

CEO Performance Review Committee

Minutes

20 September 2023

Committee Terms of Reference

- 1.1 Council to appoint CEO Performance Review Panel following every local government election.***
- 1.2 The panel must comprise of five members. The panel may include an independent observer.***
- 1.3 Council authorises the CEO Performance Review Panel to undertake the CEO performance Review and report findings and recommendations to Council.***
- 1.4 The primary functions of the Panel include:***
 - Developing the initial performance agreement;***
 - Conducting the performance review in line with the Policy requirements;***
 - Reporting the performance review findings and recommendations to Council; and***
 - Regular meetings to discuss and provide feedback if performance issues are identified.***
- 1.5. Responsibilities of panel members:***
 - Be fair, impartial and undertake the process with integrity;***
 - Assessment is made free from bias and based on evidence of the CEO's achievements against documented performance criteria;***
 - Findings and recommendations are impartial and transparent; and***
 - Any information received or produced by the Panel will be kept confidential;***
 - The report for the performance review to Council will be presented in confidence in accordance with section 5.23 of the Act;***
 - Accurate and comprehensive records of the performance management process will be created and registered within the City's Electronic Data Record Management System; and***
 - Manage all records in accordance with the City's Record Keeping Plan.***
- 1.6 The performance review process should commence at least 4 months prior to the required completion date.***
- 1.7 Support, limited to administrative, will be provided by the Executive Assistant to the Mayor and the Manager People and Safety.***



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Acknowledgement of Country

We acknowledge the Traditional Custodians of this land, the Wardandi Noongar people and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

Vision

Bunbury: welcoming and full of opportunities.

Organisational Values

#WEARECOB

WE ARE COMMUNITY	<ul style="list-style-type: none">We are one teamWe keep each other safeWe display empathy and respectWe have fun and celebrate our successesWe work together to achieve great outcomes
WE ARE OPEN	<ul style="list-style-type: none">We are open to opportunitiesWe actively listen and think things throughWe are inclusive and treat everyone equallyWe are honest and open in our communicationsWe are open to feedback to improve our performance
WE ARE BRAVE	<ul style="list-style-type: none">We lead the change, we own itWe trust and empower each otherWe have the difficult conversations earlyWe hold ourselves to the highest standardWe have the courage to improve and simplify

1. Declaration of Opening

The Presiding Member declared the meeting open at 5.03pm.

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

Nil

4. Attendances

Committee Members:

Member Name	Representing
Mayor Jaysen Miguel	City of Bunbury
Councillor Cheryl Kozisek	City of Bunbury
Councillor Marina Quain	City of Bunbury

Support Staff:

Name	Title
Mr Greg Golinski	Manager Governance

4.1 Apologies

Cr Ghasseb

4.2 Approved Leave of Absence

Cr Steck is on an approved leave of absence until 28 September.

Cr Steele is on an approved leave of absence from 20 September to 4 October.

5. Declaration of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration Services Section for inclusion in the Corporate Financial Disclosures Register.

Nil

6. Confirmation of Minutes

Committee Decision: Moved Cr Quain Seconded Cr Kozisek

The minutes of the CEO Performance Review Panel meeting held on 13 April 2023 are confirmed as a true and accurate record.

CARRIED

7. Method of Dealing with Agenda Business

There was only one item on the agenda.

8. Reports

8.1 CEO Performance and Remuneration Review July 2022 – June 2023

File Ref:	COB/515
Applicant/Proponent:	Internal
Responsible Officer:	Greg Golinski, Manager Governance
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Confidential Appendix CRUSC-1 Summary Report CEO Performance and Remuneration Review

Summary

This report considers the annual review of performance and remuneration for Mr Mal Osborne, Chief Executive Officer (CEO), for the period 1 July 2022 to 30 June 2023, which has been carried out in accordance with Council’s statutory and contractual obligations. A summary report of the review has been prepared for Council and is presented at **Appendix CRUSC-1**.

Executive Recommendation

That the CEO Performance Review Committee recommends that Council:

1. Notes that the appraisal of Mr Mal Osborne, Chief Executive Officer, has been completed for the period of July 2022 to June 2023.
2. Endorses by absolute majority the findings of the Summary Report as presented by Price Consulting (Confidential Appendix CRUSC-1) and thanks Mr Osborne for his efforts.
3. Approves retaining the CEO’s TRP at 90% for Band 1 entities set by the SAT for the 2023-24 financial year.

*Voting Requirement: **Absolute Majority***

Strategic Relevance

Pillar: Performance
Aspiration: Leading with purpose and robust governance
Outcome 13: A leading local government
Objective 13.1: Provide strong, accountable leadership and governance.

Regional Impact Statement

Not applicable

Background

Price Consulting Group Pty Ltd has been engaged by the City of Bunbury to conduct the CEO’s Performance and remuneration review for the period July 2022 to June 2023.

The CEO Performance Review Committee members and CEO met with the consultant in June 2022 to clarify the process that had been agreed by Council. A copy of the timeline and process is embedded within confidential **Appendix CRUSC-1** at attachment 1.

An online feedback questionnaire was developed for Councillors and telephone interviews undertaken regarding assessment and feedback for:

- key performance indicators;
- contract key duties and responsibilities criteria, and
- the CEO's strengths and development needs, as well as an overall rating of his performance in delivering the City's objectives

Two further feedback questionnaires were developed for:

- (i) key staff (those key members reporting to/working with the CEO), which sought feedback on the contract key duties and responsibilities criteria, the CEO's strengths and development needs as well as an overall rating of his performance in delivering the City's objectives.
- (ii) key stakeholders which sought feedback on the CEO's performance regarding promoting the City, effective communication and engagement, provision of information and relationships.

Copies of the questionnaires are also embedded within confidential **Appendix CRUSC-1** at attachment 3.

Council Policy Compliance

The Council Policy CEO Performance and Salary Review authorises the CEO Performance Review Panel to undertake the CEO Performance Review and report findings and recommendations to Council.

Legislative Compliance

The review process was undertaken in accordance with Schedule 2 of the Local Government (Administration) Regulations 1996, being the *Model standards for CEO recruitment, performance and termination*.

Officer Comments

Confidential Appendix CRUSC-1 details the outcomes of the CEO Performance Review process for 2022/23. The report was compiled by the consultant following feedback received and subsequent informal meetings between the Consultant, CEO Performance Review Committee and the CEO on 12 September 2023.

Analysis of Financial and Budget Implications

The proposed remuneration increase, if adopted, would be absorbed within Council's current 2023/24 budget.

Community Consultation

Not applicable.

Elected Member/Officer Consultation

The CEO Performance Review Committee is requested to formally consider the report and subsequently, present a Committee recommendation to Council for consideration.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Pursuant to clause 19 of the *Model standards for CEO recruitment, performance and termination*, Council must inform the CEO in writing of:

- The results of the review; and
- If the review identifies any issues about the performance of the CEO – how the local government proposes to address and manage those issues.

Outcome of Meeting – 20 September 2023

The recommendation was moved by Mayor Miguel and seconded by Cr Kozisek. Following debate, the Mayor put the motion to the vote and it was **CARRIED** 2 votes for to 1 vote against. The Mayor and Cr Kozisek voted for, and Cr Quain voted against.

Committee Decision

That the CEO Performance Review Committee recommends that Council:

- 1. Notes that the appraisal of Mr Mal Osborne, Chief Executive Officer, has been completed for the period of July 2022 to June 2023.***
- 2. Endorses by absolute majority the findings of the Summary Report as presented by Price Consulting (Confidential Appendix CRUSC-1) and thanks Mr Osborne for his efforts.***
- 3. Approves retaining the CEO's TRP at 90% for Band 1 entities set by the SAT for the 2023-24 financial year.***

9. Questions from Members

9.1 *Response to Previous Questions from Members taken on Notice*

Nil

9.2 *Questions from Members*

Nil

10. Urgent Business

Nil

11. Date of Next Meeting

TBD

12. Close of Meeting

The Mayor declared the meeting closed at 5.17pm.