

RELEASED 18122024

ITEM NUMBER: 7.1

CONFIDENTIAL REPORT

CHIEF EXECUTIVE OFFICER RECRUITMENT

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 any person (living or dead).**

CONFIDENTIAL

Recommendation – Exclusion of the Public – Section 90(3)(a) 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 Qualified Independent Person, Ms Christine Molitor, General Manager Alwyndor, Ms Beth Davidson-Park and Staff minute taker, Ms Roxanne Steventon, in attendance at the meeting in order to consider Report No: 410/24 Chief Executive Officer Recruitment 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: 410/24 Chief Executive Officer Recruitment 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: 410/24 Chief Executive Officer Recruitment is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being that personal details of applicants for the position of Chief Executive Officer will be disclosed.**
 - 3. The 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.**
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Item No: 7.1

Subject: CHIEF EXECUTIVE OFFICER RECRUITMENT

Summary

Following the resignation of Mr Roberto Bria, the Executive Committee was afforded additional Terms of Reference for the process of the Chief Executive Officer recruitment.

The Executive Committee, with the oversight of a Qualified Independent Person, has undertaken a recruitment process and recommended candidates for interview by Council.

Following the interviews, the preferred candidate will be identified for Council's 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

That Council:

1. following a merits based CEO Recruitment process, and having considered the advice of the Qualified Independent Person, Ms Christine Molitor, resolves to endorse _____ as the preferred candidate;
2. authorises Her Worship the Mayor, to offer _____ the position of Chief Executive Officer, City of Holdfast Bay, subject to the Mayor being satisfied of the outcome of the relevant employment checks; and
3. authorises Her Worship the Mayor, including with legal advice as required, to negotiate the Total Employment Cost package (TEC package) under the Contract of Employment with _____, up to an amount of _____, noting the Council is a Band 4 for the purposes of Determination No. 4 of 2023 of the Remuneration Tribunal, with a total remuneration package of between \$319,280 - \$358,550, and to sign the Contract of Employment with the successful candidate, on behalf of the Council.

RETAIN IN CONFIDENCE - Section 91(7) Order

4. That having considered Agenda Item 7.1 410/24 Chief Executive Officer Recruitment 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 Agenda report and Minutes relevant to this item be retained in confidence, until the appointment of the Chief Executive Officer has been completed and a public announcement is made, and that any other documents received and considered by the Council as part of this recruitment process be retained in confidence for a period of three (3) years, to be reviewed at least every twelve (12) months thereafter.
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Background

The Chief Executive Officer, Roberto Bria tendered his resignation effective Friday 30 August 2024.

At its meeting on 23 July 2024, Council appointed the Executive Committee 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.

Further, to satisfy the requirements of section 98(4a) of the *Local Government Act 1999* (the Act), Ms Christine Molitor was appointed on 10 September 2024 as the Qualified Independent Person for the recruitment of the CEO.

Report

An initial workshop of the Executive Committee was held on 23 September, facilitated by Ms Molitor, to understand the Committee's preferences on aspects of the recruitment process, in particular attributes and experience required to successfully fulfil the CEO position.

The information garnered from this workshop informed the refinement of the CEO Position Description and the content of the recruitment advertising.

Advertising

Advertising commenced on 23 October via myriad channels including council's website, LinkedIn, Seek, Local Government Associations locally and interstate. A soft closing date for applications to be received was set at 11 November 2024.

There was strong interest in the vacancy with 84 applications received.

Application Review

Applications received were matched against criteria developed from the agreed CEO Position Description and given an initial rating by the Manager, People and Culture.

Pursuant to section 98 (4a)(b) of the Act, a second review was then conducted by Ms Molitor and Sharon Wachtel, General Manager, Strategy and Corporate. The entire list of candidates was reviewed as well as agreeing on the top eight to be put before the Executive Committee for consideration. McArthur Management Services was also engaged to undertake due diligence on these eight candidates.

From the eight candidates presented to the Executive Committee on 18 November, the Committee determined five candidates for a first-round interview.

Interview process

A series of questions was developed by Administration with oversight by Ms Molitor. The questions were circulated to the Executive Committee in advance of the interviews.

The interviews were conducted on Monday 25 and Wednesday 27 November by the Executive Committee, with Ms Molitor in attendance.

Following the interviews, the Committee met and resolved to progress two candidates to a second interview with the full elected body on Tuesday 3 December.

Again, with the oversight of Ms Molitor, an interview structure was developed which included the requirement for the candidates to present to Council on a specified topic, with the opportunity for follow up questions to be asked by Council.

Candidate review

Following the second interviews, Council will receive a verbal report from McArthur Management Services on psychometric testing undertaken on the two final candidates.

Budget

There are no budget implications associated with this report.

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Not applicable

Statutory Provisions

Local Government Act 1999, section 98

Written By: General Manager, Strategy and Corporate

General Manager: Strategy and Corporate, Ms S Wachtel