

CEO Performance Review Panel Update

Strategic Alignment - Enabling Priorities

Public

Monday, 24 April 2023
CEO Performance Review Panel

Program Contact:
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Approving Officer:
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Operating Officer

EXECUTIVE SUMMARY

The purpose of this report is to provide context and background information to CEO Performance Review Panel (the Panel) to assist in undertaking their duties in relation to this matter.

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RECOMMENDATION

THAT THE CEO PERFORMANCE REVIEW PANEL:

1. Notes the report.
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IMPLICATIONS AND FINANCIALS

CEO Contract	Not as a result of this report
Consultation	Not as a result of this report
22/23 Budget Allocation	Not as a result of this report

DISCUSSION

Background

1. Section 102A of the *Local Government Act 1999* (the Act) requires Council to review the performance of the CEO at least once each year.
2. The City of Adelaide's CEO, Clare Mockler, commenced in the role on 1 September 2021. A copy of the CEO's employment contract has previously been provided to Members.
3. The CEO's employment contract specifies that the parties will establish a Performance Review Panel under Section 41 of the Act to manage the performance review process.
4. At the 14 March 2023 meeting, Council resolved ([Link One](#)):
 - 4.1. **THAT COUNCIL:**
 1. *Establishes the CEO Performance Review Panel, pursuant to Section 41 of the Local Government Act 1999 (SA).*
 2. *Appoints the following Council Members to the CEO Performance Review Panel 14 March 2023 until the last Council meeting in October 2026, those being:*
 - 2.1. *Lord Mayor*
 - 2.2. *Deputy Lord Mayor*
 - 2.3. *Cr Abrahamzadeh*
 - 2.4. *Two Independent Members (as determined by the CEO Performance Review Panel)*
 3. *Approves that Independent Members will be entitled to a sitting fee of \$500 per meeting.*
 4. *Appoints the Lord Mayor as Chair and Deputy Lord Mayor as Deputy Chair from 14 March 2023 until the last Council meeting in October 2026.*
 5. *Delegates to the CEO Performance Review Panel:*
 - 5.1. *In the exercise of the powers contained in Section 44 of the Local Government Act 1999 (SA), the responsibility of the 2022-2026 Council term of office is to assist the Council by considering and determining matters as set out in the CEO performance Review Panel's Terms of Reference, namely:*
 - 5.1.1. *Appoint an independent advisor to assist in the CEO performance appraisal.*
 - 5.1.2. *To appoint independent members to the CEO Performance Review Panel.*
 - 5.1.3. *To establish Key Performance Indicators for the CEO.*
 - 5.1.4. *To determine the performance review process for the CEO*
 - 5.1.5. *To undertake the performance review of the CEO.*

- 5.1.6. *To provide advice and support regarding the CEO's performance development.*
- 5.1.7. *Prepare and provide advice to Council to inform the CEO's Total Employment Cost Package review for decision by Council.*
- 5.1.8. *Authorise to determine a schedule of meetings to be held in the Colonel Light Room, Town Hall, Adelaide.*
- 6. *Authorises the Chief Operating Officer to vary the meeting schedule (including the commencement time, meeting place, date or cancellation of a meeting) after liaison with the Presiding Member and Chief Executive Officer.*
- 7. *Adopts the Terms of Reference for this Panel as Attachment A to Item 10.3 on the Agenda for the meeting of Council held on 14 March 2023.*
- 8. *Applies the provisions of Parts 1, 3 and 4 of the Local Government (Procedures at Meetings) Regulations 2013 (SA) to the CEO Performance Review Panel.*
- 9. *Authorises the amendment of these documents to reflect the resolution of the Council.*
- 10. *Authorises the administration to make any necessary or desirable typographical or syntactical revisions to the Terms of Reference.*

5. The approved Terms of Reference can be found on Council's website ([Link Two](#)).

CEO Performance Review Committee 2021-2022

- 6. Following the appointment of the CEO, in November 2021 the previous term of Council established a Performance Review Committee with substantially similar Terms of Reference.
- 7. This Committee expired at the conclusion of the 2022 general election.
- 8. At the time of the Committee's last meeting, membership comprised of:
 - 8.1. The Lord Mayor (Sandy Verschoor)
 - 8.2. The Deputy Lord Mayor (Councillor Abrahamzadeh)
 - 8.3. One (1) Council Member (Councillor Couros) and One (1) Independent Member (Jeff Tate).
 - 8.4. Council held a vacancy in the other Independent Member position due to former Committee Member William Spurr passing.
- 9. In 2022 the Committee met on three (3) separate occasions:
 - 9.1. 3 March 2022
 - 9.2. 16 June 2022
 - 9.3. 27 September 2022
- 10. At its most recent meeting in September 2022, the Committee received an update on performance against the agreed scorecard measures and strategic priorities, as well as a verbal update and self-assessment from the CEO.
- 11. A copy of the Agenda and Minutes of this Committee meeting can be found here ([Link Three](#)).
- 12. Due to this meeting being held during the caretaker period, the Committee was unable to make recommendations on the CEO's performance. Further steps required to complete this process will be actioned by the incoming Panel, as noted in the September report which (at point 12) stated:
 - 12.1. *A response to the assessment of the CEO's performance and determination/recommendation on any impacts to remuneration or future scorecards, priorities or performance and development targets for the CEO, will be done in 2023 with a CEOPRC established by the new Council.*

Next Steps

- 13. A meeting date for the Panel will be scheduled, currently planned for June 2023.
- 14. The Panel's initial work plan will include:
 - 14.1. The finalisation of the current review (as presented in September 2022)
 - 14.2. In consultation with the CEO, setting Key Performance Indicators and the review process for the 2023/24 financial year

DATA AND SUPPORTING INFORMATION

Link 1 – 14 March 2023 Council Meeting

Link 2 – Panel Terms of Reference, adopted by Council on 14 March 2023

Link 3 – 27 September 2022 Performance Review Committee Agenda

ATTACHMENTS

Nil

- END OF REPORT -