

Notice of ExtraOrdinary Meeting

to be held at the Council Chambers

Breese Parade, Forster

16 January 2018 at 2.00pm

This Meeting has been called due to a request by Councillors Epov and Bell in accordance with Clause A.3(1) of Council's Code of Meeting Practice (the request is attached to this Notice)

The order of the business will be as detailed below (subject to variation by Council)

1. Acknowledgement of Country
2. Declaration of Pecuniary or Conflicts of Interest (nature of interest to be disclosed)
3. Apologies
4. Consideration of officers' reports
Item 1 - Recruitment of General Manager
5. Close of meeting



Glenn Handford
General Manager



2 January 2018

The Mayor
MidCoast Council
Cr David West

In accordance with the MidCoast Council's Code of Meeting Practice which states:

3. CALLING OF AN EXTRAORDINARY MEETING

- (1) If the Mayor receives a request in writing signed by at least 2 Councillors, the Mayor must call an Extraordinary Meeting of Council as soon as practical but within fourteen (14) days after receipt of the request. s.366 LGA

We the undersigned Councillors, call on you to convene an Extraordinary Meeting of the MidCoast Coast Council within fourteen (14) days for the purposes of:

1. To formally accept the resignation of the General Manager Mr Glenn Handford.
2. To appoint an Acting General Manager.
3. To determine the process and timetable to recruit a new General Manager.
4. To discuss and determine any other relevant business in relation to recruitment of a new General' Manager.

Councillor Peter Epov
Councillor Kathryn Bell

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CONSIDERATION OF OFFICERS' REPORTS:

1 RECRUITMENT OF A GENERAL MANAGER

Report Author Paul Martin, Manager Human Resources

File No. / ECM Index Senior Staff - Recruitment

Date of Meeting 16 January 2018

SUMMARY OF REPORT

Council's General Manager Glenn Handford has submitted his resignation with an effective date of 2 February 2018.

The Local Government Act 1993 (the Act) requires that Council immediately appoint a person to the position of General Manager (or appoint a person to act in the vacant position). The position of General Manager is a senior staff position.

The Office of Local Government has developed guidelines, *Guidelines for the Appointment and Oversight of General Managers* (the Guidelines), to guide councillors through the process of recruiting and appointing general managers. The Guidelines are designed to promote a consistent approach to the recruitment and appointment of general managers across NSW councils and ensure compliance with the Act.

The Guidelines promote the use of an independent person on the Selection Panel. Given this, the specialised nature of executive recruitment and the critical nature of this decision, this report recommends engagement of a recruitment service provider to manage the recruitment process and provide expert advice to Council.

This report outlines a proposed recruitment and appointment process in line with the Guidelines and the requirements of the Act.

SUMMARY OF RECOMMENDATION

It is recommended that Council:

1. Approve the process and timeframes for recruitment of a General Manager as outlined in the report.
2. Approve the proposed Request for Quotation (RFQ) for Executive Recruitment Services – MCC General Manager Recruitment for distribution from 29 January as identified in the report.
3. Establish a selection panel (to undertake the RFQ evaluation and recruitment process) consisting of two Councillors (in addition to the Mayor and Deputy Mayor), a qualified person independent of Council (being the recruitment service provider once appointed), and the Manager Human Resources as panel secretariat.
4. Delegate authority to the Mayor to oversee the General Manager Recruitment and Appointment process including the tasks as identified in the Guidelines.
5. Appoint an Acting General Manager to undertake the role and responsibilities of the General Manager from 2 February 2018 until the commencement of a permanent General Manager.

FINANCIAL/RESOURCE IMPLICATIONS

Consultancy for this project may cost in the range of \$20,000 - \$40,000. This can be funded from within existing budget.

LEGAL IMPLICATIONS

Council must appoint a General Manager in accordance with the Local Government Act 1993 (s334).

Guidelines for the Appointment and Oversight of General Managers are issued under section 23A of the Local Government Act 1993 and must be taken into consideration by council's governing body when exercising the functions related to the recruitment, oversight and performance management of general managers.

ATTACHMENTS

- A: Guidelines for the Appointment and Oversight of General Managers (July 2011)
- B: Request For Quotation for Executive Recruitment Services – MCC General Manager Recruitment (draft document)

Attachment A & B have been circulated in hard copy to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website.

DISCUSSION

Background

Council's General Manager Glenn Handford has submitted his resignation with an effective date of 2 February 2018.

The Local Government Act 1993 (the Act) requires that Council appoints a person to the position of General Manager (s334). The position of General Manager is a senior staff position (s334). The Guidelines for the Appointment and Oversight of General Managers (July 2011) (Attachment A and referred to in this report as the 'Guidelines') must be taken into consideration by council's governing body when exercising council functions related to the recruitment, oversight and performance management of general managers. The process and recommendations contained within this report align with those Guidelines.

Council must ensure that the recruitment of the General Manager is undertaken:

- using merit selection principles (s349)
- in accordance with Equal Employment Opportunity principles (s349 and 344)
- in an open and transparent manner whilst ensuring appropriate confidentiality is maintained.

Formation of a Selection Panel

It is recommended that a Selection Panel be established in accordance with the Guidelines which state:

The governing body of council should delegate the task of recruitment to a selection panel and approve the recruitment process. The panel will report back to the governing body of council on the process and recommend the most meritorious applicant for appointment by council.

The selection panel should consist of at least the mayor, the deputy mayor, another councillor and, ideally, a suitably qualified person independent of the council.

Council may decide to have two councillors on the panel (in addition to the Mayor and Deputy Mayor). The Selection Panel must have at least one male and at least one female.

It is recommended that council appoint a recruitment service provider as the qualified person independent of the council (see following section).

The selection panel will be supported by the Manager Human Resources as the subject matter expert and secretariat who would also be the liaison between the recruitment service provider and Council.

The selection panel (consisting of up to four councillors and the Manager Human Resources in a secretariat capacity only) would select the recruitment service provider.

Engagement of a Recruitment Service Provider

A recruitment service provider should be engaged to oversee the recruitment process including:

- preparation of recruitment documentation in consultation with Council
- act as the contact person for the position for potential applicants
- advertising for the position in accordance with the requirements of the Act
- selection of applicants for interview
- sit on the selection panel
- preparation of the selection panel report to the governing body
- provide expert advice to Council in relation to the recruitment and appointment process.

Given the expected cost (up to \$40,000) of engaging a provider for this process, Council must seek quotations from multiple providers. A request for quotation (RFQ) document for Executive Recruitment Services has been prepared for the approval of Council to enable commencement of the recruitment process. Quotations received through this process will be assessed by the selection panel to determine which provider offers the best value for money. This provider will then be engaged.

It is recommended that the RFQ be forwarded to LGNSW Management Solutions, McArthur and Blackadder Associates. These recruitment service providers all have significant experience in the recruitment of general managers in NSW Local Government.

Determining the Selection Criteria, Role Requirements and Remuneration

Following engagement of a recruitment service provider, the service provider will be required to facilitate a workshop with Council to discuss Council's strategic direction, structure and culture to determine the selection criteria for the position and to inform the position description.

Once the position description is finalised, the selection panel (including the recruitment service provider) will evaluate the position description in terms of salary to reflect the responsibilities of the position. In accordance with the Guidelines, the panel must ensure that the proposed salary range reflects the responsibilities and duties of the position.

The Recruitment and Selection Process

The Guidelines state that Council should delegate the recruitment process to the selection panel. The role of the selection panel is to report back to Council on the selection process and recommend the applicant with the greatest merit (if any) for appointment to the position by the Council.

Following completion of the recruitment process, the Selection Panel is responsible for preparing a report to Council that:

- outlines the selection process
- recommends that applicant with the greatest merit (if any) for appointment, including reasons justifying the recommendation
- recommends an eligibility list if appropriate, and
- recommends that no appointment is made if the outcome of the selection process is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of Council. Council must by resolution approve the position of General Manager being offered to the successful candidate before that position is actually offered to that candidate.

The report will also seek approval for the proposed remuneration package and for the proposed term of the Contract (a term of 1 year to 5 years noting that the employment contract can then be renewed by agreement without readvertising).

The Offer and Appointment

Following a Council resolution to appoint the successful candidate, the Mayor makes the offer of employment to the successful candidate in accordance with the Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division of Local Government. The initial offer can be made by telephone but conditions such as the term of the contract and remuneration package must be confirmed in writing.

Appointment of Acting General Manager

In accordance with section 336 of the Local Government Act, Council must immediately appoint a person to the vacant position or appoint a person to act in the vacant position. It is recommended that Council appoint an Acting General Manager from 2 February until the commencement of a permanent General Manager.

General Manager Oversight

Council should note that a performance agreement must be signed within three months of the commencement of employment. An independent external facilitator may be involved in this process if Council wishes.

TIMEFRAME

29 January 2018	Release of RFQ for Executive Recruitment Services
9 February 2018	Closing date for RFQ
Mid-Feb 2018	Engagement of service provider
End-April 2018	Offer made to successful candidate

BUDGET IMPLICATIONS

Consultancy for this project may cost in the range of \$20,000 - \$40,000. This can be funded from within existing budget.

LEGAL IMPLICATIONS

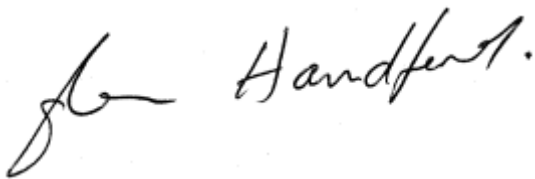
Council must appoint a General Manager in accordance with the Local Government Act 1993 (s334).

Guidelines for the Appointment and Oversight of General Managers are issued under section 23A of the Local Government Act 1993 and must be taken into consideration by council's governing body when exercising the functions related to the recruitment, oversight and performance management of general managers.

RECOMMENDATION

It is recommended that Council:

1. Approve the process and timeframes for recruitment of a General Manager as outlined in the report.
2. Approve the proposed Request for Quotation (RFQ) for Executive Recruitment Services – MCC General Manager Recruitment for distribution from 29 January as identified in the report.
3. Establish a selection panel (to undertake the RFQ evaluation and recruitment process) consisting of two Councillors (in addition to the Mayor and Deputy Mayor), a qualified person independent of Council (being the recruitment service provider once appointed), and the Manager Human Resources as panel secretariat.
4. Delegate authority to the Mayor to oversee the General Manager Recruitment and Appointment process including the tasks as identified in the Guidelines.
5. Appoint an Acting General Manager to undertake the role and responsibilities of the General Manager from 2 February 2018 until the commencement of a permanent General Manager.



Glenn Handford
GENERAL MANAGER