



Shire of
Serpentine
Jarrahdale

Special CEO Employment Committee

Agenda

Tuesday, 25 February 2020

5.30pm

Purpose: CEO Probationary Performance Assessment

Contact Us

Enquiries

Call: (08) 9526 1111

Fax: (08) 9525 5441

Email: info@sjshire.wa.gov.au

In Person

Shire of Serpentine Jarrahdale

6 Paterson Street, Mundijong WA 6123

Open Monday to Friday 8.30am-5pm (closed public holidays)



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Dear Committee Member

A Special CEO Employment Committee Meeting for the Shire of Serpentine Jarrahdale will be held on Tuesday, 25 February 2020 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong – commencing at 5.30pm.

A handwritten signature in black ink that reads "Helen Sarcich".

Helen Sarcich
Deputy CEO / Director Community Services

20 February 2020

Agenda

- 1. Attendances and apologies (including leave of absence):**
- 2. Declaration of Councillors and Officers interest:**
- 3. Receipt of minutes or reports and consideration of adoption of recommendations from Committee meetings held since the previous Council meetings:**
Nil.



4. Reports:

4.1 - CEO Probationary Performance Assessment (SJ2071)	
Responsible Officer:	Deputy CEO / Director Community Services
Senior Officer/s:	Deputy CEO / Director Community Services
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The CEO Employment Committee is requested to recommend that Council endorses the recommendations as contained in confidential attachment 1, in relation to the CEO Probationary Performance Assessment.

Relevant Previous Decisions of Council and Committee

<i>Ordinary Council Meeting – 17 February 2020 - OCM007/02/20</i> COUNCIL RESOLUTION 1. That Council RECEIVES the <u>Unconfirmed Minutes</u> of the CEO Employment Committee held on 5 February 2020 (E20/1533). 2. That Council ADOPTS CEO Employment Committee Resolution CEO005/02/20 and ACCEPTS the report as per Confidential attachment 1 submitted by Price Consulting Group Pty Ltd as amended; and ENDORSES the recommendations as outlined in Confidential attachment 1 as amended.
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<i>Special CEO Employment Committee – 5 February 2020 - CEO005/02/20</i> CEO EMPLOYMENT COMMITTEE RECOMMENDATION That the CEO Employment Committee recommends that Council 1. ACCEPTS the report as per Confidential attachment 1 submitted by Price Consulting Group Pty Ltd as amended. 2. ENDORSES the recommendations as outlined in Confidential attachment 1 as amended.



Ordinary Council Meeting – 16 December 2019 - OCM275/12/19

COUNCIL RESOLUTION

- 1. That Council RECEIVES the Unconfirmed Minutes of the CEO Employment Committee held on 2 December 2019 (E19/15578).*
- 2. That Council ADOPTS CEO Employment Committee Resolution CEO012/12/19 and APPOINTS Price Consulting Group to undertake the development of the Chief Executive Officer Key Performance Criteria, conduct the Chief Executive Officer Probationary Performance Assessment and the Annual Chief Executive Officer Performance Review as per the quotation contained within confidential attachment 1, subject to agreeance by the Chief Executive Officer; and REQUESTS the Shire President write to the Chief Executive Officer Mr Paul Martin to request an extension of the time period for the setting of the performance criteria to be completed by 29 February 2020; and DETERMINES that an assessment of achievements against the key duties/responsibilities as contained in the Position Description for the Chief Executive Officer will be the method of determining the successful completion of the Chief Executive Officer probationary period.*

CEO Employment Committee – 2 December 2019 - CEO012/12/19

CEO EMPLOYMENT COMMITTEE RECOMMENDATION

That the CEO Employment Committee recommends that Council;

- 1. APPOINTS Price Consulting Group to undertake the development of the Chief Executive Officer Key Performance Criteria, conduct the Chief Executive Officer Probationary Performance Assessment and the Annual Chief Executive Officer Performance Review as per the quotation contained within confidential attachment 1, subject to agreeance by the Chief Executive Officer; and*
- 2. REQUESTS the Shire President write to the Chief Executive Officer Mr Paul Martin to request an extension of the time period for the setting of the performance criteria to be completed by 29 February 2020; and*
- 3. DETERMINES that an assessment of achievements against the key duties/responsibilities as contained in the Position Description for the Chief Executive Officer will be the method of determining the successful completion of the Chief Executive Officer probationary period.*

Background

In December 2019, Council appointed Price Consulting Group Pty Ltd to support the CEO Employment Committee and the Chief Executive Officer with conducting the Probationary Performance Assessment.

Council also determined that an assessment of achievements against the key duties/responsibilities as contained in the Position Description for the Chief Executive Officer was to be the method of determining the successful completion of the Chief Executive Officer probationary period.



Section 2.3 of the CEO Employment Contract makes provision for a probationary period:

2.3 Probationary Period

- a) Your employment will be subject to a Probationary Period.
- b) An assessment of Your performance will be made during the Probationary Period.
- c) If the Local Government is satisfied with Your performance at the end of the Probationary Period, Your employment will be confirmed.

Schedule 2 – Contract Details of the CEO Employment Contract defines the length of the probationary period to be 6 months.

Community / Stakeholder Consultation

Angie Dominish, Senior Consultant from Price Consulting Pty Ltd has liaised with Councillors and the Chief Executive Officer Mr Paul Martin throughout the Probationary Performance Assessment process.

Statutory Environment

Local Government Act 1995 Section 5.39 Contracts for CEO and senior employees

- (1) *Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.*
- (3) *A contract under this section is of no effect unless —*
 - (a) *the expiry date is specified in the contract; and*
 - (b) *there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and*

Comment

A report prepared by Price Consulting detailing the Probationary Performance Assessment process and outcomes and making recommendation, is included with this report as **Confidential attachment 1**.

Options and Implications

Option1

That the CEO Employment Committee recommend Council endorses the recommendations as outlined in Confidential Attachment 1.

Option 2

That the CEO Employment Committee does not recommend Council endorse the recommendations as outlined in Confidential Attachment 1.

Option 1 is recommended.



Conclusion

The CEO Employment Committee are requested to recommend Council endorses the recommendations as outlined in **Confidential attachment 1**.

Attachments (available under separate cover)

- **4.1 – CONFIDENTIAL attachment 1** – Price Consulting – CEO Probationary Performance Review Report (E20/2225)

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative professional management of Shire operations to deliver the best outcome for the community within allocated resources.

Financial Implications

Sufficient funds are available in the 2019 / 2020 Budget (CEO502) to meet the costs ongoing costs associated with the employment of the CEO.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Non compliance with the CEO contractual requirements	Unlikely (2)	Moderate (3)	Moderate (5-9)	Compliance - 2 Minor - Regular noticeable temporary non-compliance	Accept Officer Recommendation



Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk rating of **6** has been determined for this item.

Voting Requirements: Simple Majority

Officer Recommendation

That the CEO Employment Committee recommends that Council ENDORSES the recommendations as outlined in Confidential attachment 1.

Please note that the CEO Employment Committee does not have delegated authority to make decisions. All recommendations of the CEO Employment Committee are presented to Council for ratification.

5. Urgent business:

6. Closure: