

## CEO Performance Review Committee

### Minutes

25 June 2024

#### ***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.***



**CITY OF BUNBURY**  
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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

<b>WE ARE COMMUNITY</b>	<ul style="list-style-type: none"><li>We are one team</li><li>We keep each other safe</li><li>We display empathy and respect</li><li>We have fun and celebrate our successes</li><li>We work together to achieve great outcomes</li></ul>
<b>WE ARE OPEN</b>	<ul style="list-style-type: none"><li>We are open to opportunities</li><li>We actively listen and think things through</li><li>We are inclusive and treat everyone equally</li><li>We are honest and open in our communications</li><li>We are open to feedback to improve our performance</li></ul>
<b>WE ARE BRAVE</b>	<ul style="list-style-type: none"><li>We lead the change, we own it</li><li>We trust and empower each other</li><li>We have the difficult conversations early</li><li>We hold ourselves to the highest standard</li><li>We have the courage to improve and simplify</li></ul>

**1. Declaration of Opening**

The Presiding Member declared the meeting open at 4.30pm.

**2. Disclaimer**

Not applicable to this committee.

**3. Announcements from the Presiding Member**

Nil

**4. Attendances**

*Committee Members:*

<b>Member Name</b>	<b>Representing</b>
Mayor Jaysen Miguel (Presiding Member)	City of Bunbury
Councillor Karen Steele	City of Bunbury
Councillor Cheryl Kozisek	City of Bunbury
Councillor Gabi Ghasseb	City of Bunbury
Councillor Tresslyn Smith (Deputy Member)	City of Bunbury

*Ex-officio Members (non-voting):*

<b>Member Name</b>	<b>Representing</b>
Mr Alan Ferris	CEO

*Support Staff:*

<b>Name</b>	<b>Title</b>
Mrs Maureen Keegan	Senior Governance Officer

**4.1 Apologies**

Cr Michelle Steck

**4.2 Approved Leave of Absence**

Cr Marina Quain is on an approved leave of absence until 7 July 2024.

**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 Steele                      Seconded Cr Kozisek

*The minutes of the CEO Performance Review Panel meeting held on 20 September 2023 are confirmed as a true and accurate record.*

CARRIED

**7. Method of Dealing with Agenda Business**

As items are listed.

## 8. Reports

### 8.1 CEO Probation Review November 2023 – May 2024

<b>File Ref:</b>	COB/515
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Maureen Keegan, Senior Governance Officer
<b>Responsible Manager:</b>	Greg Golinski, Manager Governance
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance
<b>Authority/Discretion</b>	<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
<b>Attachments:</b>	Confidential Appendix CRUSC-1 Summary Report CEO Performance and Remuneration Review

#### Summary

This report considers the probationary review of performance for Mr Alan Ferris, Chief Executive Officer (CEO), for the period November 2023 – May 2024, 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 probationary performance review of Mr Alan Ferris, Chief Executive Officer, has been undertaken for the probationary review period.
2. Endorses the outcome of the probationary review, that is Mr Ferris has met expectations and thanks Mr Ferris for his efforts.
3. Endorses Mr Ferris’ suitability for the role and hence continuation of his contract of employment subject to both parties agreement.

*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 was engaged by the City of Bunbury to conduct the CEO's Probationary Performance Review for the period November 2023 – May 2024.

Initial liaison, inclusive of subsequent telephone conversations and emails, took place with Mayor/Chair, CEO Performance Review Panel and CEO in March 2024 to clarify and agree on the performance appraisal process and timeline. The timeline and process are outlined within confidential **Appendix CRUSC-1**.

A questionnaire was developed and emailed to all Councillors on 2 May 2024 which sought assessment and feedback for:

- Functions of the CEO, in accordance with the Local Government Act
- Delivery of Strategic Outcomes.
- Leadership Attributes.
- the CEO's strengths and development needs, as well as an overall rating of his performance in delivering the City's objectives.

The review outcomes are detailed in the Summary Report to Council at Appendix CRUSC-1.

## **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 Probationary Performance Review process for November 2023 – May 2024. 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 4 June 2024.

## **Analysis of Financial and Budget Implications**

Not applicable

## **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 – 25 June 2024**

The committee recommendation was moved by Cr: Steele and seconded by Cr Kozisek. The Mayor put the motion to the vote and was carried by absolute majority as follows.

***That the CEO Performance Review Committee recommends that Council:***

- 1. Notes that the probationary performance review of Mr Alan Ferris, Chief Executive Officer, has been undertaken for the probationary review period.***
- 2. Endorses the outcome of the probationary review, that is Mr Ferris has met expectations and thanks Mr Ferris for his efforts.***
- 3. Endorses Mr Ferris' suitability for the role and hence continuation of his contract of employment subject to both parties agreement.***



**8.2 CEO Performance Criteria FY2024-25**

<b>File Ref:</b>	COB/515						
<b>Applicant/Proponent:</b>	Internal						
<b>Responsible Officer:</b>	Maureen Keegan Senior Governance Officer						
<b>Responsible Manager:</b>	Greg Golinski, Manager Governance						
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance						
<b>Authority/Discretion</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><input type="checkbox"/> Advocacy</td> <td style="width: 33%;"><input type="checkbox"/> Review</td> </tr> <tr> <td><input type="checkbox"/> Executive/Strategic</td> <td><input type="checkbox"/> Quasi-Judicial</td> </tr> <tr> <td><input checked="" type="checkbox"/> Legislative</td> <td><input type="checkbox"/> Information Purposes</td> </tr> </table>	<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
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<input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Information Purposes						
<b>Attachments:</b>	Confidential Appendix CRUSC-1 Summary Report CEO Performance and Remuneration Review						

**Summary**

This report considers the development process undertaken by Council Members and the proposed set of CEO Key Performance Criteria for the 20274-25 Financial year for endorsement by Council via the CEO Performance Review Committee.

**Executive Recommendation**

That the CEO Performance Review Committee recommends that Council:

1. Notes the methodology for the development of the 2024-2025FY CEO Performance Criteria and the outcomes between the parties and the CEO’s Performance Review Panel.
  
2. Endorses the proposed CEO’s Performance Criteria 2024-25FY for use in the 2024-2025FY annual CEO performance review cycle in accordance with the City’s CEO Performance Review policy, as presented at Appendix CRUSC-1.

*Voting Requirement: Simple 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**

Development of CEO’s performance criteria is an important task that provides the CEO with clear guidelines about the Council’s performance expectations and strategic priorities for the review period to ensure the Council and the CEO are moving in the same direction, and that the CEO is accountable for the agreed priority outcomes.

Ensuring the CEO meets performance expectations is important due to an increased focus on governance accountability generally. Regular reviews provide Council with early warnings of potential issues/concerns and allow resource allocation or expectations to be renegotiated early if required.

The Council appointed Angie Dominish, Senior Consultant from Price Consulting Group Pty Ltd to assist the Council and CEO with the CEO performance criteria.

The approach regarding the setting of the performance criteria with Council and the CEO was implemented in line with the City's Performance Review schedule to align the activity with the Strategic Community Plan and budget processes. The approach involved:

1. Design and facilitation of the CEO performance criteria workshop with the Council and CEO.
2. Collation and write up of the outcomes from the workshops. Fine tuning of the CEO's Performance Criteria for 2024-2025, including the weightings for each criterion with Councillors and the CEO via an on-line meeting.
3. Council and the CEO considered the proposed suggested KPIs in line with the next financial year's planning and budget decisions.
4. Finalisation of the proposed CEO's Performance Criteria for 2024-2025 with Councillors and the CEO via email.
5. Preparation of the final proposed set of CEO performance criteria for review and endorsement by Council via the CEO Performance Review Panel during the probationary review process.

### **Council Policy Compliance**

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

### **Legislative Compliance**

Sections 5.38 and 5.39(3)(b) of the *Local Government Act 1995*, which requires that:  
*Local Government (Administration) Regulations 1996*

### **Officer Comments**

The proposed CEO's Performance Criteria have been developed for the 2024/2025 FY performance review cycle in consultation with Council Members and the CEO in line with legislative and regulatory requirements. The performance criteria are aligned to the planning and budget cycle to enable key priorities to be progressed in line with the City's direction and resourcing framework.

The proposed CEO Key Performance Criteria for 2024/2025 is attached at Confidential Appendix CRUSC-1 These performance criteria once endorsed will form the basis for the 2024/2025 FY CEO performance review cycle.

### **Analysis of Financial and Budget Implications**

Not applicable.

### **Community Consultation**

Not applicable.

### **Elected Member/Officer Consultation**

Ms Dominish conducted 2 workshops with Elected Members and the Executive Team to confirm the approach regarding the setting of strategic performance criteria and to define the performance requirements for the criterion relating to the delivery of strategic and corporate plan outcomes.

### **Applicant Consultation**

Not applicable

### **Timeline: Council Decision Implementation**

Upon adopted by Council, the CEO Performance Criteria will form the basis for the 2024/2025 FY performance review cycle and part of the CEO Contract.

### **Outcome of Meeting – 25 June 2024**

The committee recommendation was moved by Cr Steele and seconded by Cr Kozisek. The Mayor put the motion to the vote and was carried unanimously as follows.

#### ***That the CEO Performance Review Committee recommends that Council:***

- 1. Notes the methodology for the development of the 2024-2025FY CEO Performance Criteria and the outcomes between the parties and the CEO's Performance Review Panel.***
- 2. Endorses the proposed CEO's Performance Criteria 2024-25FY for use in the 2024-2025FY annual CEO performance review cycle in accordance with the City's CEO Performance Review policy, as presented at Appendix CRUSC-1.***

**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 4.36pm