

Chief Executive Performance and Employment Committee AGENDA

Notice of Meeting:

An ordinary meeting of the Chief Executive Performance and Employment Committee will be held on:

Date: Monday 17 April 2023

Time: 1pm

Venue: Committee Room 1, Level 2, Civic Offices, 53 Hereford Street

Membership

Chairperson	Mayor Phil Mauger
Deputy Chairperson	Councillor James Gough
Members	Deputy Mayor Pauline Cotter
	Councillor Sam MacDonald
	Councillor Jake McLellan

12 April 2023

Principal Advisor

Helen White

Head of Legal & Democratic Services

Tel:

Megan Pearce

Manager Hearings and Council Support

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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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Developing Resilience in the 21st Century

Strategic Framework



Whiria ngā whenu o ngā papa,
honoa ki te maurua tāukiuki

Bind together the strands of each mat and join
together with the seams of respect and reciprocity

Ōtautahi–Christchurch is a city of opportunity for all

Open to new ideas, new people and new ways of doing things – a city where anything is possible

Principles

Being open,
transparent and
democratically
accountable

Promoting
equity, valuing
diversity and
fostering inclusion

Taking an inter-generational approach
to sustainable development,
prioritising the social, economic
and cultural wellbeing of
people and communities
and the quality of the
environment, now
and into the
future

Building on the
relationship with
Te Rūnanga o Ngāi Tahu
and the Te Hononga–Council
Papatipu Rūnanga partnership,
reflecting mutual understanding
and respect

Actively collaborating and
co-operating with other
local, regional
and national
organisations

Ensuring
the diversity
and interests of
our communities
across the city and the
district are reflected in
decision-making

Community Outcomes

Resilient communities

Strong sense of community
Active participation in civic life
Safe and healthy communities
Celebration of our identity
through arts, culture, heritage,
sport and recreation
Valuing the voices of all cultures
and ages (including children)

Liveable city

Vibrant and thriving city centre
Sustainable suburban and
rural centres
A well connected and accessible
city promoting active and
public transport
Sufficient supply of, and
access to, a range of housing
21st century garden city
we are proud to live in

Healthy environment

Healthy water bodies
High quality drinking water
Unique landscapes and
indigenous biodiversity are
valued and stewardship
exercised
Sustainable use of resources
and minimising waste

Prosperous economy

Great place for people, business
and investment
An inclusive, equitable economy
with broad-based prosperity
for all
A productive, adaptive and
resilient economic base
Modern and robust city
infrastructure and community
facilities

Strategic Priorities

Enabling active
and connected
communities
to own their future

Meeting the challenge
of climate change
through every means
available

Ensuring a high quality
drinking water supply
that is safe and
sustainable

Accelerating the
momentum
the city needs

Ensuring rates are
affordable and
sustainable

Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

Engagement with
the community and
partners

Strategies, Plans and
Partnerships

Long Term Plan
and Annual Plan

Our service delivery
approach

Monitoring and
reporting on our
progress

**CHIEF EXECUTIVE PERFORMANCE AND EMPLOYMENT COMMITTEE - TERMS OF REFERENCE NGĀ
ĀRAHINA MAHINGA**

Chair	The Mayor
Deputy Chair	Deputy Mayor Turner
Membership	Councillor Gough
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly and as required
Reports To	Council

Purpose

The purpose of the Committee is to enable the Council to meet its good employer obligations to its Chief Executive. These obligations, as well as those of the Chief Executive, are set out in the Local Government Act 2002, in employment law generally and in the Chief Executive's employment agreement.

Areas of Focus

The Committee acts for and advises the Council on all matters relating to the Chief Executive's employment including recruitment, remuneration, performance and relationship management.

Responsibilities and Delegations

- Recommend to Council for approval when required, a recruitment, selection and appointment process for a Chief Executive
- Oversee within the Council agreed process, Chief Executive recruitment and selection, and recommend candidates and proposed remuneration to Council for approval
- Conduct and complete a review of employment at least 6 months prior to the end of the Chief Executive's first term of employment (LGA 2002, Sch7, cl35) and recommend to Council whether or not the Chief Executive should be appointed for a second term of up to two years or that the position be declared vacant (LGA2002, Sch7, cl34)
- Negotiate an initial performance agreement, subsequent agreements and any variations with the Chief Executive and recommend to Council for approval
- Provide feedback and support to the Chief Executive and undertake performance reviews, all consistent with the process and timeline in the relevant performance agreement
- Report the outcome of the annual review of the Chief Executive's performance and make recommendations to Council on the outcome of that review for approval
- Review the Chief Executive's remuneration and package in accordance with the employment agreement and make recommendations to the Council for approval
- Provide updates on issues and progress to Council at other times and on request
- Engage relevant external advice including independent legal advice to assist the Committee with all or any of the matters within its delegations ensuring that such advisors are not otherwise contracted to Council for similar services
- Agree with the Chief Executive how the administration needs of the Committee will be met.

Limitations

The power to appoint a Chief Executive is one that is reserved for the Council to make and cannot be delegated (LGA 2002, Sch7, cl 32(1)(e)). The power to adopt a remuneration and employment policy also cannot be delegated by Council (LGA2002, Sch7, cl32(1)(h)).

Note:

The following responsibility is removed from the Committee TOR and by default will now be a Council responsibility:

Council remuneration and employment policy including the living wage

Part A	Matters Requiring a Council Decision
Part B	Reports for Information
Part C	Decisions Under Delegation

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1. Apologies Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations of Interest Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

3. Confirmation of Previous Minutes Te Whakaāe o te hui o mua

That the minutes of the Chief Executive Performance and Employment Committee meeting held on [Monday, 12 December 2022](#) be confirmed (refer page 7).

Chief Executive Performance and Employment Committee OPEN MINUTES

Date: Monday 12 December 2022
Time: 8.03am
Venue: Committee Room 1, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Mayor Phil Mauger
Deputy Chairperson	Councillor James Gough
Members	Councillor Pauline Cotter
	Councillor Sam MacDonald
	Councillor Jake McLellan

Principal Advisor

Helen White
Head of Legal & Democratic
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- Part A **Matters Requiring a Council Decision**
Part B **Reports for Information**
Part C **Decisions Under Delegation**
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1. Apologies Ngā Whakapāha
Committee Decision

There were no apologies received.

2. Declarations of Interest Ngā Whakapuaki Aronga

There were no declarations of interest recorded.

3. Resolution to Exclude the Public
Committee Resolved CEPAE/2022/00010

Part C

That at 8.03am the resolution to exclude the public set out on pages 7 to 8 of the agenda be adopted.

Councillor Cotter/Councillor McLellan

Carried

The public were re-admitted to the meeting at 9.08am.

Meeting concluded at 9.08am.

CONFIRMED THIS 17th DAY OF APRIL 2023

MAYOR PHIL MAUGER
CHAIRPERSON

4. Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7.

Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
5.	PUBLIC EXCLUDED CHIEF EXECUTIVE PERFORMANCE AND EMPLOYMENT COMMITTEE MINUTES - 12 DECEMBER 2022			REFER TO THE PREVIOUS PUBLIC EXCLUDED REASON IN THE AGENDAS FOR THESE MEETINGS.	
6.	APPOINTMENT OF AN EXTERNAL ADVISOR	S7(2)(A)	PROTECTION OF PRIVACY OF NATURAL PERSONS	THIS REPORT CONCERNS THE EMPLOYMENT RELATIONSHIP WITH THE CHIEF EXECUTIVE	WHEN IN THE VIEW OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES GROUNDS TO WITHHOLD NO LONGER APPLY.
7.	UPDATE ON CHIEF EXECUTIVE'S KEY PERFORMANCE INDICATORS	S7(2)(A)	PROTECTION OF PRIVACY OF NATURAL PERSONS	THIS REPORT CONCERNS THE EMPLOYMENT RELATIONSHIP WITH THE CHIEF EXECUTIVE.	WHEN IN THE VIEW OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES GROUNDS TO WITHHOLD NO LONGER APPLY.