TheBarossaCouncil

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of the CEO Performance Review Committee will be held on Wednesday 7 June 2023 in the Kaurna Room, 43-51 Tanunda Road, Nuriootpa, commencing at 4.00pm.

Mayor Bim Lange
MAYOR
THE BAROSSA COUNCIL

A G E N D A

Welcome by Mayor

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

2.1 CEO Performance Review Committee meeting held on Tuesday 16 May at 4.00pm

3. MATTERS FOR INFORMATION

4. CONFIDENTIAL AGENDA

5. URGENT OTHER BUSINESS

6. NEXT MEETING

Wednesday 28 June 2023 at 4.00pm.

7. CLOSURE

COVER SHEET

CONFIDENTIAL REPORT

7 June 2023

CEO Performance Review Committee Meeting

3 CONSENSUS AGENDA CONFIDENTIAL REPORT

3.1 <u>CEO PERFORMANCE REVIEW UPDATE 1ST JUNE</u>

The matter of the agenda item being information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); pursuant to Section 90(3)(a) of the Local Government Act 1999 ("the Act") being information that must be considered in confidence.

There is strong public interest in enabling members of the public to observe CEO Performance Review Committee's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at a CEO Performance Review Committee meeting is one means of satisfying this interest. The public will only be excluded from a CEO Performance Review Committee meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION
That CEO Performance Review Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Committee Members, Consultant and the Minute Secretary, in order to consider in confidence a report relating to 3.1 CEO Performance Review update 1st June being information that must be considered in confidence pursuant to:

<u>Section 90(3)(a) of the *Local Government Act 1999:*</u>

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

(2) Accordingly, on this basis, CEO Performance Review Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

COVER SHEET

CONFIDENTIAL REPORT

7 June 2023

CEO Performance Review Committee Meeting

4 DEBATE AGENDA CONFIDENTIAL REPORT

4.1 <u>CAPABILITY FRAMEWORK</u>

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In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION
That CEO Performance Review Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Committee Members, Consultant and the Minute Secretary, in order to consider in confidence a report relating to 4.1 Capability Framework being information that must be considered in confidence pursuant to:

Section 90(3)(a) of the *Local Government Act 1999:*

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

(2) Accordingly, on this basis, CEO Performance Review Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

COVER SHEET

CONFIDENTIAL REPORT

7 June 2023

CEO Performance Review Committee Meeting

4 DEBATE AGENDA CONFIDENTIAL REPORT

4.2 DATA COLLECTION - 360-SURVEY DESIGN

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In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION
That CEO Performance Review Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Committee Members, Consultant and the Minute Secretary, in order to consider in confidence a report relating to 4.2 Data Collection - 360-Survey Design being information that must be considered in confidence pursuant to:

Section 90(3)(a) of the *Local Government Act 1999:*

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

(2) Accordingly, on this basis, CEO Performance Review Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

COVER SHEET

CONFIDENTIAL REPORT

7 June 2023

CEO Performance Review Committee Meeting

4 DEBATE AGENDA CONFIDENTIAL REPORT

4.3 UPDATED POSITION DESCRIPTION

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In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION
That CEO Performance Review Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Committee Members, Consultant and the Minute Secretary, in order to consider in confidence a report relating to 4.3 Updated Position Description being information that must be considered in confidence pursuant to:

<u>Section 90(3)(a) of the *Local Government Act 1999:*</u>

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

(2) Accordingly, on this basis, CEO Performance Review Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.