

# Attachment 1

ITEM NUMBER: 13.3

## CONFIDENTIAL MINUTES – ALWYNDOR MANAGEMENT COMMITTEE – 16 MAY 2017 (Report No: 190/17)

*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:*

- b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Alwyndor Management Committee would prejudice the commercial position of Alwyndor Management Committee by disclosing the detailed financial reporting for the operations of Alwyndor.



**Confidential Minutes of the Alwyndor Management Committee Meeting held in the Boardroom, Alwyndor Aged Care, 52 Dunrobin Road Hove on Tuesday, 16 May 2017.**

**ITEMS IN CONFIDENCE**

With the leave of the meeting the Chair agreed to adjust the order of matters before the committee.

HR Manager, Mr B Capes, and WHS Officer, Mr S Abbott, entered the meeting at 6.39pm

6.1 WHS Management System Gap Analysis – Action Plan (Report No: 20/17)

**Exclusion Of The Public – Section 90(3)(d) Order**

1 That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 20/17, WHS Management System Gap Analysis – Action Plan in confidence.

2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 20/17, WHS Management System Gap Analysis – Action Plan on the following grounds:

d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management 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.

Moved Mr Bamford, Seconded Ms Wills

**Carried**

HR Manager, Mr B Capes and WHS Officer, Mr S Abbott presented the WHS Action Plan to the Committee.



**Motion**

1. That the Alwyndor Management Committee receives the presentation and notes the information provided in this report.
2. That the Alwyndor Management Committee endorses the WHS Management System Action Plan.
3. That a WHS Management System Action Plan update be provided to the Committee at each meeting as part of the General Manager's Report.

Moved Mr Peters, Seconded Ms Cudsi

**Carried**

**Retain in Confidence - Section 91(7) Order**

That having considered Agenda Item 6.1 WHS Management System Gap Analysis – Action Plan in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Report and Minutes be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Mr Bamford, Seconded Ms Cudsi

**Carried**

Mr Capes and Mr Abbott left the meeting at 7.08pm

The order of the meeting picked up where it left off at 7.08pm

- 5.1 General Manager's Report (Report No: 19/17)

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

- 1 That pursuant to Section 90(2) of the *Local Government Act 1999* the Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Staff in attendance at the meeting in order to consider Attachment 2 for Report No: 19/17 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Attachment 2 of Report No: 19/17 on the following grounds:
  - d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person

who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management 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.

Moved Mr Bamford, Seconded Ms Wills

Carried

Motion

That the Monthly ACFI Report and Work Hours Analysis be received and noted.

Moved Mr Bamford, Seconded Cr Lonie

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

Motion

That having considered Attachment 2 to Agenda Item 5.1 General Manager's Report (Report No: 06/17) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that Attachment 2 to Report No: 19/17 be retained in confidence for a period of 24 months.

Moved Mr Bamford, Seconded Cr Lone

Carried

5.3 Financial Sub-Committee Agenda (Report No: 22/17)

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

- 1 That pursuant to Section 90(2) of the Local Government Act 1999 Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Item 5.3 in confidence.
2. That in accordance with Section 90(3) of the Local Government Act 1999

**Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Item 5.5 on the following grounds:**

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management 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.

Moved Ms Wills, Seconded Mr Peters

**Carried**

The Alwyndor Management Committee discussed the recommendations from the Financial Sub-Committee meeting held 16 May 2017.

**Motion**

**That the Committee received and endorses the Finance Sub-Committee agenda as held on 16 May 2017.**

Moved Ms Wills, Seconded Cr Aust

**Carried**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**Motion**

**That having considered Agenda Item 5.3 Finance Sub-Committee Agenda in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachments and Minutes be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.**

Moved Ms Wills, Seconded Cr Aust

**Carried**

- 6.2 Leadership Team Restructure (Report No: 22/17)



**Recommendation – Exclusion Of The Public – Section 90(3)(a) Order**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 22/17, Leadership Team Restructure in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 22/17, Leadership Team Restructure 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: 22/17 Leadership Team Restructure is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
3. The Alwyndor Management 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.

Moved Cr Lonie, Seconded Mr Peters

Carried

**Motion**

That the Alwyndor Management Committee:

1. that the addendum to the report be received.
2. approves the proposed structure changes to the Alwyndor Senior Management Team with corrections to position titles to reflect proposed changes.
3. approves a total wages expenditure of \$282,000 and proceed with the advertised roles for the:
  - a. Residential Services Manager;
  - b. Active and Healthy Ageing Manager.
4. all other proposed changes be deferred.

Moved Cr Lonie, Seconded Mr Peters

Carried

**Retain in Confidence - Section 91(7) Order**

That having considered Agenda Item 6.2 Leadership Team Restructure in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Report and Minutes be

**retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**

Moved Mr Bamford, Seconded Ms Cudsi

**Carried**

**CONFIRMED**

**CHAIRPERSON**

CONFIDENTIAL