NOTICE OF SPECIAL MEETING

A Special Meeting of Council will be held in the Council Chambers, Forrest Road, Capel on Wednesday 8 January in the Council Chambers, Forrest Road, Capel commencing at 5.30pm.

Ian McCabe
CHIEF EXECUTIVE OFFICER

PURPOSE OF MEETING

- To consider the need for an urgent review of the CEO’s performance.

GENERAL INFORMATION ON SPECIAL COUNCIL MEETINGS

COUNCIL MEETINGS

No action should be taken on any item discussed at a Special Council meeting prior to written advice on the resolution of Council being received.

AGENDAS

The agenda for the upcoming Special Council meeting is available in PDF format on the Council’s website www.capel.wa.gov.au. A hard copy of the agenda can be obtained from the front counter of the Shire Administration building.

MINUTES

Minutes of the Special Council meeting will be made available on the website within ten days of the meeting being held. Hard copy versions of Council Minutes are also available at the front counter at the Shire Administration building and for perusal online in the Shire’s Public Libraries.

MEETING GUIDELINES

All speakers should be clear and to the point, and speak through the Presiding Member at all times. Members of the public are not permitted to enter into debate with elected members or staff. Any correspondence received after the agenda is finalised will not be reflected in the staff report and will not be distributed to elected members by administration.

To minimise disruption during meetings, please ensure your mobile phone is turned off before entering the Chambers. You may enter and leave the Chamber at any point during the meeting.
PUBLIC QUESTION TIME

As per Local Government (Administration) Regulations 1996 7 (1)(a) the President (Presiding Member) has determined the following procedures for “Question Time for Public”.

ASKING A QUESTION AT A COUNCIL MEETING

If you want to ask a question, here is what to do:

1. You may ask up to two (2) questions with a total time limit of two (2) minutes per speaker. Additional questions will be permitted if time allows at the discretion of the Presiding Member.

2. Please state your name, address and the agenda item number you are referring to, and then ask your question.

3. You may submit your question in writing to the Chief Executive Officer by 12.00noon on the day before the meeting, if a detailed response is needed at the meeting.

4. Questions may be taken on notice and answered in writing after the Council meeting.

5. A question may relate to any subject that is within the Council’s jurisdiction but should be a matter of general community concern. You may wish to give staff the opportunity to try to answer your questions before a Council meeting.

6. A person who has asked a question will not be permitted to make a presentation on the same topic at the same meeting – or vice versa.

PLEASE NOTE:
Members of the public should note that no action should be taken on any item discussed at a Council meeting prior to written advice on the final resolution being received.

Questions on Council agenda items that have been dealt with at the Council meeting will not be permitted during the second ‘Public Question Time’ session. [LG (Administration) Regulations 1996, regulation 7(2)].
COUNCIL MEETING PUBLIC QUESTION FORM

This form should be submitted by 12.00noon on the day before the Council meeting, if a detailed answer is expected. Please either:

- Email it to info@capel.wa.gov.au
- Hand deliver it to the Chief Executive Officer at the Shire Administration building, Forrest Road, Capel.
- Fax this form to the Chief Executive Officer on 9727 0223

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<tr>
<th>Name:</th>
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Question 1:

Question 2:

Signature:       Date:
1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .............................5
2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED) .....................................................................................................................5
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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Acknowledgement of Country

‘The Shire of Capel acknowledges the Traditional Custodians, the Wardandi people, and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders, past, present and emerging.’

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3 PUBLIC QUESTION TIME
4. **CHIEF EXECUTIVE OFFICER REPORT**

### 4.1 URGENT REVIEW OF CEO PERFORMANCE

<table>
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<tr>
<th>Location:</th>
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<tr>
<td>Applicant:</td>
<td>Not Applicable</td>
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<td>File Reference:</td>
<td>HR.REC.4</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>The author is the CEO</td>
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<tr>
<td>Date:</td>
<td>08.01.2020</td>
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<tr>
<td>Author:</td>
<td>Chief Executive Officer, I McCabe</td>
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<td>Senior Officer:</td>
<td>Not Applicable</td>
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<td>Attachments:</td>
<td>Confidential 1. Employment Agreement, Chief Executive Officer</td>
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**IN BRIEF**

The President Cr M T Southwell hand delivered to Shire reception a sealed notice addressed to the CEO 7 January 2020. The Notice requested a Special Meeting of Council 8 January 2020 to 'consider the need for an urgent review of the CEO’s performance'.

The President may seek a Special Meeting of Council in accordance with s.5.4 (a) (i) of the Local Government Act 1995; the meeting is convened by the CEO providing notice to councillors as per s. 5.5 (2) of that Act. No period of notice is required due to the emergent nature of Special Meetings.

**BACKGROUND:**

The Chief Executive Officer is employed under a five year employment contract commencing 2 July 2018. The contract requires Key Result Areas to be agreed with Council and the conduct of an annual performance review. The Act specifies this occur at least annually (s. 5.39 (3) refers). The annual performance review for the CEO occurred September 2019 with an increase to salary and would not ordinarily be scheduled until the anniversary of employment (July or thereafter).

The CEO prepares a monthly report to Council and the community with details of Key Result Areas and activities. Officers and Council have just returned from annual leave and the period ahead has scheduled workshops and other activities agreed with Council to explore and examine the forthcoming budget and strategic issues.

No performance issues have been raised with the CEO.

Given these circumstances, the emergent nature initiating the meeting is difficult to ascertain. As there is very short notice, there will be no senior officers present and no advice has been sought or prepared in respect of the purpose of the meeting.

The CEO would welcome the opportunity to discuss any matter related with the full council.

**RECOMMENDATION**

**That Council receives the Chief Executive Officer’s report as presented.**

**STRATEGIC IMPLICATIONS**

All key indicators of the Strategic Community Plan 2018 – 2028.
**OFFICER’S RECOMMENDATION – 4.1**

That Council receives the Chief Executive Officer’s report as presented.

**CEO Key Result Areas**

CEO must use every reasonable endeavour to achieve the agreed Key Result Areas (‘KRAs’).

Council commit to providing the necessary resources to achieve the agreed standard in Key Result Areas.

An indicative end date of 30 June 2020 was indicated by Council; however, it was noted that timelines and detail are to be agreed with Council post-election October 2019

KRA 1 Leadership and Strategy
- 1.1 Complete a revised Strategic Community Plan (SCP) and the periodic community survey;
- 1.2 Complete a revised Corporate Business Plan and other informing strategies, particularly workforce planning;
- 1.3 Implement an internal and external Communications Strategy that links all Council Plans to the Strategic Community Plan;
- 1.4 Advance planning toward the local government’s health plan.

KRA 2 Financial and Risk Management
- 2.1 Consult all stakeholders in regard to rates, rates modelling and options.

KRA 3 Service Delivery
- 3.1 Continually improve the Shire of Capel’s financial, governance and business performance;
- 3.2 With Council and the community, develop a District Visitor Strategy;
- 3.3 With Council and the community, develop a District Cultural Strategy.

KRA 4 People and Culture
- 4.1 Complete a staff survey.

Endorsed by Council Decision 25 September 2019
5 MEETING CLOSURE