

Agenda 2023

Chief Executive Employment, Performance & Remuneration Committee Meeting

Date: Monday 13 February 2023

Time: 2.00 PM

Venue: Whare Kotuia, Environment Canterbury, 200 Tuam Street, Christchurch



TERMS OF REFERENCE: CHIEF EXECUTIVE EMPLOYMENT, PERFORMANCE AND REMUNERATION COMMITTEE

1. Membership

2.

Members	Five Councillors (includes Council Chair and Council Deputy Chair)
Quorum	In accordance with Council Standing Order 11.2, the quorum at a meeting of the committee is no fewer than two members of the committee.
Meeting Frequency	As required to fulfil the purpose and responsibilities of the Committee
Reporting to	Council

3. Purpose

- a. To act for and advise Council on matters pertaining to the employment of the Council's Chief Executive.

4. Operating Principles

- a. Chair, Deputy Chair, and three members to be agreed and appointed by the Council.
- b. The Council can appoint additional members for a period when their appointment is deemed necessary for the Committee to discharge its function.
- c. Other parties, including other members of the Council, may be invited to attend the Committee when deemed necessary for the Committee to discharge its function.

5. Responsibilities

- a. Develop, following consultation with Council, annual performance targets and key result area weightings for the Chief Executive including associated methods of measurement and processes of judgement.
- b. Negotiate and agree annually with the Chief Executive, performance targets and key result area weightings including carrying out the measurement judgement of those performance targets.
- c. Conduct an annual review of the Chief Executive's performance and remuneration in accordance with the agreed processes in April/May of each year or such other time as agreed with the Chief Executive.
- d. Develop, following consultation with Council, the appropriate amendments or adjustments to the terms and conditions of employment and the remuneration of the Chief Executive arising from the annual review.
- e. Negotiate and determine any agreed amendments or adjustments to the terms and conditions of employment and the remuneration with the Chief Executive annually.
- f. Develop and agree with the Chief Executive an annual development plan to address any training needs or preferences. Develop and carry out the process for the Chief Executive's term expiry following consultation with Council.
- g. Engage a consultant to assist the committee at any time.

6. Delegations from Council to Chief Executive Employment, Performance and Remuneration Committee

- a. The Council has a role to monitor the functioning of all Committees.
- b. The Council will consider matters not within the delegation of the Chief Executive Employment, Performance and Remuneration Committee.
- c. The Council may, at any time, revoke or modify a delegation to a Council Committee, either permanently or for a specified time, or to address a specific matter, if it considers there is good reason to do so.
- d. The delegated powers given shall at all times be subject to the current policies and principles or directions, as given by the Council from time to time.

7. Power to Act

- a. Review the Chief Executive Employment, Performance and Remuneration Committee Terms of Reference at least once every three years and recommend changes for Council approval.
- b. The general delegations to this Committee exclude any specific decision-making powers that are delegated to another Committee of Council or Joint Committee.

8. Limitations

- a. The following matters are prohibited from being subdelegated in accordance with the Local Government Act 2002 Schedule 7 clause 32(1):
 - the power to make a rate; or
 - the power to make a bylaw; or
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - the power to adopt a long-term plan, annual plan, or annual report; or
 - the power to appoint a chief executive; or
 - the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
 - the power to adopt a remuneration and employment policy.
- b. Therefore, for the avoidance of doubt, the Chief Executive Employment, Performance and Remuneration Committee does not have the delegated authority to decide:
 - the Chief Executive's job description and associated job specifications,
 - the appointment process for the role of Chief Executive
 - the appointment and remuneration package of the preferred candidate for the position of Chief Executive.

9. Power to Recommend

- a. Committee may recommend matters to Council and/or any standing Committee as it deems appropriate.
- b. Chair may refer urgent matters to the Council where this Committee would ordinarily have considered the matter.

Document History and Version Control

Version	Date Approved	Approved By	Brief Description
1	14/11/2019	Council	
2	24/03/2021	Council	
3	29/04/2021	Council	
4	17/11/2022	Council	Removed reference to Tumu Taiao; amended title of Delegated Authority to Responsibilities; added sections Operating principles, Power to Act, Limitations, and Power to Recommend. No change to its delegations.

Membership

Chair Councillor Peter Scott

Membership Councillor Iaeen Cranwell
Councillor Ian Mackenzie
Councillor Claire McKay
Councillor Craig Pauling

ENVIRONMENT CANTERBURY
CHIEF EXECUTIVE EMPLOYMENT PERFORMANCE & REMUNERATION COMMITTEE

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1. Mihi/Karakia Timatanga – Opening

The meeting will be opened with a mihi whakatau, followed by a member of the Council with a karakia.

2. Apologies

An apology for absence was received from Councillor Mackenzie.

3. Conflicts of Interest

Members are reminded 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.

4. Minutes

4.1 Unconfirmed Minutes – Chief Executive Employment, Performance and Remuneration Committee – 28 November 2022

Meeting Date	Monday 13 February 2023
Author	Amanda Douglas, Wynn Williams
Endorsed by	Catherine McMillan, General Manager Governance

Purpose

1. The minutes from the Chief Executive Employment, Performance and Remuneration Committee meeting on 28 November 2022 are to be confirmed.

Recommendations

That the Chief Executive Employment, Performance and Remuneration Committee:

1. Confirms the minutes from the Chief Executive Employment, Performance and Remuneration Committee Meeting held on 28 November 2022.

Attachments

1. CE EPRC 2022-11-28 OPEN Minutes [4.1.1]

Minutes of a meeting of the Chief Executive Employment, Performance and Remuneration Committee held in Whare Kotuia room, Environment Canterbury, 200 Tuam Street, Christchurch, on Monday 28 November 2022 at 2:00pm.

Contents

1. Mihi/Karakia Tīmatanga – opening
2. Apologies
3. Conflicts of Interest
4. Minutes of Previous Meeting
5. Exclusion of the Public
6. Date of Next Meeting
7. Closing

Present

Chair Peter Scott, and Councillors Iaeen Cranwell, Ian Mackenzie and Claire McKay.

In Attendance

Management and officers present

Amanda Douglas, Wynn Williams – minute taker

Pamela Peters – Consultant

Mihi/Karakia tīmatanga – opening

Cr Mackenzie opened the meeting with a karakia.

Apologies

Apology received from Cr Pauling.

Conflicts of Interest

No conflicts of interest were expressed by attendees.

Minutes of Previous Meeting

Resolved

That the CE Employment, Performance and Remuneration Committee:

1. **confirms and adopts, as a true and correct record, the minutes of the meeting held on 29 August 2022.**

Cr Scott / Cr Mackenzie

CARRIED

Exclusion of the Public

Resolved

That the public be excluded from the following part of the proceedings of this meeting, namely:

- a. **Public Excluded Minutes 29 August 2022; and**
- b. **Chief Executive First Quarter Report for 2022/2023;**

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	Report	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1	a. Public Excluded Minutes 29 August 2022; and b. Chief Executive First Quarter Report for 2022/2023.	Good reason exists under section 7	Section 48(1)(a)

This resolution is made in reliance on section 48(1) 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 proceeding of the meeting in public are as follows:

Item No.	
1(a), 1(b)	Protection of privacy of natural persons – Section 7(2)(a)

That appropriate officers remain to provide advice to the Council.

Cr McKay / Cr Mackenzie

CARRIED

The meeting went into public excluded session from 2:01pm until 3:23pm.

Next Meeting

To be confirmed.

Mihi/Karakia Whakamutunga – Closing

Karakia: Cr Cranwell.

The Chair declared the meeting closed at 3:37pm.

CONFIRMED: _____

Chair

Chief Executive Employment

Remuneration Committee

Date

5. Exclusion of the Public

Committee paper

Meeting Date	Monday 13 February 2023
Endorsed by	Catherine McMillan, General Manager Governance

Recommendations

That the public be excluded from the following part of the proceedings of this meeting, namely:

1. **Public excluded minutes 28 November 2022**
2. **Chief Executive Half Year Progress Report for 2022/2023**

1. The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	Report	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1.	Public excluded minutes 28 November 2022	Good reason exists under section 7	Section 48(1)(a)
2.	Chief Executive Half Year Progress Report for 2022/2023		

2. This resolution is made in reliance on section 48(1) 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 proceeding of the meeting in public are as follows:

Item No.	
1, 2, 3, 4.	Protection of privacy of natural persons – Section 7(2)(a)

2. **That appropriate officers remain to provide advice to the Council.**

6. Date of Next Meeting – to be confirmed

7. Closure