

Chief Executive Officer Performance Review Committee Terms of Reference

1. Name:

The name of the Committee is the Chief Executive Officer Performance Review Committee.

2. Establishment

2.1 The Chief Executive Officer Performance Review Committee was established on 21 April 2020, minute 075/20 of Council, pursuant to section 41 of the Local Government Act 1999.

2.2 The Chief Executive Officer Performance Review Committee shall be reviewed at the conclusion of each Local Government election.

3. Definitions

CEO means the Chief Executive Officer of the Coorong District Council

Qualified independent person means a person who is not a member or employee of the council; and determined by the council to have the appropriate qualifications or experience in human resource management.

4. Purpose and Functions

The purpose and function of the Chief Executive Officer Performance Review Committee is to:

4.1 Undertake the Performance Review of the CEO.

4.2 Assess the CEO's performance by reference to the strategic goals agreed to by the CEO and in accordance with the CEO's duties as outlined in the Employment Agreement.

4.3 In consultation with the CEO, the Committee will set strategic goals.

5. Membership

5.1. The Chief Executive Officer Performance Review Committee shall comprise of the Mayor, three (3) Council Members and a qualified independent person agreed by both parties.

5.2. The Presiding Member shall be the Mayor.

5.3. Appointment to the Committee shall be until the review of the Committee at the conclusion of each Local Government election or as amended by Council.

6. Quorum

The quorum required for the transaction of business at a meeting of the Chief Executive Officer Performance Review Committee shall be 50% plus one (1) members. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all requirements of the Committee.

7. Voting

- 7.1. Each member of the Chief Executive Officer Performance Review Committee present at a meeting shall have one vote.
- 7.2. The Presiding Member shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.
- 7.3. In the event of a tied vote the matter will be referred to the next meeting of Council for deliberation.
- 7.4. Members present at the meeting must vote on all resolutions of the Committee.
- 7.5. Proxy votes are not permitted.
- 7.6. A Committee Member may partake in the meeting via telephone, video conference or in person. If via telephone or video conference, the Committee Member must verbalise their vote to enable the Presiding Member to clarify and record the vote.
- 7.7. Should a Committee Member wish to partake in the meeting via telephone or video conference a minimum of one (1) business days' notice must be provided to the Chief Executive Officer.
- 7.8. The Presiding Member must be in attendance (in person) of the meeting and may not partake in the meeting via telephone or video conference.
- 7.9. Should the Presiding Member be required to leave the meeting (eg. conflict of interest) and the Deputy Presiding Member is partaking in the meeting via telephone or video conference, the Deputy Presiding Member may preside over the meeting electronically.

8. Meetings

- 8.1. The Chief Executive Officer Performance Review Committee shall meet at least once a year.
- 8.2. The CEO will prepare and submit to the Performance Review Committee an assessment of their own performance prior to the assessment by the Performance Review Committee.
- 8.3. Meetings will be conducted at the Council's principal office, Coorong Civic Centre, 95 - 101 Railway Terrace, Tailem Bend.
- 8.4. A Special Meeting of the Committee may be called in accordance with the Local Government Act 1999 and the Local Government (Procedure at Meetings) Regulations 2013.
- 8.5. The Presiding Member shall ensure that the proceedings of the meeting and resolutions, including recording those present are minuted and that all requirements meet the Local Government (Procedure at Meetings) Regulations 2013.
- 8.6. Audio recordings of meetings may be made to enable the Minute Taker to reference as required. Audio recordings will be saved only until the Minutes of the relevant meeting have been endorsed by Council.

9. Meeting Procedures

- 9.1. Procedures at meetings will be in accordance with the Local Government (Procedures at Meetings) Regulations 2013, these Terms of Reference and, Council's Code of Practice – Proceedings of Council & Committee Meetings.

10. Reporting Responsibilities

- 10.1. The Mayor will inform the Council at its next ordinary meeting of the matters determined by the Committee through the provision of a confidential written report.

- 10.2. Agendas and Minutes of the Chief Executive Officer Performance Review Committee will be published on Council's website and a copy of minutes will be provided to all Council members in accordance with the requirements of the Local Government Act 1999.

11. Delegations

The Chief Executive Officer Performance Review Committee has no direct decision-making power (no delegations) and will provide recommendations to the Council on matters for consideration.

12. Administrative

The Chief Executive Officer shall provide administrative resourcing to the Committee.

The Committee shall:

- 12.1. have access to reasonable resources to enable the carrying out of its duties, subject to budgetary implications/allocations;
- 12.2. receive adequate training as required and in accordance with Council's budget; and
- 12.3. review its performance and Terms of Reference as required and recommend any changes necessary to Council.

13. Document History

Version	Adopted	Minute No	Description of change
1	21 April 2020	075/20	Refer Council minute for full details
2	20 December 2022	263/22	<p>Cyclical review in accordance with clause 2.2</p> <p>Insertion of definition of 'qualified independent person' following commencement of section 102A of the Local Government Act 1999 resulting from Local Government Reforms.</p> <p>Clause 5.1 – reference to ward based membership removed to align with findings of Elector Representation Review (effective from 2022 Local Government Election) and 2022 – 2026 term of Council reflecting membership of three Council Members.</p>