

	CEO PERFORMANCE MANAGEMENT PANEL – TERMS OF REFERENCE	Version No:	2
		Last Adopted:	20 June 2023
		To be Reviewed	June 2027

Responsible Officer	Chief Executive Officer
First Issued / Adopted	19 June 2003
Review Period	4 years (or within 12 months of the general election)
Last Reviewed / Adopted	20 June 2023
Minute Reference	Carried 11286
Next review Date	June 2027
Applicable legislation	<i>Local Government Act 1999</i>
File Reference	310.11.1

1. Background

- 1.1 Pursuant to Section 41 of the *Local Government Act 1999* ("the Act") the Council establishes the Chief Executive Officer Performance Management Panel ("the Panel").
- 1.2 Subject to clause 1.3, the Panel will continue in existence until the next general election of Council unless wound up by resolution of Council.
- 1.3 The Panel may be wound up or altered at any time by the Council by resolution.

2. Function of the Panel

- 2.1 The Panel is established to assist the Council in the performance of the functions relating to the recruitment, remuneration and performance management of the CEO.
- 2.2 As membership includes the full membership of Council, the following functions are delegated to the Committee:
 - a. At least once in each year the CEO holds that office, review the CEO's performance, assisted by a qualified independent person in accordance to section 102A of the Act. The qualified independent person may undertake a confidential survey to be completed by the CEO, Council Members, employees and external agencies to provide a comprehensive review of the CEO's performance and shall make recommendations to the Panel in relation to a review of the remuneration, package and conditions of employment of the CEO;

- b. In the event of a vacancy in the office of CEO, appoint a qualified independent person in line with section 98(4a) of the Act to advise the Committee which will then act as a selection panel pursuant to section 98(4) of the Act. Before making a recommendation to Council on the appointment of the CEO, the Panel shall consider the advice of the qualified independent person.

3. Membership

- 3.1 All Council Members are appointed as members of the Panel, for a period determined by Council.

4. Chairperson and Deputy Chairperson

- 4.1 The Council will appoint the Presiding Member (to be known as the Chairperson) of the Panel for the term determined by Council.
- 4.2 The Panel will appoint a Deputy Chairperson from its members at the first meeting of the Panel for the same term as the Chairperson.
- 4.3 If the Chairperson of the Panel is absent from a meeting, then the Deputy Chairperson will preside at the meeting until the Chairperson is present. In the absence of the Chairperson and the Deputy Chairperson a member of the Panel chosen from those present will preside at the meeting until the Chairperson is present.

5. Meeting Details

- 5.1 The Panel will generally meet on a quarterly basis or as otherwise determined by the Panel.
- 5.2 The Panel may meet in the Council Chambers, or as otherwise determined by the Panel.
- 5.3 All Panel meetings will be conducted in accordance with the Act, and relevant Regulations, Code of Practice for Committee Meeting Procedures and Code of Practice for Access to Council and Panel Meetings and Council Documents.
- 5.4 Part 3 of the *Local Government (Procedures at Meetings) Regulations 2013* apply to meetings of the Panel.

6. Reporting Requirements

- 6.1 This Panel reports directly to and is accountable to Council.
- 6.2 The Minutes of the Panel shall be submitted to Council for decision.