

10.5.4 – Appointment of Director Community Engagement (SJ2970-3)	
Responsible Officer:	Chief Executive Officer
Senior Officer:	Chief Executive Officer
Disclosure of Officer's Interest:	<p>The Chief Executive Officer has declared an Impartiality Interest for this item. The Extent of the Interest is that some of the applicants either have or still do work with him previously and one applicant is considered a friend.</p> <p>To manage this Interest the CEO declared a Conflict of Interest when the applications closed.</p> <p>In accordance with the Shire's Conflict of Interest procedure and in consultation with the Manager Governance and Strategy and the Manager People and Culture a management strategy was implemented including the following actions:</p> <ul style="list-style-type: none"> • The panel comprised the CEO, Manager People and Culture and the recruitment consultant as an independent member. • The list of potential candidates selected by Beilby Downing Teal was provided to the Directors with the names and any specific identifying information removed and Director provided an opportunity to identify their suggestions for the short list. • The panel met to discuss the shortlist with all information available. • A comparison of the shortlist provided by each Director and the shortlist selection developed by the panellists was done by the Manager People and Culture and presented to the CEO and the Recruitment Consultant for discussion. • The shortlisted candidates were interviewed by the Panel. • A Second Interview of the final 2 candidates with the Directors, Manager People and Culture and the CEO was arranged for final selection.

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 purpose of this report is to inform Council of the Chief Executive Officer's intention to employ a person to fill the position of Director Community Engagement which is designated Senior Employee in accordance with Section 5.37 of the *Local Government Act 1995*.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 19 September 2022 - OCM240/09/22 – Council Resolution / Officer Recommendation

That Council:

- 1. NOTES the organisational structure review which has been undertaken by the Chief Executive Officer and the summary of organisational changes and rationale as described in CONFIDENTIAL attachment 2.*
- 2. ADOPTS the new organisational Structure attached at Appendix 2 resulting from the review.*
- 3. DESIGNATES the position of Director Community Engagement as a Senior Employee in accordance with Section 5.37 of the Local Government Act 1995.*
- 4. NOTES the Chief Executive Officer will commence recruitment for the position of Director Community Engagement (a Senior Employee in accordance with Section 5.37 of the Local Government Act 1995 and Regulation 18A of the Local Government (Administration) Regulations 1996) to replace the Deputy CEO/Director Community and Organisational Development.*
- 5. NOTES the Chief Executive Officer will present a report on the outcomes of the recruitment process to Council in accordance with Section 5.37 of the Local Government Act 1995.*

Background

Following the Organisation Review the Chief Executive Officer undertook a recruitment process for the position of Director Community Engagement.

Community / Stakeholder Consultation

Policy Concept Forum

Nil.

Statutory Environment

Section 5.37 of the *Local Government Act 1995* deals with matters relating to the appointment of Senior Employees of the Shire. This section is below for reference.

5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.*
- (3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*



(4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

(4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

Comment

Following Council's decision at the 19 September 2022 Ordinary Council Meeting, quotes were obtained from recruitment companies to coordinate the selection process for the Director Community Engagement in accordance with the Shire's procurement policy.

Beilby Downing Teal were appointed to undertake this role.

The role was advertised in accordance with the requirements of the *Local Government Act 1995*.

A copy of the recruitment report prepared by Beilby Downing Teal for this position is attached at **CONFIDENTIAL attachment 1** for Councillors' reference.

The Chief Executive Officer is therefore informing Council of his intention to appoint the preferred candidate to the position of Director Community Engagement in accordance with the *Local Government Act 1995*.

The preferred candidate will be offered a 5 year contract. All conditions of the contract will be in accordance with the current budget allocations.

Options and Implications

Option 1

That Council:

1. ACCEPTS the recommendation of the Chief Executive Officer for the appointment of the preferred candidate as described in the confidential recruitment report at **CONFIDENTIAL attachment 1** for the position of Director Community Engagement for a period of 5 years.
2. NOTES the Chief Executive Officer will negotiate and execute a written employment contract for a period of 5 years with the preferred applicant in accordance with s5.39 of the *Local Government Act*.

Option 2

That Council REJECTS the appointment of preferred candidate as outlined in the confidential recruitment report at **CONFIDENTIAL attachment 1** for the following reasons:

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Option 1 is recommended.

Conclusion

The Director Community Engagement role is a key Senior Employee at the Shire. This position will be critical in driving the change required in how the organisation communicates and engages with the community, stakeholders and customers over the coming years.

Following a robust and comprehensive recruitment process the panel and the Chief Executive Officer is satisfied the preferred candidate is best suited to the role.



In accordance with the *Local Government Act 1995* the Chief Executive Officer is to inform Council prior to making an appointment of a Senior Officer.

- **10.5.4 – CONFIDENTIAL - attachment 1** – Summary Report – Director Community Engagement (IN22/25371)

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

The recruitment of this role has cost the organisation \$17,500.

The package proposed to be offered to the preferred candidate is within current budget allocations.

Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no material risks associated with this option.						
2	A reassessment of applicants could result in additional cost and lost productivity.		Organisational Performance	Unlikely	Insignificant	LOW	

Voting Requirements: Simple Majority



Officer Recommendation

That Council:

1. **ACCEPTS** the recommendation of the Chief Executive Officer for the appointment of the preferred candidate as described in the confidential recruitment report at **CONFIDENTIAL** attachment 1 for the position of Director Community Engagement for a period of 5 years.
2. **NOTES** the Chief Executive Officer will negotiate and execute a written employment contract for a period of 5 years with the preferred applicant in accordance with s5.39 of the *Local Government Act*.