



## **Special Meeting of Council**

# **Minutes**

**25 August 2015**

## Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

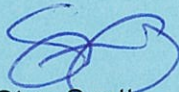
The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as an addendum to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

## Unconfirmed Minutes

These minutes were approved for distribution on 26 August 2015.



Stan Scott  
**CHIEF EXECUTIVE OFFICER**

## Confirmed Minutes

These minutes were confirmed at a meeting held on 22 September 2015.

Signed: ..... *David R. Dew* .....

*Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.*

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**ADDENDUM** *with separate index follows Item 7.*

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# Shire of Toodyay

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## SPECIAL MEETING – 25 AUGUST 2015

### MINUTES

#### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr Dow, Shire President, declared the meeting open at 2.15 pm.

#### 2. RECORDS OF ATTENDANCE

##### Members

Cr D Dow	Shire President
Cr B Lloyd	Deputy Shire President
Cr P Greenway	
Cr T Chitty	
Cr B Rayner	
Cr S Craddock	
Cr R Madacsi	

##### Staff

Mr S Scott	Chief Executive Officer
Mrs M Rebane	Executive Assistant

##### Visitors

Mr J Phillips

#### 2.1 APOLOGIES

Cr A McCann

#### 3. DISCLOSURE OF INTERESTS

The Chief Executive Officer advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

#### 4. PUBLIC QUESTIONS (relating to the purpose of the meeting)

Nil.

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS  
(relating to the purpose of the meeting)**

**5.1 Petitions**

Nil.

**5.2 Deputations**

Nil.

**5.3 Presentations**

Nil.

**5.4 Submissions**

Nil.

## 6. PURPOSE OF MEETING

The Special Meeting of Council has been called by Cr David Dow, Shire President in accordance with Council Resolution 149/07/15 for the purpose of consideration of the appraisal process for the CEO Performance Review and matters related thereto.

### 6.1 Appraisal Process – CEO Performance Review

Date of Report:	17 August 2015
Name of Applicant / Proponent/s:	Stan Scott, CEO
File Reference:	HR317
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Previously Before Council:	Confidential Agenda Item 14.1 CEO Performance Review considered at Ordinary Meeting of Council held 28 July 2015 (Council Resolution No 149/07/15).
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive.
Attachments:	<u>Provided within the Addendum to the minutes:</u> 1. Appraisal Process Outline.  <u>Provided within the Confidential CMI:</u> 2. Elected Member Feedback Forms; and 3. CEO's Contract.
Voting Requirements:	Simple majority

## PURPOSE OF THE REPORT

To consider and agree to the Appraisal Process Outline (refer to **Attachment 1**).

## BACKGROUND

At an Ordinary Meeting of Council held on 28 July 2015 Council resolved (Resolution No 149/07/15) as follows:

*That Council appoint John Phillips Consulting to conduct the CEO performance appraisal for Council.*

*That a Special Meeting be convened in late August to allow the consultant to meet with Council and the CEO to agree to the details of the process.*

## **CONSULTATION IMPLICATIONS**

Mr John Phillips, John Phillips Consulting was consulted in relation to relevant dates required as part of the Appraisal Process.

## **STRATEGIC IMPLICATIONS**

There are no strategic implications relative to this item.

## **POLICY IMPLICATIONS**

There are no policy implications relative to this item.

## **FINANCIAL IMPLICATIONS**

The performance review will inform the annual remuneration review but has no direct financial implications. The contract requires that Council appoint an independent party to conduct the performance review.

## **LEGAL AND STATUTORY IMPLICATIONS**

Section 5.38 of the *Local Government Act 1995* states as follows:

### **5.38. Annual review of certain employees' performances**

*The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.*

Section 5.8 of the *Local Government Act 1995* states as follows:

### **5.8. Establishment of committees**

*A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*\* Absolute majority required.*

*Local Government (Administration) Regulation 11 (da)* requires written reasons for varying the Officer's Recommendation.

## **RISK IMPLICATIONS**

The appraisal process includes remuneration review. There is a financial risk implication as the Annual Budget 2015/2016 did not include remuneration for the CEO.

For the purpose of this report however this financial risk implication will not be apparent until Council are actually asked to consider remuneration at the next Special Meeting of Council to be held on 22 September 2015.



### **ENVIRONMENTAL IMPLICATIONS**

This proposal does not contain any notable environmental implications.

### **SOCIAL IMPLICATIONS**

This proposal does not contain any notable social implications.

### **OFFICER COMMENT / DETAILS**

As all Councillors have participated in CEO Performance Appraisal Training through WALGA the process of CEO Performance Review should be understood.

It is important to note that Councillor Diaries were referred to in relation to creation of the schedule which has also evolved directly from the process Council chose to follow in 2013 and 2014.

It is envisaged that because Councillors have a good understanding of the above that by the arrangement of Special Meetings the process will be undertaken in a thorough and efficient manner by Council.

### **OFFICERS RECOMMENDATION**

That Council endorse the appraisal process for the CEO Performance Review.

The Shire President requested a motion be moved in accordance with Standing Order 5.2 (2) that the meeting be closed to the public.

### **MOTION/COUNCIL RESOLUTION NO 151/08/15**

**MOVED** Cr Rayner

That Council move behind closed doors in accordance with Standing Order 5.2(2) order for confidential business to be discussed.

**MOTION CARRIED 7/0**

The meeting was closed to the public in accordance with Section 5.23 (2) (a), (b), (c), and (e) (ii) of the *Local Government Act 1995*.

*The doors to the Council Chambers were closed at 2.19 pm.*

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 152/08/15**

**MOVED** Cr Rayner

That Council endorse the appraisal process for the CEO Performance Review as amended.

**MOTION CARRIED 7/0**

**7. CLOSURE OF MEETING**

The Shire President declared the meeting closed at 3.16 pm.



## **ADDENDUM**

Attachments to Minutes of the

## **SPECIAL MEETING OF COUNCIL**

**25 August 2015**

**ADDENDUM**  
ATTACHMENTS TO MINUTES OF SPECIAL MEETING OF COUNCIL  
HELD IN COUNCIL CHAMBERS ON 25 AUGUST 2015

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**ADDENDUM**  
ATTACHMENTS TO MINUTES OF SPECIAL MEETING OF COUNCIL  
HELD IN COUNCIL CHAMBERS ON 25 AUGUST 2015

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**2015 APPRAISAL PROCESS**

<p><b>Consideration of Appraisal Process</b></p> <p><b>Special Council Meeting</b>  <b>Tues 25 August 2015</b>          2.00 pm-4.00 pm</p>	<ul style="list-style-type: none"> <li>• “Self-Assessment” form is given to CEO to complete;</li> <li>• An Elected Member Feedback form is given to Councillors to complete;</li> <li>• Appraisal Process (Phases 1-2) are considered.</li> </ul>
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<b>Phase One</b>	<p><b>Pre-Appraisal Interviews with Councillors and Consultant</b></p> <p><b>Monday</b>  <b>7 Sept 2015</b></p> <p>8.30am-5.30pm</p>	<p><b>[Note: Final day for submission of Feedback Forms to the Consultant]</b></p> <ul style="list-style-type: none"> <li>• Interviews are conducted in Council Chambers;</li> <li>• Councillors have a thirty [30] minute timeslot; and</li> <li>• A ten [10] minute timeslot is scheduled in between each appointment.</li> </ul> <p><b>Note: Councillors who work can alter times given by contacting EA. Appointments can be made out of these hours, but on the same day.</b></p>
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<b>Phase Two</b>	<p><b>After Interviews</b></p>	<p>The Consultant will prepare a feedback Report that will include contractual requirements and remuneration review.</p>
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<b>Phase Three</b>	<p><b>Appraisal and Completion of Appraisal Process Including Remuneration Review</b></p> <p><b>Special Council Meeting.</b></p> <p><b>Tuesday</b>  <b>22 Sept 2015</b>          3.00 pm-4.00 pm</p> <p><i>Called by the Shire President</i></p>	<p><b>Phase Three timetable is as follows:</b></p> <p>8.30 - 9.00am Briefing meeting with CEO - Mr Phillips will brief the CEO prior to the Appraisal.</p> <p>9.00 -10.00 am Briefing meeting with Councillors - Councillors will discuss the report provided with Mr Phillips without the CEO being present;</p> <p>10.30 – 11.00am Appraisal Meeting with CEO - The CEO will then join in on the discussion; and</p> <p>11.00 – 3.00 pm Review of KPI's for 2015/2016 an Appraisal outcome will be developed using the key performance indicators (opportunity to tweak at same time)</p> <p>3.00 – 4.00 pm Endorsement of Appraisal Outcomes – see below</p> <p>That Council:</p> <ul style="list-style-type: none"> <li>• Notes the completion of the CEO Performance Review for 2015;</li> <li>• Endorses the Rating of the CEO;</li> <li>• Determines the Remuneration of the CEO;</li> <li>• Schedules the next Performance Review;</li> <li>• Schedules the next Remuneration Review.</li> </ul>
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