



17.1 Chief Executive Officer Appointment (Report No: 266/19)

Motion – Exclusion of the Public – Section 90(3)(d) Order C090719/1529

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager Community Services and an appointed minute taker in attendance at the meeting in order to consider Report No: 266/19 Chief Executive Officer Recruitment Process in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 266/19 Chief Executive Officer Recruitment Process on the following grounds:
 - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 266/19 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it includes the details of a recruitment process, which are sensitive and are only known to those who have participated in the process.

3. That Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Abley, Seconded Councillor Lonie

Carried Unanimously

Following the resignation of Mr Justin Lynch, the process commenced for the recruitment of a Chief Executive Officer. The Executive Committee was charged with the responsibility for undertaking the recruitment process, with support from the General Manager, Community Services, acting on the delegated authority by the Acting Chief Executive. The recruitment agency, Harrison McMillan were appointed to assist the Executive Committee in the recruitment.

On 8 July 2019 with the final shortlist of candidate/s attending a formal interview conducted by Council. The preferred candidate was identified and now requires Council endorsement. Appointment of the preferred candidate is subject to reference checks, police clearance and contract acceptance post negotiation with the Mayor as the delegated representative for the City of Holdfast Bay.

Motion

C090719/1530

1. That Council is pleased to endorse Mr Roberto Bria as the preferred candidate to fulfil the role of Chief Executive Officer, City of Holdfast Bay.
2. That Council endorse the Mayor to be the delegated representative for the City of Holdfast Bay to execute the employment contract - Chief Executive Officer on terms and conditions as distributed to Councillors on 9 July 2019 at 2.59pm via email from Mayor Wilson, subject to minor amendments.

Moved Councillor Patton, Seconded Councillor Snewin

Carried Unanimously

RETAIN IN CONFIDENCE – Section 91(7) Order

C090719/1531

3. That having considered Agenda Item 17.1 Chief Executive Officer Appointment (Report No: 266/19) 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 report and minutes be retained in confidence until the appointment of the Chief Executive Officer has been finalised and the unsuccessful candidates have been notified.

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried Unanimously

ITEM NUMBER: 17.1

CONFIDENTIAL REPORT

CHIEF EXECUTIVE OFFICER APPOINTMENT

Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- a. **information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead).**

Recommendation – Exclusion of the Public – Section 90(3)(d) Order

- 1** That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager Community Services and an appointed minute taker in attendance at the meeting in order to consider Report No: 266/19 Chief Executive Officer Recruitment Process in confidence.
- 2.** That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 266/19 Chief Executive Officer Recruitment Process on the following grounds:
 - a.** pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 266/19 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it includes the details of a recruitment process, which are sensitive and are only known to those who have participated in the process.
- 3.** That Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Item No: **17.1**

Subject: **CHIEF EXECUTIVE OFFICER APPOINTMENT**

Date: 9 July 2019

Written By: General Manager, Community Services

General Manager: Community Services, Ms M Lock

SUMMARY

Following the resignation of Mr Justin Lynch, the process commenced for the recruitment of a Chief Executive Officer. The Executive Committee was charged with the responsibility for undertaking the recruitment process, with support from the General Manager, Community Services, acting on the delegated authority by the Acting Chief Executive. The recruitment agency, Harrison McMillan were appointed to assist the Executive Committee in the recruitment.

On 8 July 2019 with the final shortlist of candidate/s attending a formal interview conducted by Council. The preferred candidate was identified and now requires Council endorsement. Appointment of the preferred candidate is subject to reference checks, police clearance and contract acceptance post negotiation with Her Worship the Mayor as the delegated representative for the City of Holdfast Bay.

RECOMMENDATION

1. That Council endorse the Mayor to be the delegated representative for the City of Holdfast Bay to discuss and negotiate the Chief Executive Officer employment contract with the endorsed Candidate.
2. That Council endorse _____ as the preferred candidate to fulfil the role of Chief Executive Officer, City of Holdfast Bay subject to reference check, police clearance and contract acceptance post negotiation with the Mayor.

RETAIN IN CONFIDENCE – Section 91(7) Order

3. That having considered Agenda Item 17.2 Chief Executive Officer Appointment (Report No: 266/19) 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 report and minutes be retained in confidence until the appointment of the Chief Executive Officer has been finalised.
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COMMUNITY PLAN

Culture: Enabling high performance
Culture: Being financially accountable
Culture: Supporting excellent, efficient operations

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

On 21 February 2019 the former incumbent to the position of Chief Executive Officer, Mr Justin Lynch tendered his resignation. The Executive Committee of Council was charged with the responsibility for undertaking the recruitment of the Chief Executive Officer.

The General Manager, Community Services, was appointed by the Acting Chief Executive Officer to support the appointed Executive Committee with the Chief Executive Officer recruitment process. The recruitment agency Harrison McMillan was appointment through a procurement process to support in the search for suitable candidates for the position.

Below is detailed the process for the recruitment:

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|-----------------------|--|
| 16 April 2019 | Executive Committee met to resolve the recruitment process for the position. This included endorsing the job description appointment of the preferred recruitment agency, the recruitment time frame and endorsement of the position to be advertised in The Advertiser newspaper pursuant to s98(4) of the <i>Local Government Act 1999</i> . |
| 28 May 2019 | Executive Committee met to review list of candidates. Harrison McMillan presented the list of candidates ranked in order from Tier 1 to Tier 3. The ranking was based upon criteria from the Position Description. Harrison McMillan had conducted initial phone screenings for each of the Tier 1 candidates and tabled this feedback for review. The Executive Committee endorsed which candidates to progress to the next stage of the process. |
| 30 May – 14 June 2019 | Harrison McMillan interviewed endorsed candidates either via face to face meetings or detailed telephone interviews. |
| 25 June 2019 | Harrison McMillan presented the outcomes of interviews to the Executive Committee. From this feedback the Executive Committee nominated the final shortlisted candidate/s for formal interview. |

8 July 2019 Shortlisted candidate/s attended a formal interview conducted by Council. Following the interview/s a preferred candidate was identified for Council endorsement.

REPORT

On 8 July 2019 at 5pm the Council met at the Brighton Civic Centre, 24 Jetty Road, Brighton, to interview the final shortlisted candidate/s. Following the interview/s, Elected Members agreed on the preferred candidate to be put for Council endorsement at the meeting on 9 July 2019.

Council endorsement is subject to a reference check, police clearance and contract acceptance post negotiation with Her Worship the Mayor as the delegated representative for the City of Holdfast Bay.

BUDGET

Maximum budget \$20,000.00.

LIFE CYCLE COSTS

Not Applicable.

CONFIDENTIAL