmental needs is included in this section.

CEO’s major strengths:

1. Knowledge on LG/governance and implementation of this knowledge.
2. Relationship with State, Federal Government – good advocate for Port Augusta.
3. Financial and strategic management.
4. Taking a macro view, he is a forward thinker, his vision. Examples such as the Bird Lake, MAPS, the bridge/jetty/ wharf and Arid Lands.

Further development needs:

1. To develop more trust and faith in current Elected Members (it was noted that this needs to be implemented by both parties for it to be successful).
2. Presence at social events, networking with community members. Relationship building with Elected Members in order to focus on re-developing some relationships.
3. Communication – setting an appropriate plan and a charter and executing it.
4. Needs more analytical data/resource to support having all the information prior to making decisions.

What assistance or resources are needed to address developmental needs:

- CEO’s professional development.
- Both the CEO and the Panel recommend entering a budget for staff recognition: Now is seen as the time to invest in the staff so that they are engaged and align with the organisation. Anecdotally we know that employees are more productive when they are recognised and supported for their achievements.
- Analytical resource support: The reduction is staffing levels in the MG has impacted upon capacity. Use of a consultancy arrangement on a needs basis will ensure the appropriate information is provided/researched and furthermore will demonstrate a significant cost saving.

Section 4 – Personal & Organisational Goals Coming Year

CEO’s Personal and Organisational Goals for October 2019 to September 2020

Goals recommended by the Panel for the next review period:

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</table>
Section 5 – Overall Performance Rating

An overall performance rating should take into consideration:

1. Assessment as per evaluation tool.
2. Evaluation of whether the CEO accomplished the current year’s goals and objectives.

<table>
<thead>
<tr>
<th>Rating</th>
<th>4.4</th>
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<tbody>
<tr>
<td>Outstanding</td>
<td></td>
</tr>
<tr>
<td>Achieving</td>
<td></td>
</tr>
<tr>
<td>Competent</td>
<td></td>
</tr>
<tr>
<td>Requires Improvement</td>
<td></td>
</tr>
<tr>
<td>Requires Significant Improvement</td>
<td></td>
</tr>
</tbody>
</table>

The CEO independently assessed his performance as a 4/5.

The CEO Review Committee assessed the CEO’s performance as 4.4/5.

COMMENTS:

The CEO commented that he would like to see public support from the CEO Performance Review Panel and the Elected Members for the work that he has achieved to try to settle the disruptive elements of the community.

The support would be via:

1. Salary Increase.
2. Communication in the media (public announcement) for the good work being undertaken by the CEO on behalf of Council and the EM. Confirmation that all KPI’s and goals that were set have been achieved and the overall performance result was 4.4 out of a possible 5, which is an exemplary result.

It was agreed that it is important that Council employees, the media and community are able to see that the Elected Members and CEO are aligned, and that the CEO is supported in his role. This is particularly pertinent in light of recent fractious events.

CEO Self Appraisal

Below is a completed CEO Self Appraisal by John Banks:

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<th>CHIEF EXECUTIVE OFFICER – EVALUATION TOOL</th>
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on risk, governance, sustainability and organisational performance

- Thinks conceptually about long term opportunities and considers a wide range of strategic options in conjunction with emerging trends
- Performs functions within scope of responsibility and refers matters appropriately
- Demonstrates an understanding of value creation
- Facilitates an organisational culture required for the organisation to succeed
- Helps employees to understand personal and professional behavioural implications on the culture of the organisation
- Performs functions within scope of responsibility and refers matters appropriately
- Maintains a work style which is open to constructive suggestions
- Functions as an effective leader, gaining the respect and cooperation of others
- Evaluates programs, practices, policies, procedures and personnel effectively
- Uses creative, innovation problem-solving strategies for adapting to uncertainties and complexities
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- Communications matters of importance to staff

Average Score = 4

### Personal Qualities

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### Judgement and Sensitivity

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Average Score = 4

### Knowledge and Skills

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<td>5</td>
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<td>Assures the Council operations are in accordance with applicable standards, codes, laws, and regulations</td>
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<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anticipates trends and opportunities affecting Council operations and develops an appropriate and timely response</td>
<td>4</td>
<td>5</td>
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</table>

Average Score = 4

### Council Relations

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<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td>Works closely with Council in developing and delivering the Strategic Plan</td>
<td>4</td>
<td>5</td>
<td></td>
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</tr>
</tbody>
</table>
Communicates well with the Council, providing appropriate information at and between meetings  
Is accessible to individual Council members  
Works with Council to create an optimal governance environment  
Assesses the Council's financial status, providing complete reports to the Council on a quarterly basis  
Evaluates the results of programs and services and reports findings on a regular basis to the Council  
Provides ongoing education programs for the members of Council  
Develops investment strategies for Council  
Supports the policies, procedures, and philosophy of the Council  
Facilitates productive and cooperative Council/CEO relations  
Average Score = 4

Council Staff Relations  
Communicates with and works closely with the Council Staff members on matters of mutual concern  
Assists when appropriate with the development and revision of human resource procedures and control systems  
Is an effective liaison between the Council and Council staff.  
Average Score = 4

Community Relations/Political Effectiveness  
Develops programs promoting a positive image of Council, and creates awareness of available services to local community  
Has the respect of his peers in local, state, and federal local government organisations  
Is willing to listen to diverse views  
Maintains an active advocacy role in promoting the needs of the Council and its strategy  
Effectively communicates activities of the Council to the residents of the Port Augusta municipality  
Develops and maintains effective contacts, relationships and networks to deliver business outcomes  
Average Score = 4

Please note: John did not provide any further comments within the Evaluation Tool.

CEO Concluding Comments

The CEO advises he remains committed to the Port Augusta City Council and the region and appreciates the opportunity to demonstrate his skills and obtain some significant goals and contributions to the community in recent years.

The CEO commented that he would like to see public support from the CEO Performance Review Panel and the Elected Members for the work that he has achieved to try to settle the disruptive elements of the community. The support would be via:

1. Salary Increase
2. Communication in the media (public announcement)
for the good work being undertaken by the CEO on behalf of Council and the Elected Members. Confirmation that all KPI’s and goals that were set have been achieved and the overall performance result was 4.4 out of a possible 5, which is an exemplary result.

It was agreed that it is important that Council employees, the media and community are able to see that the Elected Members and CEO are aligned, and that the CEO is supported in his role. This is particularly pertinent in light of recent fractious events.

**Review Panel Concluding Comments**

The Panel commended the CEO John Banks and thanked him for his support over the previous 12 months.

They acknowledged his strengths as:

1. Listening and adapt to the audience.
2. Advocating strongly for Port Augusta Council and region to benefit the larger community, in particular Port Augusta e.g. wharf/jetty strategy.
3. Knowledge regarding good corporate governance.
4. His respectful and professional relationships with Minister Knoll, other members of Government, Business Port Augusta and Senior Executives.
5. His patience and resilience over past 12 months in what have been some contentious and difficult times.

The CEO Performance Review Panel on behalf of the Elected Members thanked the CEO for the work that he has achieved over the past 12 months.

The Elected Members support is demonstrated by a:

1. Salary Increase (which is in recognition of the significant work undertaken by the CEO advocating for and on behalf of the Port Augusta region and in recognition for the good work to date), and
2. Communication in the media (public announcement) for the good work being undertaken by the CEO on behalf of Council and the EM.

It is confirmed that all KPI’s and goals that were set in the previous 12 month period were achieved and the overall performance result was 4.4 out of a possible 5, which is an exemplary result.

The Committee and Elected Member Group at large are well aware of the impact to the CEO personally, his private life and family and this is acknowledged and he is thanked for his commitment.

It was agreed the areas to focus on moving forward included:

1. Increasing communication and engagement of the Elected Member Group.
2. Elected Members and CEO preferred forums for information sharing is the collective briefings and informal gatherings.

The goals that have been set for the current year will place the organisation in good stead and the CEO Performance Review Committee look forward to working with and supporting the CEO on achieving those targets.
Salary and Contract Review

Contract: As per the previous amendment to the CEO employment contract, and as the CEO’s performance was deemed ‘competent or above’ therefore this automatically triggers another year on the rolling contract. The CEO’s new employment contract end date will be 1 August 2024.

Salary Adjustment: The recommended change to the CEO’s salary from the independent assessor was initially a 10% increase and this was subsequently reduced to 5%. Both the CEO and the CEO Review Panel indicated that in the current economic circumstances this percentage was too high and not acceptable to either party.

Therefore the CEO Review Panel is proposing a salary increase as per below:

<table>
<thead>
<tr>
<th></th>
<th>Cash Component (PA)</th>
<th>Vehicle Allowance (PA)</th>
<th>Subscriptions (PA)</th>
<th>Annual leave (Additional week)</th>
<th>Total (exc Super) per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$218,333</td>
<td>$15,000</td>
<td>$2,186.60</td>
<td>N/A</td>
<td>$235,519.60</td>
</tr>
<tr>
<td>Proposed (1.8%)</td>
<td>222,263</td>
<td>$15,000</td>
<td>$2186.00</td>
<td>4274.29</td>
<td>$243,723. +8,203</td>
</tr>
<tr>
<td>Proposed (2%)</td>
<td>222,700pa</td>
<td>$15,000 pa</td>
<td>$2186.00</td>
<td>4,283</td>
<td>$244,169 +8,649</td>
</tr>
<tr>
<td>Proposed (4%)</td>
<td>$227,066</td>
<td>$15,000</td>
<td>$2186.00</td>
<td>N/A</td>
<td>$244,252.92 +8,732</td>
</tr>
</tbody>
</table>

Recommended Changes to Review Process

Review of the process: It is recommended that the CEO Review process and terms are reviewed and modified where approved.

- Terms of Reference should reference the Contract of Employment and in particular Schedule 3 which clearly outlines the process that has been agreed between Council and the CEO.
- The current process does not meet the requirements as outlined in Schedule 3 - Performance Appraisal which forms part of the Contract of Employment. The Schedule refers to Key Result Areas (KRAs), Key Performance Indicators (KPIs), Strategic Performance Objectives (SPO’s) and Personal Development Objectives (PDOs) which need to be represented in the Evaluation Tool.

Recommendation

- Recommend a full review of the evaluation tool to ensure that the criteria is met.
- Recommend adjusting the Terms of Reference to reference the Contract of Employment.
This process should be undertaken as soon as possible and should also include both Elected Member and CEO consultation.

This process could be undertaken by the Manager Strategy and People or funding made available for a review to be conducted by an external consultant.

CONFIDENTIALITY PROVISIONS

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public and staff be excluded from attendance at the meeting for Agenda Item Chief Executive Officer 2019 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 the Chief Executive Officer, in that details of his performance review will be discussed, which are sensitive and are details only known to those who have participated in the review process.

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 the disclosure of details of the Chief Executive Officer’s performance may prematurely be disclosed before the details of the review have been discussed with the Chief Executive Officer.

That having considered this agenda item in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to Section 91(7)(b) of the Act orders that the documents and all minutes be retained in confidence until further order of the Council, and that this order be reviewed every 12 months.

RISK MANAGEMENT

1: Financial/Budget/Asset Management
Budget allocation for the review of the CEO process relating to costs associated with the Independent Facilitator ($5,000.00) and an increase in the remuneration package.

2: Legal/Policy
The completion of the CEO’s performance review complies with Council’s HR Policy 3.1.18 – CEO Performance Evaluation & Development.

3: Environment/Planning
Not applicable.

4: Community

4.1 General
Not applicable

4.2 Aboriginal Community Consultation
Not applicable.

MAYOR BRETT BENBOW
10/12/2019