

## 9.26 CEO RECRUITMENT AND SELECTION STANDARD

Council Policy  
STAFF

### PREAMBLE

The *Local Government Legislation Amendment Act 2019* includes a requirement for model standards covering the recruitment and selection of local government Chief Executive Officers (CEOs). The model standards are prescribed in the *Local Government (Administration) Amendment Regulations 2021*.

A local government is required to appoint a Chief Executive Officer (CEO) in accordance with the provisions of the *Local Government Act 1995*. This includes the key legislation regarding the appointment process: Sections 5.36, 5.38, 5.39, 5.39A, 5.39B, 5.39C and 5.40 of the *Local Government Act* and Regulations 18A, 18B, 18E, 18F, 18FA, 18FB, 18FC and 19A of *Local Government (Administration) Regulations 1996*.

### OBJECTIVE

To comply with the provisions of the *Local Government Act 1995*. This includes the key legislation regarding the appointment process: Sections 5.36, 5.38, 5.39, 5.39A, 5.39B, 5.39C and 5.40 of the *Local Government Act* and Regulations 18A, 18B, 18E, 18F, 18FA, 18FB, 18FC and 19A of *Local Government (Administration) Regulations 1996*.

### DEFINITIONS

Nil

### POLICY

**The minimum standard for recruitment and selection will be met if:**

- S1.1 The council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.
- S1.2 The council has approved, by absolute majority, the Job Description Form (JDF) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The JDF is made available to all applicants.
- S1.3 The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member, human resources consultant, or staff member of the local government. (See note 1.)
- S1.4 The local government attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year). The local government must advertise a vacancy for the position of CEO in the manner prescribed.
- S1.5 The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
- S1.6 The local government has verified the recommended applicant's work history,

qualifications, referees and claims made in their job application.

- S1.7 The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria.
- S1.8 The appointment is made impartially and free from nepotism, bias or unlawful discrimination.
- S1.9 The council has endorsed by absolute majority the final appointment.
- S1.10 The council has approved the employment contract by absolute majority.
- S1.11 The local government re-advertises the CEO position and undertakes a recruitment and selection process after each instance where a person has occupied the position for ten (10) consecutive years.

### **Notes**

1. Examples of who the independent person could be include:
  - former elected members or staff members of the local government;
  - former or current elected members (such as a Mayor or Shire President) or staff members of another local government;
  - a prominent or highly regarded member of the community; or
  - a person with experience in the recruitment of CEOs and senior executives.
2. Council will undertake the recruitment and selection process in conjunction with a professional HR/IR Adviser (recruitment consultant).

### **Application of the Policy**

1. Develop a profile of the preferred applicant (i.e. desired and essential skills, abilities, knowledge and qualifications).
2. Approve an agreed salary package in accordance with section 7A of the *Salaries and Allowances Act 1975*.
3. Review necessary documentation including the contract of employment and position description (JDF).
4. Approve a process to be used for the selection and appointment of the CEO. This includes the formal adoption of a process by resolution:
5. Advertise the position inviting applications from suitably qualified applicants. The advertisement is to contain the information set out in 18A(2) of the *Local Government (Administration) Regulations 1996*.
6. Applicants to be shortlisted.
7. Conduct interviews of the shortlisted applicants.
8. Select preferred applicant/s i.e. make a recommendation for council to offer the position to the 1st preferred applicant subject to contractual negotiations, within the

designated salary package, including the preliminary performance criteria to be contained in the contract.

If the 1st preferred applicant is **not accepted** or **declines** the offer, a decision may be made on any 2nd or 3rd preferred applicant in line until an offer and acceptance is reached or until no preferred applicants are appointed (the applicant's identity to remain confidential until such time a final appointment is made).

9. Approve the formal and final appointment. This must be a decision (resolution) by Council which states that it:
  - a. Believes the person is suitably qualified for the position of CEO; and
  - b. Is satisfied with the provisions of the proposed CEO employment contract. An absolute majority decision is required for those matters regarding the CEO contract.

### **Standard of Conduct**

The appointment of the CEO is a confidential process. All persons involved in the CEO appointment process are required to maintain confidentiality from the commencement of the appointment process through to its conclusion.

### **Recordkeeping**

Records regarding the recruitment, selection and appointment process of a CEO are kept and maintained according to HR practices and requirements including those kept and maintained by the recruitment consultant and in accordance with the Shire's Record Keeping Plan.

### **Privacy**

The privacy of the applicants during the recruitment, selection and appointment process is to be respected at all times.

### **RELEVANT LEGISLATION AND RELATED DOCUMENTATION**

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996.*

Minute no: 20210306

Policy adopted

17 March 2021

Minute no: 20230708

Policy amended

19 July 2023