



**ATTACHMENT 11.1.1**

## CEO RECRUITMENT SELECTION PANEL – TERMS OF REFERENCE AUGUST 2021

### 1. Establishment of Panel

Pursuant to Section 5.36 of the Local Government Act, and the Local Government (Administration) Amendment Regulations 2021 amended in February 2021 the Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, a local government is required to employ a person to the Chief Executive Officer (CEO) of the local government.

Whilst the decision is a whole of Council responsibility, the Council can appoint a panel to facilitate the recruitment and selection process.

### 2. Purpose of Panel

The purpose of the CEO Recruitment Panel (the “Panel”) is to provide general oversight of the recruitment and selection process for the Chief Executive Officer; to make recommendations to the whole of Council (Elected Members) on the most suitable candidate for the position; and to ensure the recruitment and selection process is fair, robust, and carried out to relevant legislation and regulations.

The Panel will achieve this by:

- (a) Working with the appointed Recruitment Consultant
- (b) Facilitating the preparation and recommendation of the position description for the role of Chief Executive Officer to whole of Council.
- (c) Recommend to Council for endorsement the draft employment contract prior to advertising.
- (d) Facilitating the preparation of the advertisement and approve mediums to be used.
- (e) Recommending to Council the total remuneration package and employment conditions in line with Council policies.
- (f) Approving the Candidate Applicant Information Package.
- (g) Review the application shortlisting report as provided by the Recruitment Consultant.
- (h) Agree on the shortlisted applicants for interview.
- (i) Agree on the scoring method for the interview process to determine preferred applicant(s) for the position.
- (j) Facilitate and agree on the interview questions provided by the Recruitment Consultant.
- (k) Interviewing short listed applicants.
- (l) Facilitate the interview process of preferred candidates in consultation with Recruitment Consultant.

### 3. Membership

Membership of the Panel is to consist of (endorsed by Council 27/7/2021):

- **Cr Mike Walmsley - Shire President – (Panel Chair)**
- **Cr Naomi Purcell - Deputy Shire President (Panel Deputy Chair)**
- **Cr Karen Odorisio– Councillor**
- **Mr Barry Austin – Independent Representative**
- **Sylvana Caranna – Executive Recruitment Consultant (LO-GO Appointments WA)**

The Presiding Member is to be determined in accordance with Section 5.12 of the Local Government Act 1995.

If the Presiding Member of the Panel is absent from a meeting of the panel, the Deputy Presiding Member will preside at the meeting.

### 4. Quorum

The Quorum for the meeting is at least 50% of the number of panel members.

### 5. Panel Terms of reference – Roles and Responsibilities

- (a) To provide general guidance and participate in the recruitment process for the position of Chief Executive Officer of the Shire of Waroona, in accordance with the indicative process agreed by the Council.
- (b) To make recommendation to the Council at each stage of the selection process, including but not limited to:
  - The position description
  - The Key Result Areas (KRAs) and/or Key Performance Indicators (KPIs)
  - The Draft CEO employment contract prior to advertising
  - The preferred candidate(s) report and recommendation to Council
- (c) To consider the assessment of applicants for the position of Chief Executive Officer.
- (d) To consider the advertisement and/or re-advertisement or other additional steps (if necessary) in consultation with the Recruitment Consultant.
- (e) Ensure appropriate advertising mediums are used such a social media, websites, SEEK and written formats such as West Australian professional and/or local government job section.
- (f) A report to Council with recommendation of the preferred candidate including negotiated employment contract to be considered and endorsed by Council for the appointment of the Chief Executive Officer.
- (g) Any other matter which is not stipulated within these terms of reference, but which is within the conspectus of the powers and functions of the Panel or other matters which are specifically referred by the Council to the Panel and related to the selection of the Chief Executive Officer.

### 6. Terms of Reference – Operational Matters

- (a) The Panel does not enjoy the delegation of any powers, functions, and duties of the Council.
- (b) All decisions of the Panel will, therefore, constitute recommendations to the Council.
- (c) The Panel shall always act in strict accordance with relevant legislation and regulations (being the Local Government Act 1995 and associated Regulations) and in accordance with these Terms of Reference in the performance of its function.

- (d) For the purposes of reporting and accountability requirements, the Panel must keep minutes of all meetings of the Panel. The Reporting of the recommendations of the Panel to the Council in this manner is sufficient to satisfy the reporting and accountability requirements of the Council.
- (e) All recommendations of the Panel shall be made on the basis, of a majority decision of the members present.
- (f) Meetings of the Panel will be held at a location as determined by the Presiding Member of the Panel in consultation with Panel Members.
- (g) The Panel shall meet as often as the Panel considers necessary.
- (h) The Panel can utilise video conferencing as and when considered necessary.
- (i) The procedure to be observed in relation to the conduct of the meeting of the Panel is generally to be in accordance with the Local Government Act, associated regulations and the Shire of Waroona Standing Orders Local Law and these terms of reference.

## **7. Independent Recruitment Consultant (IRC) – Role & Responsibilities**

- (a) Should not be associated with the local government or any of its Council members.
- (b) Provides independent human resources consultant provides advice to the selection panel on how to conduct the recruitment process that covers the following aspects of the process:
  - Development or review of the position description
  - Development of the selection criteria
  - Development of assessment methods in relation to the selection criteria
  - Drafting of the advertisement
  - Executive search
  - Preliminary assessment of the applications
  - Shortlisting recommendation to the Panel
  - Drafting questions for interview
  - Coordinating interviews
  - Preparing the selection summary assessment and recommendations
  - Arranging for an integrity check and/or police clearance, qualifications, medical
  - Assisting the Panel in preparing the employment contract
  - As directed by the Panel commence preliminary negotiations of employment contract.
  - Conduct referee checks and provide written report to the Panel of referee outcome.
  - Preparation of Council report as directed by Panel for Council endorsement of preferred candidate and employment contract.
- (c) The Consultant is not to be directly involved in determining which applicant should be recommended for the position, their role is not one of decision-maker.
- (d) All documents managed by the Recruitment Consultant must be provided to the Shire in line with the Shire recording keeping policy and procedure.

## **8. Independent Person other than Recruitment Consultant– Role & Responsibilities**

The independent person cannot be a current elected member, human resource team member, or staff member of the local government.

An independent person could include:

- Former elected members or staff members of the local government
- Former or current elected members (such as a Shire President or Councillor) or staff members of another local government
- A prominent or highly regarded member of the community

Their role is;

- (a) An advisory and cannot be directly involved in determining which applicant should be recommended for the position, their role is not one of decision-maker.
- (b) To follow the agreed recruitment process and to contribute professionally.
- (c) Available to attend meetings as agreed by the Panel.

### 9. Confidentiality Agreement

All Panel members must sign a Confidentiality Agreement before the recruitment process commences and a copy be provided to the Recruitment Consultant for record keeping purposes.

### 10. Tenure

The Panel which is established for the purpose of assisting the Council in taking steps to fill the vacancy in the position of Chief Executive Officer of the Shire of Waroona will be wound up upon the date that the Council makes the appointment to the office of Chief Executive Officer of the Shire of Waroona.

ROLES & RESPONSIBILITIES APPROVED BY COUNCIL	
<b>COMMENTS</b>	
<b>SHIRE PRESIDENT NAME</b>	
<b>DATE</b>	
<b>SIGNATURE</b>	