

C23/5970 – CEO PERFORMANCE REVIEW 1 JULY 2021 – 30 JUNE 2022 (REC)
(CONFIDENTIAL ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : CEO Performance Review
 Customer Index : Personnel File
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item M21/5863 Chief Executive Officer Performance Review (OMC 21 September 2021) C22/5944 – CEO Performance Review Frameworks 1 July 2021 – 30 June 2022 (OMC 13 December 2022).
 Item 7. CEO Performance Review, 30 March 2023 Governance Committee Meeting
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Corrine Newman
 Head of Governance

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

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KEY ISSUES / SUMMARY

- The Governance Committee has been determined by the Council to undertake the review of the Chief Executive Officer (CEO) Performance.
- At the Ordinary Meeting of Council held 13 December 2022, the Council endorsed the new CEO Performance Review Framework.
- This CEO Performance Review has been facilitated by Ms Helen Hardcastle of Learning Horizons.
- This review addresses the CEO Performance Review period 1 July 2021 to 30 June 2022.
- The Governance Committee considered the CEO Performance Review Report at its meeting held 30 March 2023.

BACKGROUND

On 20 November 2018, Mr Tieleman commenced in the role of Chief Executive Officer at the City of Melville.

The Local Government Act requires the that the Council review the CEO's performance at least once a year in relation to every year of employment.

In early 2022, the City engaged Ms Helen Hardcastle of Learning Horizons to undertake the creation of a New CEO Performance Framework, with the Council endorsing the CEO Performance Review Framework at its Ordinary Meeting of Council held 13 December 2022. Ms Hardcastle then progressed to undertaking the CEO Performance Review for the period 1 July 2021 to 30 June 2022.

The outcome of the review was considered by the Governance Committee at its meeting held 30 March 2023.

DETAIL

The CEO Performance Review for the period 1 July 2021 to 30 June 2022 was conducted in accordance with the adopted CEO Performance Review Framework, with the exception of the Governance Committee inviting the CEO to give a presentation to accompany his Report on his Key Performance Indicators. This took place at a Governance Committee Meeting held 20 February 2023.

The Consultant sought feedback from all Elected Members with this information being consolidated into the Confidential Performance Review Report, which has been distributed to Elected Members under separate cover.

The Confidential Performance Review Report was discussed with Elected Members at a Governance Committee Meeting held 30 March 2023, with the Committee making a recommendation for the consideration of the Council.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

There is no community consultation associated with this process.

II. OTHER AGENCIES / CONSULTANTS

The CEO Performance Review is undertaken by the Governance Committee and led by an external facilitator.

STATUTORY AND LEGAL IMPLICATIONS

Section 5.23(2)(a) of the Local Government Act provide that a meeting of the Council or a Committee, or part of a meeting, may be closed to members of the public if a matter affecting an employee is being dealt with.

The s5.38(1) of the *Local Government Act 1995* requires:

“(1) A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.”

FINANCIAL IMPLICATIONS

There are costs associated with the Consultant to assist the Council in undertaking the CEO Performance Review and this is provided for each year in the budget.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The risk management implications of non-compliance with processes and legislative requirements may leave the City open to challenge on decisions or processes. There are no Environmental Management Implications associated with this report.

POLICY IMPLICATIONS

Council Policy CP-117 City of Melville Standards for the CEO Recruitment, Performance and Termination apply to the CEO Performance Review.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

There are no alternative options as the requirement for a performance review is mandatory.

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CONCLUSION

The Governance Committee Meeting considered the information contain in the Confidential Report provided by the Consultant and the Committee has provided a recommendation to the Council in relation to the CEO Performance Review for the period 1 July 2021 to 30 June 2022.

COMMITTEE RESOLUTION

APPROVAL

That the Council:

- 1 Notes that Mr Marten Tieleman's Performance Review in his role as Chief Executive Officer for the City of Melville for the period 1 July 2021 to 30 June 2022 has been undertaken;**
- 2 Endorses the overall assessment of Mr Tieleman's performance as having met expectations.**