

DISTRICT COUNCIL OF GRANT

ORDINARY MEETING OF COUNCIL HELD –4 JUNE 2018

REFER ITEM NUMBER 18084.1 FILE 12.70.1/2

18084 – CONFIDENTIAL ITEMS

1. Recruitment of Chief Executive Officer - [12.70.1/2] Item 15.1.1

1. Moved Cr Collins that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, GK Maxwell (Acting Chief Executive Officer), be excluded from attendance at the meeting for Agenda Item 15.1.1 – Recruitment of Chief Executive Officer.
2. The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to the Late Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the applicants for the position of Chief Executive Officer.
3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because such disclosure to the public may compromise the negotiation processes and outcomes

Seconded Cr Hill

CARRIED

2. Moved Cr Reis that:

1. Subject to any final minor editing, the Council authorises the Mayor to execute the Employment Agreement with Mr David Singe on the terms and conditions as outlined within the draft agreement document (as circulated to members).
2. Upon execution of the document by both parties that:
 - (1) The Mayor advise all staff of the appointment;
 - (2) A media release be prepared and distributed advising the broader community of Mr Singe's appointment; and
 - (3) Notice of the appointment be extended to key networks of the Council.
3. The Acting Chief Executive Officer's appointment conclude on Tuesday 3 July 2018 thereby allowing a two (2) day handover/induction period with the new Chief Executive Officer.

Seconded Cr Slarks

CARRIED

3. Moved Cr Reis that:

1. That having considered Agenda Item 15.1.1 - Recruitment of the Chief Executive Officer in confidence under section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to the Agenda Item be retained in confidence until the appointment of Chief Executive Officer has been made and that this order be reviewed every 12 months.

2. Council delegates to the Chief Executive Officer, pursuant to Section 91(9)(c) of the Local Government Act 1999, the power, at his discretion, to revoke the order made by Council under Section 91(7) and (9) of the Act at part (1) of this resolution at any time prior to the expiration of the period of the order specified therein

Seconded Cr Hill

CARRIED

15. CONFIDENTIAL ITEMS

15.1 Recruitment of Chief Executive Officer

PURPOSE OF REPORT:

To exclude the public from attendance at so much of a meeting as it is necessary to receive, discuss or consider in confidence any information or matter listed, as per Section 90 of the Local Government Act 1999.

1. *Moved Cr _____ that:*

1. *Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, GK Maxwell (Acting Chief Executive Officer), be excluded from attendance at the meeting for Agenda Item 15.1.1 – Recruitment of Chief Executive Officer.*

2. *The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to the Late Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the applicants for the position of Chief Executive Officer.*

3. *The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because such disclosure to the public may compromise the negotiation processes and outcomes.*

Seconded Cr _____

15.1.1 Recruitment of Chief Executive Officer	
MEETING DATE:	4 June 2018
AUTHOR:	Graeme Maxwell, Acting Chief Executive Officer
RESPONSIBLE PERSON:	Mayor Richard Sage
PREVIOUS MEETING:	
REFERENCES:	Nil
FILE NO:	12.70.1/2
ATTACHMENTS:	<ul style="list-style-type: none"> • Draft CEO Employment Agreement (to be distributed separately)
IN CONFIDENCE:	Yes
POLICY REFERENCE:	There are no known policy requirements related to this item.
LEGISLATIVE REFERENCE:	Section 102, Local Government Act 1999
STRATEGIC MANAGEMENT PLAN REFERENCE:	Goal 4: Strong Leadership, Management, and Delivery of Transparent Council Services
	Outcome:
	Strategy:
FINANCIAL CONSIDERATIONS:	Budget: (as per below)
	Actual (YTD): \$
	Budget Variation Required: May be required
CONSULTATION UNDERTAKEN:	Nil

PURPOSE OF REPORT:

For Council to endorse and approve to execute the final negotiated contract to appoint Mr David Singe as the District Council of Grant Chief Executive Officer.

BACKGROUND:

On 22 February 2018 Mr Trevor Smart, CEO, advised Mayor Sage and the Elected Members of his resignation.

On 19 March 2018 Council resolved:

That the consultancy firm Hender Consulting be contracted to undertake the recruitment process of the Chief Executive Officer at a total cost of \$15,000. Mayor Sage will negotiate and inform Elected Members of the outcome prior to awarding the contract. The process to commence as soon as possible.

On 23 April 2018 Council resolved:

That Council confirm the appointment of Mayor Sage, Cr Clayfield, Cr Reis and Cr Kuhl as the membership of the Chief Executive Officer Recruitment Panel.

The Panel met on 26 April 2018 and 2 May 2018 to progress the short-listing process of Candidates.

On 8 May 2018 the Panel conducted interviews for the Chief Executive Officer position.

Hender Consulting undertook referee checks on the preferred candidate and provided documented feedback on Monday 21 May 2018.

Mayor Sage provided a verbal update and tabled documentation in relation to the recruitment process at the Council meeting of 21 May 2018. At that meeting Council resolved as follows:

“That:

- 1. Council note Mayor Sage’s verbal report regarding the recruitment process of the Chief Executive Officer;*
- 2. Hender Consulting be contacted to advise that David Singe is Council’s preferred candidate;*
- 3. Council endorses progressing the recruitment process with the preferred candidate by conducting a face-to-face between all elected members and the candidate at a closed forum in the Chamber on Thursday 24 May 2018 commencing at 5.30pm; and*
- 4. A Special Council meeting be conducted (immediately thereafter) on Thursday, 24 May 2018 commencing at 6.30pm to ratify the next steps in the recruitment process.”*

On Thursday 24 May 2018 Elected Members met the preferred candidate, Mr David Singe. Following the meeting Council held a Special meeting and resolved the following:

“That:

- 1. Mr David Singe be advised that Council wishes to proceed with offering a contract;*
- 2. The Recruitment Panel, with assistance of Legal advice and Hender Consulting, proceed with the preparation of an offer in the form of a draft contract as a basis for negotiation with Mr Singe; and*
- 3. The final negotiated contract be presented to the Council for endorsement and approval to execute.”*

At the meeting Council determined by consensus the components of an offer to Mr Singe and the offer was provided to Mr David Singe on Friday 25 May 2018. Mr Singe advised Mayor Sage by letter dated 26 May 2018 that he accepted Council’s offer of employment as the Chief Executive Officer.

Drafting of an employment agreement document has progressed and will be circulated confidentially to Elected Members via email. The document will also be forwarded to Norman Waterhouse for review (it is based on their standard document so should not require any major changes) and to David for confirmation of his acceptance. As a consequence of these additional review processes there is potential for minor amendments to the document which will be outlined at the meeting. Members may also have variations to consider.

David has indicated in his letter of 26 May 2018 that it seems logical for him to commence employment with the Council at the beginning of the financial year. The employment agreement therefore nominates a commencement date of Monday 2 July 2018. David also indicated at his briefing with Council on 24 May 2018 that he would like the opportunity of a reasonable handover and induction. He has further discussed

this with me in the context of there being a Council meeting on 2 July 2018 and he has limited knowledge of local government (from the inside) or Grant Council's current pressing issues (albeit he has extensively researched the annual business plan, financial position, strategic objectives and other key reference material). I have offered (subject to Council approval) to work alongside David on 2 and 3 July 2018 (2 days) to assist with his transition into the organisation which he seemed quite appreciative of.

STAFF RECOMMENDATION:

That:

- 1. Subject to any final minor editing, the Council authorises the Mayor to execute the Employment Agreement with Mr David Singe on the terms and conditions as outlined within the draft agreement document (as circulated to members).***
- 2. That upon execution of the document by both parties:***
 - (1) The Mayor advise all staff of the appointment;***
 - (2) A media release be prepared and distributed advising the broader community of Mr Singe's appointment; and***
 - (3) Notice of the appointment be extended to key networks of the Council.***
- 3. The Acting CEO's appointment conclude on Tuesday 3 July 2018 thereby allowing a two (2) day handover/induction period with the new Chief Executive Officer.***

2. Moved Cr _____ that:
1. *That having considered Agenda Item 15.1.1 - Recruitment of the Chief Executive Officer in confidence under section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to the Agenda Item be retained in confidence until the appointment of Chief Executive Officer has been made and that this order be reviewed every 12 months.*
 2. *Council delegates to the Chief Executive Officer, pursuant to Section 91(9)(c) of the Local Government Act 1999, the power, at his discretion, to revoke the order made by Council under Section 91(7) and (9) of the Act at part (1) of this resolution at any time prior to the expiration of the period of the order specified therein.*

Seconded Cr _____