



## **TERMS OF REFERENCE**

### **1. ESTABLISHMENT**

- 1.1. The Chief Executive Selection Panel (Panel) is established by District Council of Yankalilla pursuant to section 98 of the *Local Government Act 1999* (Act) for appointment procedures.
- 1.2. The Panel may be wound up at any time by resolution of the Council.

### **2. OBJECTIVE**

- 2.1. The Panel's primary objective is to form the functions of a Chief Executive Officer selection panel pursuant to section 98 of the Act.
- 2.2. To consult with a suitably qualified independent person on the assessment of applications and recommendations for the appointment of the Chief Executive Officer of District Council of Yankalilla prior to consideration by Council.

### **3. MEMBERSHIP**

- 3.1. The Panel will comprise:
  - 3.1.1 The Mayor, who shall be the Presiding Member of the Panel
  - 3.1.2 Two (2) Councillors appointed by the Council
  - 3.1.3 One (1) Independent Member, being the Chair of Council's Audit Committee
  - 3.1.4 One (1) Human Resource Specialist
- 3.2. Subject to clause 1.2 of these Terms of Reference, membership of the Panel is until a Chief Executive Officer is appointed by Council unless a Panel Member resigns or is otherwise incapable of continuing as a Member or is removed as a Member of the Panel by the Council.
- 3.3. Consideration should be given to equity and diversity on the Panel.
- 3.4. The Governance Administration Officer to the Mayor and Elected Members will provide administrative support to the Panel for the co-ordination of meetings, agenda and minutes.

### **4. FUNCTIONS AND RESPONSIBILITIES**

- 4.1. The Panel is charged with the following functions and responsibilities:
  - 4.1.1 Undertake the selection process for the position of Chief Executive Officer of the District Council of Yankalilla in accordance with the Action Plan agreed by the Council.
  - 4.1.2 To appoint and obtain the advice of a qualified independent person on the assessment of the applications and the proposed recommendations to Council, in accordance with Council's Procurement Policy.



- 4.1.3 The assessment of applications for the position of Chief Executive, Officer the recommendation of re-advertisement or other additional steps (if necessary) and recommendations of contract terms, conditions and remuneration to Council for the position of Chief Executive Officer of District Council of Yankalilla.
- 4.1.4 Conduct an assessment process which ensures that the applicants' suitability is based on merit selection principles, taking into account knowledge, skills, qualifications and experience and potential for future development which is considered against the specific requirements of the vacancy as set out in the selection criteria.
- 4.1.5 To identify and recommend to Council a suitable candidate for the position of Chief Executive Officer ensuring that the recruitment process is fair and robust.
- 4.1.6 Any other matter which is not stipulated within these Terms of Reference, but which is within the conspectus of the objectives of the of the Panel or other matters which are specifically referred by the Council to the Panel and related to the selection of the Chief Executive Officer.

## **5. OPERATIONAL MATTERS**

- 5.1. The CEO Selection Panel does not enjoy the delegation of any powers, functions and duties of the Council (with the exception of the appointment of a professional human resource recruitment specialist to assist the Panel in undertaking their duties). All other decisions of the CEO Selection Panel will, therefore, constitute recommendations to the Council for their consideration.
- 5.2. The Panel shall act at all times in strict accordance with the *Local Government Act 1999*, related Regulations and Code of Conduct and within these Terms of Reference.
- 5.3. For the purposes of s41(8) of the Act, the Council's reporting and other accountability requirements are satisfied by the inclusion the minutes of each meeting must be included in the agenda papers for the next ordinary meeting of the Council.
- 5.4. The Panel shall meet on such dates, times and locations as the Panel determines, providing that the first meeting of the Panel shall occur within 14 days of the date of establishment of the Panel.
- 5.5. A quorum of the Panel shall be three (3) members of the Panel.
- 5.6. All decisions of the Panel shall be made on the basis of a majority decision of the members present.
- 5.7. If the Presiding Member of the Panel is absent from a meeting, a member of the Panel will be chosen from those present to preside at the meeting.



**6. MEETING PROCEDURE**

6.1. The Panel shall at all times observe the *District Council of Yankalilla Code of Practice Council Meeting Procedures* (aside from the Part 2 requirements).

**7. VOTING**

7.1. All members of the Panel who are present at a meeting must (subject to a provision of the Act or Regulations to the contrary) vote on any matter arising for decision at a meeting of the Panel.

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.

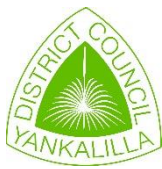
7.3. In the event of a tied vote the matter will be referred to Council for deliberation.

**8. REPORTING**

The agendas and minutes of the Committee will be available to the public in accordance with the *Code of Practice – Access to Meetings and Documents*.

**9. CONFIDENTIALITY**

The Panel Members, minute taker and any other persons who have access to documents and records of the Panel, must keep all such documents and records in the strictest of confidence.



*The timeline is indicative as events outside the CEO Recruitment Panel and the Consultant may affect various stages of the Action Plan.*

Action	Responsibility	Timeline
<p><b>Appointment of CEO Selection Panel</b></p> <p>Endorsement of Terms of Reference                      Selection of Panel Members                      Appointment of Independent Member                      Delegation to Appoint Recruitment Agent</p>	<p>Council</p>	<p>15 March 2022</p>
<p><b>Request for Quotation</b></p> <p>A “Request for Quotation” (RFQ) will be sought from a selection of Human Resource Recruitment Consultants – a minimum of 3 up to 6 will be selected)</p> <p>The RFQ brief will seek a fixed cost, hourly rate and proposed methodology of the Recruitment Consultant.</p>	<p>CEO Selection Panel</p>	<p>22 March 2022</p>
<p><b>Assessment of RFQ from Recruitment Consultant and Appointment</b></p> <p>A meeting will be held to assess and evaluate the quotations and methodology of the Recruitment Consultants. Selection Panel to make an appointment and advise successful company.</p>	<p>CEO Selection Panel</p>	<p>12 April 2022</p>

Action	Responsibility	Timeline
<p><b>Specification Preparation</b>            The CEO Selection Panel in consultation with the Consultant will prepare a detailed specification for the role. This will include:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Organisation description</li> <li><input type="checkbox"/> Organisation chart</li> <li><input type="checkbox"/> Job description</li> <li><input type="checkbox"/> Key performance indicators</li> <li><input type="checkbox"/> Person specification</li> <li><input type="checkbox"/> Conditions of employment (likely salary level and any contractual conditions)</li> </ul> <p><b>Correspondence will be forwarded to all Elected Members seeking their input and participation in the development of the Specification.</b></p>	<p>Consultant            CEO Selection Panel in consultation with all Elected Members</p>	<p>26 April 2022</p>
<p><b>Advertising</b>            The position will be advertised as per the Consultants methodology in consultation with the CEO Selection Panel.</p>	<p>CEO Selection Panel &amp; Consultant</p>	<p>29 April 2022</p>
<p><b>Applicant Reports</b>            As applications for the position are received, the Consultant will prepare an applicant report containing a summary of the details of all applicants for the CEO Selection Panel.</p>	<p>Consultant</p>	<p>Mid May 2022</p>

Action	Responsibility	Timeline
<p><b>Interviewing and Shortlisting</b></p> <p>The Consultant will undertake preliminary interviewing with the selected applicants in order to narrow the field down to a shortlist. These interviews will be structured to reveal relevant information regarding the suitability of applicants to successfully undertake the role.</p> <p>Once the initial interviews and assessments are complete, the Consultant will then meet with the CEO Selection Panel to discuss all applications, and to describe in detail the attributes and shortcomings of the applicants interviewed.</p> <p>At this meeting the Consultant will provide their recommendation of the applicants for shortlisting.</p>	<p>Consultant</p> <p>CEO Selection Panel</p>	<p>Late May 2022</p>
<p><b>Panel Interviews</b></p> <p>The Consultant will co-ordinate the panel interviews and provide a member of its team to assist on the Panel. The Consultant will also assist the CE Selection Panel with determining appropriate interview questions and provide guidance and assistance in the selection process.</p> <p>Following the above Panel Interview process a minimum of 2 and a maximum of 4 preferred candidates will be selected to make a formal presentation to Council.</p> <p><u>Consultant</u> - is the preferred representative from the Consultants team to assist the panel. It is important that gender diversity is achieved in the selection process.</p>	<p>Consultant</p> <p>CEO Selection Panel</p>	<p>Week 6 June 2022</p>

Action	Responsibility	Timeline
<p><b>FORMAL PRESENTATIONS TO COUNCIL</b> The Consultant will co-ordinate the preferred candidates to make a formal presentation to Council. The Consultant will assist the CEO Selection Panel with determining appropriate presentation questions and provide guidance and assistance in the assessment process.</p>	<p>Consultant CEO Selection Panel Full Council</p>	<p>21 June 2022 Council</p>
<p><b>Reference Checking</b> Once interviews have been conducted with the shortlisted candidates the Consultant will then proceed with reference checking.</p>	<p>Consultant</p>	<p>Prior 21 June 2022 Council meeting</p>
<p><b>Prepare Conditions and Proposed Package</b> The Consultant will assist the CEO Selection Panel with the development of an package and conditions for presentation to Council.</p>	<p>Consultant CEO Selection Panel</p>	<p>Prior 21 June 2022 Council meeting</p>
<p><b>COUNCIL DECISION – Terms and Conditions and Appointment</b> The CEO Selection Panel will provide a report to Council on the preferred candidate(s) together with the draft Terms and Conditions of the Employment Contract for Council consideration.</p> <p>Council will <b>appoint</b> the successful candidate together with delegation to the Mayor for the <b>final</b> Terms and Conditions of the Employment Contract for Council, including fixed term dates of appointment (within set parameters).</p>	<p>Full Council</p>	<p>21 June 2022 Council meeting</p>
<p><b>Make Offer and Finalise Terms and Conditions of Employment</b> Following the decision of Council the Mayor will make the Offer of Employment to the preferred candidate – together with the Terms and Conditions of Employment.</p>	<p>Mayor</p>	<p>Post 21 June 2022 Council meeting</p>