



### Terms of Reference

<b>Terms of Reference</b>	
1. Name	<b>CEO Employment Matters Advisory Committee</b>
2. Classification	Advisory Committee
3. Background	To assist Council in fulfilling its responsibilities relating to CEO employment matters as required under s45 of the Local Government Act 2020.

4. Function and Role

The primary responsibility of the CEO Employment Matters Advisory Committee is to assist Council to fulfil its responsibilities in relation to employment matters of the Chief Executive Officer, as outlined in Council's CEO Employment and Remuneration Policy.

In that context the CEO Employment Matters Advisory Committee has the following functions and responsibilities:

*Recruitment and Contract commencement*

- (a) Provide advice to Council on the engagement of an executive recruitment agency, the recruitment process and recruitment timeline;
- (b) Act as a point of liaison between the Council and any appointed executive recruitment agency;
- (c) Coordinate the review of the Position Description and associated recruitment documentation;
- (d) Undertake any aspects of the recruitment and appointment process agreed to by the Council;
- (e) Make recommendations to the Council on remuneration and other conditions of employment.

*Person to Act as CEO*

- (a) Provide advice to Council on any appointment to act as CEO for any term of greater than 28 days (recommendations for terms less than

	<p>28 days will be made directly by the CEO to the Council for resolution)</p> <p><i>Annual Review</i></p> <p>(a) Coordinate the annual review process, having sought input and feedback from all members of the Council;</p> <p>(b) Make recommendations to the Council on annual performance objectives;</p> <p>(c) Make recommendations to the Council on annual remuneration review, or the review of any other terms and conditions of the employment contract.</p> <p><i>Contract Expiry</i></p> <p>(a) Make recommendations to Council, having sought input and feedback from all members of the Council, on options within 6 months of the expiry of the CEO's employment contract which could include:</p> <ul style="list-style-type: none"> <li>• Reappointment of the CEO under a new employment contract; or</li> <li>• To cease the employment of the CEO in accordance with the expiry of the contract.</li> </ul> <p>The CEO Employment Matters Advisory Committee does not have delegated powers or authority to make decisions or implement actions unless so resolved by the Council on a case by case basis.</p>
5. Term of Committee	Ongoing with membership reviewed on an annual basis.
6. Membership and Term of Membership	<p>The CEO Employment Matters Advisory Committee will consist of an Independent Chair, and at least 3 Councillors as appointed by Council. This will generally include the Mayor, the immediate past Mayor and one other Councillor.</p> <p>All Advisory Committee members are required to hold a current valid Working with Children Check.</p>

7. Chairperson and Term of Chairperson	The Committee will be Chaired by an independent person with appropriate professional experience in employment related matters. The Independent Chair will be appointed for a two-year term on terms and conditions approved by Council. There may be an option for a further two-year term by mutual agreement between the Independent Chair and Council.
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	The Independent Chair cannot be a Councillor or member of Council staff. The Independent Chair will be paid a fee commensurate with their skill and experience, as determined by Council.
8. Voting Rights	All Committee members. Chairperson has casting vote.
9. Quorum	A majority of members which must include the Independent Chair will be necessary to transact business of the committee.
10. Conduct of Members	Councillors' Code of Conduct applies. The conflict of interest and confidentiality provisions in the <i>Local Government Act 2020</i> apply to all members.
11. Role of Council Staff Attendee(s)	Secretariat support to the committee will be provided by the Executive Manager, People and Culture.
12. Meeting Frequency	<p>The Committee will meet at least twice annually, or more often as circumstances require.</p> <p>Where required, a schedule of meetings will be developed and agreed to by the members. Meetings will, where possible, be arranged to coincide with relevant contractual dates and Council reporting deadlines.</p> <p>All meetings have a Hybrid option where members can join virtually if unable to attend in person as long as appropriate notice is given (minimum of 24 hours) to the meeting organiser.</p>

13. Reporting Requirements	Committee minutes and recommendations will be submitted to the next appropriate Ordinary Council Meeting as a confidential item for consideration.
14. Other Relevant Information	<p>Meetings</p> <p>Conduct of meetings of the CEO Employment Matters Advisory Committee shall be consistent with Council's Governance Rules, and at the discretion of the Chairperson.</p> <p>Meeting agendas will be prepared and provided at least five (5) days in advance to members, along with appropriate briefing materials.</p> <p>Minutes will be prepared and distributed to the CEO Employment Matters Advisory Committee within one (1) week of the meeting for approval by the Committee Chairperson. The Chairperson will sign the minutes of the meeting to attest to their accuracy and completeness.</p>
	<p>The following provisions will apply to all meetings of the Committee:</p> <ul style="list-style-type: none"> <li>• Only Committee members are entitled to attend meetings;</li> <li>• The Committee may invite, or require, any person/s to attend meetings, as it deems necessary;</li> <li>• The Chief Executive Officer shall attend all meetings, except when the Committee chooses to meet without the Chief Executive Officer present.</li> </ul>
15. Committee Contact Details	Executive Manager, People and Culture
16. Date of Council Approval of Terms of Reference	5 September 2023
17. Date of Next Review of Terms of Reference	November 2024