

**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: Tuesday 23 May 2023
Time: 4pm
Venue: Committee Room 1, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Membership

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

17 May 2023

Principal Advisor

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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

<p>Being open, transparent and democratically accountable</p> <p>Promoting equity, valuing diversity and fostering inclusion</p>	<p>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</p>	<p>Building on the relationship with Te Rūnanga o Ngāi Tahu and the Te Hononga–Council Papatipu Rūnanga partnership, reflecting mutual understanding and respect</p>	<p>Actively collaborating and co-operating with other local, regional and national organisations</p> <p>Ensuring the diversity and interests of our communities across the city and the district are reflected in decision-making</p>
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Community Outcomes

<p>Resilient communities</p> <p>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)</p>	<p>Liveable city</p> <p>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</p>	<p>Healthy environment</p> <p>Healthy water bodies High quality drinking water Unique landscapes and indigenous biodiversity are valued and stewardship exercised Sustainable use of resources and minimising waste</p>	<p>Prosperous economy</p> <p>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</p>
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Strategic Priorities

<p>Enabling active and connected communities to own their future</p>	<p>Meeting the challenge of climate change through every means available</p>	<p>Ensuring a high quality drinking water supply that is safe and sustainable</p>	<p>Accelerating the momentum the city needs</p>	<p>Ensuring rates are affordable and sustainable</p>
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Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

<p>Engagement with the community and partners</p>	<p>Strategies, Plans and Partnerships</p>	<p>Long Term Plan and Annual Plan</p>	<p>Our service delivery approach</p>	<p>Monitoring and reporting on our progress</p>
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**CHIEF EXECUTIVE PERFORMANCE AND EMPLOYMENT COMMITTEE - TERMS OF REFERENCE NGĀ
ĀRAHINA MAHINGA**

Chair	The Mayor
Deputy Chair	Councillor Gough
Membership	Deputy Mayor Cotter Councillor MacDonald Councillor McLellan
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

TABLE OF CONTENTS

C	1.	Apologies Ngā Whakapāha	6
B	2.	Declarations of Interest Ngā Whakapuaki Aronga	6
C	3.	Confirmation of Previous Minutes Te Whakaāe o te hui o mua	6
C	4.	Resolution to Exclude the Public.....	10

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, 17 April 2023](#) be confirmed (refer page 7).

Chief Executive Performance and Employment Committee OPEN MINUTES

Date: Monday 17 April 2023
Time: 1.05pm
Venue: Committee Room 1, Level 2, Civic Offices, 53 Hereford Street

Present

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

Principal Advisor
Helen White
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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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The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

Part C

Committee Resolved CEPAE/2023/00001

That the apologies for lateness received from Deputy Mayor Cotter and Councillor Gough be accepted.

Mayor/Councillor MacDonald

Carried

2. Declarations of Interest Ngā Whakapuaki Aronga

Part B

There were no declarations of interest recorded.

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

Part C

Committee Resolved CEPAE/2023/00002

That the Open and Public Excluded minutes of the Chief Executive Performance and Employment Committee meeting held on Monday, 12 December 2022 be confirmed.

Mayor/Councillor MacDonald

Carried

4. Resolution to Exclude the Public

Committee Resolved CEPAE/2023/00003

Part C

That at 1.08pm the resolution to exclude the public set out on pages 9 to 10 of the agenda be adopted.

Mayor/Councillor McLellan

Carried

The public were re-admitted to the meeting at 2.36pm.

Meeting concluded at 2.36pm.

MAYOR PHIL MAUGER
CHAIRPERSON

Unconfirmed

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 - 17 APRIL 2023			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.