

## CEOS PERFORMANCE REVIEW COMMITTEE TERMS OF REFERENCE

Date Adopted: 7 October 2016 (OC138/2016)

Review Date: As required

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### Introduction

The Committee is established for the purpose of engaging in and undertaking a developmental process to determine, in conjunction with the Chief Executive Officer (CEO), relevant Key Performance Measures for the CEO, for undertaking the formal review process of the performance of the CEO against the agreed Key Performance Measures in accordance with these terms of reference and for making other recommendations to the Council relevant to the employment and performance of the CEO.

### Objectives of the Committee

The Committee's terms of reference are to

- Review the Chief Executive Officer's performance.
- Contribute to the Chief Executive Officer's development plan.
- Review and provide advice to Council on the remuneration and conditions of employment for the Chief Executive Officer.

### Definitions

CEO - is the Chief Executive Officer.

Councillor - is a person appointed or elected by the electors of a particular ward, as a representative of the ward in the Central Desert Regional Council.

President - is the person appointed or elected as the principal Member of the Central Desert Regional Council to represent the local government area as a whole.

Staff - includes Staff, contractors, volunteers and all others who perform work on behalf of council.

### Role of the Committee

#### Recruitment of CEO

Council's role is to appoint the CEO, on the advice of the Committee. The Committee's role is to identify a suitable person and refer the appointment of that person to Council.

The Committee's role is to:

1. in accordance with Council's Procurement Policy, to engage an appropriate consultant to manage and conduct the process of selection of a suitable candidate for the position of CEO;
2. identify and recommend to Council a suitable candidate for the position of CEO;
3. on behalf of Council, ensure compliance with Guideline 3;
4. carry out the functions of a selection panel; and
5. ensure, on behalf of the Council, that the recruitment process meets the Council's Recruitment Policy.

The Committee is empowered to identify a single person as suitable for recommendation to the Council for appointment as CEO.

If, however, the Committee fails to reach a unanimous view as to that person, it shall on the request of any member of the Committee (made at the meeting of the Committee resolving which candidate should be recommended to Council) refer the matter to Council for determination of who, from the final short-list, is to be appointed.

## Performance of CEO

Council's role is to determine the performance plan, on the advice of the Committee, and to assess the CEO's performance measured against that plan. The Committee's role is to prepare a draft performance plan for Council's consideration and determination; to attend to the collection and collation of Elected Member feedback in relation to the CEO's performance as measured against the performance plan approved by Council; and to present the results to Council.

The Committee's role is to:

1. appoint or re-appoint, as necessary, a facilitator to assist the Committee to discharge its obligations in relation to the preparation of the performance review and performance plans.
2. advise Council in relation to the setting of standards and parameters for the measurement of the CEO's performance.
3. recommend to Council the performance goals and activities that the CEO should work towards achieving / undertaking over a 12 month period and take into account feedback to the CEO from the previous year's review and to what extent former recommendations have been acted upon.
4. advise Council in relation to the performance of the CEO as measured by key performance indicators and other standards set by Council.
5. review the performance of the CEO at six monthly intervals.
6. participate actively in the process of reviewing the performance of the CEO, ensuring that he / she, is both consulted and advised of the process.
7. ensure that recommendations regarding the foregoing are in accord with Council's Strategic Plan.
8. ensure that all Elected Members are invited to provide written comments of appraisal of the CEO's performance to the Committee and that sufficient time is allowed for members to provide such comments to the Committee, that is at least two weeks, over and above mailing time.

## Remuneration and Conditions of Service of CEO

Council's role is to determine any changes in salary and/or conditions of employment of the CEO. The Committee's role is to ensure the participation of the CEO in the process; and to make recommendations to Council as to any proposed changes in salary and/or conditions of employment of the CEO.

The Committee's role is to:

- with the assistance of the facilitator appointed by Council, undertake the annual salary review;
- participate actively in the process of reviewing the salary and conditions of employment of the CEO, ensuring that he/she, is both consulted and informed of the process.
- recommend to Council any proposed changes in salary and/or conditions of employment of the CEO that the Committee thinks appropriate.
- Ensure compliance, on behalf of the Council, with any contractual obligations established in the CEO employment contract.

## Council's Role

Taking into account the recommendations of the Committee, to:

- determine the contract of employment for the CEO;
- appoint the CEO;
- set the standards and parameters for measurement of the performance of the CEO;
- as an elected body, and individually as elected members, participate in the CEO's performance appraisal process;

- determine whether any variations to the remuneration and conditions of the CEO are appropriate.

## **Meetings**

1. The Committee will meet twice a year within a month of the CEO's six month and twelve month anniversary.
2. Special Meetings of the Committee may be necessary from time to time and may be called by the President given three business days notice of the meeting.
3. Minutes of meetings will only record recommendations and resolutions, and will be provided to all Committee Members in accordance with legislative requirements.

## **Membership**

The committee is comprised of the President, Deputy President and two (2) Councillors endorsed by the Council. To ensure gender equity, the committee will attempt to ensure equal representation of male and female committee members.

### **Chair**

The President will chair the committee.

### **Quorum**

A quorum for the CEO Performance Review Committee is the President and two committee members.

### **Proxies**

In order to ensure continuity and a useful level of knowledge and experience, the CEO Performance Committee members are not permitted to send proxies to the meeting.

### **Term of Office**

The term of office is for the Local Government electoral term. A newly elected Council will appoint a new CEO Performance Review Committee. Should a Councillor be re-elected, he/she may serve multiple terms on the committee if appointed.

### **Reporting and Review of the Committee**

Decisions made by the Committee will be reported by inclusion of its minutes at the next Council meeting. Minutes and all reports will be dealt with in closed session.

### **Approval and Change History**

Date	Comments
7 October 2016	Approved by Council (OC138/2016)