

ITEM NUMBER: 8.2

CONFIDENTIAL REPORT

CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS

Pursuant to Section 87(10) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Executive Committee upon the basis that the Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Executive Committee will receive, discuss or consider:

- a. Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- e. matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person.

Recommendation – Exclusion of the Public – Section 90(3)(a and e) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Executive Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff minute taker in attendance at the meeting in order to consider Report No: 252/24 Chief Executive Officer Recruitment Process in confidence.
 2. That in accordance with Section 90(3) of the *Local Government Act 1999* Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 252/24 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: 252/24 Chief Executive Officer Recruitment Process is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
 - e. pursuant to section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is related to matters affecting the security of employees of the Council.
 3. The Executive Committee 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.
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Item No: 8.2

Subject: CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS

Summary

At its meeting on 23 July 2024, Council appointed the Executive Committee of Council as the Chief Executive Officer Selection Panel pursuant to section 98 (4) of the *Local Government Act 1999* for the Chief Executive Officer (CEO) Recruitment process and provided the Executive Committee with additional scope to its Terms of Reference for the period of the CEO recruitment process.

This report recommends that a proposal be sought from the current Advisor to the Executive Committee for supporting the CEO recruitment process and that the recruitment be undertaken in the new calendar year.

Recommendation

That the Executive Committee:

1. notes that Council appointed the Executive Committee of Council as the Chief Executive Officer Selection Panel pursuant to section 98 (4) of the *Local Government Act 1999* for the CEO Recruitment process;
2. notes that Council delegated to the Executive Committee the decision to appoint a suitably qualified person to assist the Executive Committee and Council in the recruitment process;
3. notes that Council delegated to the Executive Committee, the consideration and recommendation to Council of an appointment of the Acting Chief Executive Officer;
4. notes the additional scope to its Terms of Reference as provided in Attachment 1 for the period of the Chief Executive Officer recruitment;
5. receives a proposal from Christine Molitor to support the CEO recruitment process; and
6. recommends to Council that the recruitment commence in the new calendar year.

RETAIN IN CONFIDENCE - Section 91(7) Order

7. That having considered Agenda Item 8.2 252/24 Chief Executive Officer Recruitment Process in confidence under section 90(2) and (3)(a and e) of the *Local Government Act 1999*, the Executive Committee, pursuant to section 91(7) of that Act orders that the report, attachments and minutes be retained in confidence for a period of 12 months and the Chief Executive Officer is

authorised to release the documents and that this order be reviewed every 12 months.

Background

The Chief Executive Officer, Roberto Bria has tendered his resignation which will be effective from Friday 30 August 2024.

Section 98 of the *Local Government Act 1999* states that Council must take steps to fill the (pending) vacancy. The requirements of section 98 are:

98—Appointment procedures

- (1) *If a vacancy occurs or is about to occur in the office of chief executive officer, the council must take steps to fill the vacancy (or the pending vacancy).*
- (2) *The council must appoint a person to act in the position of chief executive officer until a vacancy is filled.*
- (3) *For the purpose of filling a vacancy, the council must invite applications by advertising on a website determined by the council, and may take other action as the council thinks appropriate.*
- (4) *The council must appoint a selection panel to assess applications for the position of chief executive officer, to recommend readvertisement or other additional steps (if necessary), and to make recommendations to the council on an appointment.*
- (4a) *The council must ensure that either or both of the following applies to the process for appointing a chief executive officer under this section:*
 - (a) *the council appoints at least 1 person who is not a member or employee of the council to the selection panel;*
 - (b) *before making the appointment to the office of chief executive officer, the council obtains and considers the advice of a qualified independent person on the assessment of applications and recommendations on the appointment under subsection (4) (and that advice may include recommendations to the council on the appointment).*
- (5) *The council makes the appointment to the office of chief executive officer.*
- (6) *This section does not apply in circumstances involving the reappointment of a chief executive officer following the completion of a term of office.*
- (7) *In this section—*

qualified independent person means a person who is—

 - (a) *not a member or employee of the council; and*
 - (b) *determined by the council to have appropriate qualifications or experience in human resource management.*

Report

At its meeting on 23 July 2024, Council appointed the Executive Committee of Council as the Chief Executive Officer Selection Panel pursuant to section 98 (4) of the *Local Government Act 1999* for the CEO Recruitment process and provided the Executive Committee with additional scope to its Terms of Reference for the period of the CEO recruitment process. The additional scope is provided in Attachment 1 to this report.

Refer Attachment 1

The additional delegated functions to the Executive Committee include:

- appointment of a suitably qualified person to assist Council in the recruitment process
- review and update of CEO Position Description
- determine the selection criteria for interviewing candidates
- selection of short-listed candidates
- appoint an interview panel to determine short listed candidates
- recommend the shortlisted candidates to Council for interview.
- the consideration and recommendation to Council of an appointment of the Acting Chief Executive Officer

The CEO's Position Description and KPI's were reviewed by the Committee earlier in the year, however it is recommended that these be reviewed as part of the recruitment process.

Refer Attachment 2

To support the Executive Committee and Council in the CEO recruitment process it is recommended that the current Advisor to the Executive Committee, Christine Molitor from Be Sustained, be asked to provide a proposal for the recruitment under the current 2+2 agreement that is currently in place.

Utilising Christine Molitor for the recruitment provides efficiencies in that Christine has a detailed knowledge of the requirements of the position and the personal qualities that Council require in a CEO based on her involvement in the performance reviews of the current CEO over the last two years.

As Council has just approved its Annual Business Plan and Budget (ABP) and is commencing the Transforming Jetty Road Project, it is clear what Administration needs to focus on for the next 12 months and therefore a stable Administration over the next 6 months would be optimal in assisting delivery of the ABP. A recruitment process in the middle of this could be a de-stabilising factor for Administration. Also currently there has been a number of Local Government CEO roles being advertised which, in discussions with Christine Molitor, could limit the pool of quality applicants at this time. It is therefore recommended that the recruitment commence in the new calendar year.

Budget

The recruitment costs will be established once a proposal is received and this amount will be included in a future budget review.

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Executive Committee Terms of Reference

Statutory Provisions

Local Government Act 1999, section 98

Written By: Chief Executive Officer

Chief Executive Officer: Mr R Bria

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Attachment 1

Additional Terms of Reference – Executive Committee (Chief Executive Officer Selection Panel)

The purpose of the Chief Executive Officer (CEO) Selection Panel – (Executive Committee) is to be responsible for the recruitment and selection process for the Chief Executive Officer, to make recommendations to the whole Council (Elected members) on the most meritorious candidate for the position and to ensure that the recruitment and selection process is fair and robust.

The Selection Panel will conduct an assessment process which ensures that applicants' suitability based on merit selection principles, taking into account knowledge, skills, qualifications and experience and potential for future development, is considered against the specific requirements of the vacancy as set out in the selection criteria.

The Executive Committee is delegated the following additional functions for the period until the CEO recruitment is finalised:

- Appointment of a suitably qualified person to assist Council in the recruitment process
- Review and update of CEO Position Description
- Determine the selection criteria for interviewing candidates
- Selection of short listed candidates
- Appoint an interview panel to determine short listed candidates
- Recommend the shortlisted candidates to Council for interview.

Attachment 2



Position Description

Chief Executive Officer

Council's Strategic Vision

Protecting our heritage and beautiful coast, while creating a welcoming and healthy place for all in South Australia's most sustainable city.

Our Culture

A place that proudly delivers great things.

Where we deliver on promises; value people; recognise achievements; inspire progress, respect history, build the future; grow and learn; and enjoy what we do.

Our Values

ARISE: Achievement, Respect, Innovation, Simplicity, Engagement

TITLE:	Chief Executive Officer
POSITION OBJECTIVE:	Responsible for the leadership, development and management of human, physical and financial resources to fulfil Council's strategic and business objectives, including transformation. Will lead initiatives which benefit the community, enhance city vitality, build a prosperous and efficient economy, sustain a rich environment, and develop a successful culture. Oversee the development and management of the residential, community and therapy services of Alwyndor.

1. REPORTING RELATIONSHIPS

- This position reports to Mayor and Elected Members.
- The following report directly to the position:
 - General Manager, Strategy and Corporate
 - General Manager, Assets and Delivery
 - General Manager, Community and Business
 - General Manager, Alwyndor
 - Project Director, Jetty Road Upgrade Project
 - Executive Officer and Executive Assistant to the Mayor

2. KEY PERFORMANCE INDICATORS

- Annual performance review process undertaken with measurable goals aligned to role requirements that demonstrate:
 - Stakeholder, Mayor, Elected Members and Customer relationships are led with eQ and a customer-first mind-set.
 - High degree of satisfaction with Council members in relation to support, guidance, service quality and accuracy of information, recommendations and related matters.
 - Create confidence and build credibility with the Mayor and Elected Members.
- Instil a confident people culture of health, safety and well-being which leads to high morale with an overall satisfaction rating of >4 (out of 5) of Council's culture and an overall organisational climate rating of >3.5 (out of 5).
- Working collaboratively with the Mayor, Elected Members, and members of the Senior Leadership Team to achieve actions of "Our Holdfast 2050+ Strategic Plan" with 85% delivery on Annual Business Plan target goals.
- WHS/Risk Strategic Plans and Programs are in place and met.
- Long term financial and asset management plans are in place to ensure Council sustainability by achieving:
 - An operating ratio of 0 -10% over a five year period
 - A net financial liabilities ratio of less than 75%
 - Reliance on rate revenue within the range of 70 - 75%
- Improve our asset sustainability ratio to be within the range of 90 -110% over a five year period.
- Council resolutions are implemented within specified timeframes
- Maintain Customer Satisfaction/Quality of Life Survey overall rating average of 7 or above.

3. POSITION DETAILS

People and Culture

- Demonstrate positive leadership capabilities which result in building relationships, empowering others, embracing challenges and delivering on promises.
- Effectively communicate the Council vision and strategy to key stakeholders.
- Attract, engage and retain skilled staff to deliver high performance.
- Set clear, measurable individual objectives and hold people accountable for these.
- Build and foster effective relationships with both internal and external stakeholders including local businesses, education institutions, community service providers, individual residents and other customers.
- Ensure effective communication is undertaken to engage the needs of reporting staff, internal and external key stakeholders including volunteers.
- Be an example of service excellence in a customer-centric culture, which empowers team members to strive for exemplary performance.
- Engage with and provide high quality advice to the Mayor, Elected Members, Committees of Council and the Senior Leadership Team.
- Liaise with community organisations, business groups and regional stakeholders as necessary for the achievement of Council's objectives.
- Ensure effective relationships are established with local media and respond and initiate as required.
- Provide input to any Commonwealth, State or Local Government initiatives affecting the City.
- Effectively liaise with Local Government authorities, as well as other Government authorities and agencies.
- Represent the Council at relevant events to maintain and enhance Council's public profile and reputation within the community and amongst stakeholders.
- Monitor and respond to customer satisfaction and quality of life surveys of the community to determine their perceptions on a range of activities in which the Council is providing service.

Systems and Processes

- Provide Council with a suite of reports that indicate the status, success and effectiveness of all operations and major projects linked to the strategic pillars.
- Ensure strategic, annual business, and long term financial and asset management plans are prepared and implemented.
- Report regularly through the Corporate Management Reporting system on strategic, operational and major projects to ensure they are delivered on time and within budgetary constraints.
- Proactively lead and influence organisational change based on Council's strategic and business plans.
- Ensure a positive and productive industrial relations environment through the development and implementation of appropriate agreements and frameworks.
- Annual budgeting process is completed in close consultation with the Senior Leadership Team, Leadership Team and Finance Services.
- Ensure close monitoring and controlling of budgets following variance analysis to ensure sound fiscal management.
- Ensure the Identification and management of areas of risk to Council and to Alwyndor.

Quality and Cost

- As the Responsible Officer, take reasonable steps to ensure Council complies with all its obligations under the *Work Health & Safety Act 2012* and the accompanying regulations and associated legislation.
- Ensure Alwyndor complies with all its obligations under the relevant Acts.
- Ensure strong and well researched business cases are prepared to support major projects.
- Ensure cash flow is monitored and controlled.
- Ensure the collection and security of revenues and efficient utilisation of Council funds and assets.
- Ensure all commercial activities of the Council have clearly defined financial goals (including rate of return on assets) and are in line with stated community services obligations.
- Ensure the efficient and effective management and monitoring of the Council's operating revenue and expenditure.

Development

- Explore and expand individual capabilities and opportunities as related to the role – both technically and in leadership/people management.
- Actively listen to the needs, concepts and ideas of peers, the community and customers.
- Ensure Professional Development and Reviews (PDRs) are completed on an annual basis for reporting staff which includes meaningful and achievable goals.
- Facilitate personal and professional development of reporting staff.
- Generate opportunities for reporting staff to innovate via creative based problem solving.

4. PERSONAL CRITERIA

Qualifications

- A tertiary qualification in a relevant industry or equivalent experience – **essential**.
- Holds a Master of Business Administration – **highly desirable**
- Holds an unencumbered Australian drivers licence - **essential**

Experience and Knowledge

- Experience in the leadership and management of a multi-functioned service organisation - **essential**
- Experience in resource management, and leading individuals to deliver quality outcomes – **essential**.
- Experience in strategic planning; business transformation and evaluation; and continuous improvement activities – **essential**.
- Knowledge and understanding of legislation, guidelines and standards relevant to the area of operation, particularly the *Local Government Act 1999 (SA)* and associated operations - **essential**
- Experience managing a large budget and value-driven financial outcomes – **essential**
- Experience in leading services or organisations through change and achieving results and outcomes – **essential**

- Proficient in the use of Microsoft Office and experience in using corporate digital applications – **essential**.
- Experience working with and being privy to sensitive and confidential information. **essential**
- Experience in Government, particularly Local Government – **highly desirable**
- Experience with the Technology 1 suite of applications – **desirable**.

Personal Capabilities

- Highly self-motivated with the ability to establish credibility and deliver high quality outcomes for our community – **essential**.
- Advanced verbal and written communication skills with the ability to negotiate, influence and motivate individuals – **essential**.
- Ability to work effectively with Elected Members, stakeholders and the local community
- Ability to motivate employees to work positively and collectively to meet community demands and enhance service delivery
- Ability to prioritise workload and meet set timelines.
- Ability to be resilient, innovative, flexible and readily accommodate change.
- Analytical, problem solving, negotiation and decision making skills with an ability to explore new and innovative ways to do business using creative solutions.
- Demonstrated commitment to exploring and expanding individual capabilities.
- Ability to work both independently and in a team environment
- Ability to share information and expertise freely.

Leadership Capabilities - **essential**

- **Accept Responsibility** – Take responsibility and deliver on our promises.
- **Relationship Driven** – Build positive relationships.
- **Innovate and Change** – Lead change and embrace new ideas.
- **Strategic Focussed** – Create and communicate a clear vision.
- **Empower Others** – Support people to be their best.

5. WORK HEALTH AND SAFETY RESPONSIBILITIES

- Take a leadership role in the WHS program of improvements
- Comply with any reasonable instruction in relation to WHS.
- Cooperate with any reasonable policy or procedure relating to WHS.
- Take reasonable care in regard to work health and safety.
- Avoid adversely affecting the health and safety of any other person through any act or omission at work.
- Ensure that you are not in such state (due to alcohol or drugs) as to endanger your own safety at work or the safety of any other person.
- Not wilfully interfere with or misuse items or facilities provided in the interest of the health and safety of workers.
- Report all accidents, incidents, injuries, property damage in accordance with agreed procedures.
- Comply with the use and utilisation of appropriate personal protective equipment.
- Participate in activities associated with the management of workplace health and safety policies, procedures, management systems and consultative structures.

6. SPECIAL CONDITIONS

- Some out of hours work will be required including attendance at official meetings, functions and events after hours.
- A National Police Clearance is required to be undertaken by all employees appointed to prescribed positions, and will be renewed every three (3) years thereafter.

7. OUR VALUES

As a value based organisation we demonstrate our values through our behaviours. These values guide everything we do. As an employee you will play a key role in demonstrating these values:

- **Achievement** – Deliver agreed outcomes for our Community.
- **Respect** – Act with honesty and integrity.
- **Innovation** – Seek better ways.
- **Simplicity** – Easy to do business with.
- **Engagement** – Provide opportunities for all to participate.

These are assessed on an ongoing informal basis, and formally through the Professional Development Review process.

8. ACKNOWLEDGEMENT

Employee Name:	<u>Roberto Bria</u>	Direct Manager:	<u>Mayor Amanda Wilson</u>
Signature:	<u></u>	Signature:	<u></u>
Date:	<u></u>	Date:	<u></u>