

SUPPLEMENTARY AGENDA



Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 22 April 2024 at 7:00 PM

This meeting will be conducted as a hybrid
meeting

Order of Business

9 Supplementary Items.....3

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 9.2 Australian Local Government Association (ALGA) Motions.....31

Bruce Dobson
Chief Executive Officer

9 Supplementary Items

9.1 CEO Remuneration Policy and Terms of Reference

Final Report Destination:	Council
Paper Type:	For Decision
Author	Chief People Officer, John Rashed and Manager Governance, Andrew Dowling
Executive:	Director Customer & Performance, Greg Curcio

SUMMARY

This report is put forward as the CEO Employment and Remuneration Policy, including the Terms of Reference, are due for review by 30 April 2024. Timely review of these documents is consistent with Council's obligations under section 45 of the Local Government Act 2020 which requires Council to "*develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy.*"

RECOMMENDATION

That Council resolve:

1. To adopt the revised CEO Remuneration Policy as set out in Attachment 1.
2. To adopt the revised CEO Remuneration Committee Terms of Reference as set out in Attachment 2.

1. DISCUSSION

Since 2020, Council has undertaken a procurement process and engaged an Independent Member to the CEO Employment and Remuneration Committee that has guided the Committee with due process with the utilisation of this Policy, including its Terms of Reference.

The Chief People Officer also has supporting responsibilities as detailed within the Policy.

The Policy and Terms of Reference have served the Council well over the years without any encounter of ambiguity.

Relatively minor changes are proposed to the amended documents in Attachments 1 and 2. The changes proposed have been highlighted in tracked changes in Attachments 3 and 4. In summary, the changes are:

- A revision of dates with a new expiry of three years from the date of Council approval and deletion of a redundant clause regarding review timing in the Terms of Reference.
- Updating out-of-date references including:
 - Replacing references to the "Executive Manager Strategy, People & Culture" with "Chief People Officer".
 - Updating references to the Councillor Expenses and Support Policy.
- A statement reflecting that any legislative changes arising out of Operation Sandon (or otherwise) that are inconsistent with the Policy, will prevail over this policy and its Terms of Reference.

- Additional guidance for the preferred composition of the Committee which reflects the roles of Mayor and Deputy Mayor, and by nominating the immediate past Mayor, encourages membership continuity from year to year.
- Clarification of opportunities for non-appointed councillors to participate on the Committee as observers.
- Clarification to the method of appointment of members in the Terms of Reference

2. ENGAGEMENT

Feedback has been sought directly from Councillors regarding the effectiveness of the CEO Employment and Remuneration Committee.

3. SOCIAL IMPLICATIONS

There are no direct social implications arising from the review of the CEO Remuneration Policy and the CEO Remuneration Committee Terms of Reference. Regular reviews of these documents do however demonstrate Council's commitment to sound governance practices, thereby promoting trust and confidence in Council among stakeholders.

4. CLIMATE CHANGE CONSIDERATIONS

The review of the CEO Remuneration Policy and the CEO Remuneration Committee Terms of Reference has no direct impact upon Council's Net Zero 2030 target, the Community Net Zero 2040.

5. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications arising as a consequence of revisions to the CEO Remuneration Policy or the CEO Remuneration Committee Terms of Reference.

6. FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications arising as a consequence of revisions to the CEO Remuneration Policy or the CEO Remuneration Committee Terms of Reference

7. RISKS

Timely review of the CEO Remuneration Policy and the CEO Remuneration Committee Terms of Reference contribute to ensuring Council remains compliant with its obligations under section 45 of the Local Government Act 2020 which requires Council to *"develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy."*

8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025

Civic Engagement & Integrity

Strategy 5.3 - Ensure our processes are transparent and decisions are accountable.

9. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

10. STATEMENT OF COMPATIBILITY

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the revisions to the CEO Remuneration Policy and the CEO Remuneration Committee Terms of Reference in this report.

11. CONFIDENTIALITY

There is no content in this report that meets the definition of confidential information in the Local Government Act 2020.

ATTACHMENTS

1. Attachment 1 - 2024 CEO Employment & Remuneration - Policy - Clean [9.1.1 - 9 pages]
2. Attachment 2 - 2024 CEO Employment & Remuneration - ToR - Clean [9.1.2 - 3 pages]
3. Attachment 3 - 2024 CEO Employment & Remuneration - Policy - Tracked [9.1.3 - 9 pages]
4. Attachment 4 - 2024 CEO Employment & Remuneration - ToR - Tracked [9.1.4 - 4 pages]



Chief Executive Officer Employment & Remuneration Policy

Policy Number:	2021/04		
Directorate:	The Office of the CEO	Responsible Officer:	Chief People Officer
Approval by:	Council	Version Number:	1
Approval Date:	22 April 2024	Review Date:	30 April 2027
Commencement Date:	1 January 2022		

1. Purpose

This Policy meets a legislative requirement under section 45 of the *Local Government Act 2020* (the Act) and provides for the ways in which Knox City Council (**Council**) will:

- Obtain independent professional advice in relation to the matters dealt with in this policy;
- Manage the recruitment and appointment of its Chief Executive Officer (CEO);
- Form and manage the terms of the CEO employment contract;
- Form and monitor the CEO performance criteria and establish key performance indicators (KPIs);
- Conduct the annual review of the performance of the CEO; and
- Form and monitor the remuneration package of the CEO.

In meeting its obligations under section 45 of the Act, this policy includes:

- The recruitment and appointment process;
- Provisions to be included in the contract of employment;
- Remuneration;
- Performance monitoring;
- Setting the annual performance review;
- Other terms and conditions of employment, including any requirements prescribed in legislation.

This policy has been developed taking into account any determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.



2. Context

Knox City Council is committed to ensuring the application of good governance, transparency and respect in all matters relating to the employment, management and remuneration of the CEO.

In the event that any new legislative requirements are made in respect to recommendations arising out of Operation Sandon or otherwise, the legislative requirements will prevail over this Policy and its Terms of Reference.

3. Scope

The Policy applies to the role of CEO, it encompasses all mechanisms which support Council in fulfilling its obligations regarding the employment and remuneration aspects of the role of CEO and under the Act.

The aims of Council in relation to this Policy are to:

- Establish a CEO Employment & Remuneration Committee (the Committee);
- Provide processes for the recruitment of a natural person and their appointment to the position of the CEO;
- Draft and approve the Contract of Employment entered into between the Council and the CEO;
- Seek and be guided by independent professional advice in relation to the matters dealt with in this Policy;
- Provide processes for determining and reviewing the remuneration package of the CEO;
- Provide processes for supporting the professional development and the monitoring of performance of the CEO, including setting the KPIs, which should be built into the Contract of Employment and conducting an annual review;
- Determine, as required, whether any variations to the remuneration package and terms of conditions of the CEO are needed; and
- Provide processes for the appointment of an Acting CEO for periods in excess of 28 days.

The aims of the CEO in relation to this Policy are to:

- Work collaboratively with the Committee in determining the KPIs and plan on an annual basis;
- Actively participate in the performance appraisal process as required by the Committee;
- Make use of constructive feedback from Councillors and Committee members in relation to performance appraisal;
- Undertake professional development towards assisting this role to meet and/or exceed the set KPIs; and
- Draw the Committee's attention to any situation where any variation of the established KPIs may be required in light of current circumstances.

4. Policy Principles

CEO Employment and Remuneration Committee

- The Council will establish a CEO Employment and Remuneration Committee.
- The Committee will be an advisory committee to Council and will meet at least twice per year and will be chaired by the Mayor of the day.



- The Committee must include at least four Councillors and the Independent Member appointed by Council who is entitled to be remunerated for their services. Appointed Councillors shall include the current Mayor and Deputy Mayor, and the immediate past Mayor (if available). Council may appoint more than four Councillors, however, must not appoint other persons, excluding the Independent Member, who are not Councillors.
- A quorum of four (4) Councillors must be present to transact business of the Committee. If the Mayoral election occurs during a CEO recruitment period with a new Mayor elected, the current Mayor at the time of the recruitment process will continue to be involved until such time as the CEO is appointed. The new Mayor, if not already appointed to the Committee, will join the Committee.
- The Councillor members of this Committee will make a recommendation to Council on the appointment of an Independent Member having considered a minimum of two from appropriately experienced persons. The Independent Member will be a neutral person who has detailed knowledge and experience in executive recruitment and oversight of CEO Contracts of Employment as well as experience in developing and facilitating executive performance reviews. Experience and knowledge of the Local Government sector is required. An inquiring mind and the ability to analyse information will assist in carrying out the role of Independent Member.
- The Committee is to hold meetings to:
 - Organise, collect and analyse data and form a view on ratings prior to meeting with the CEO to discuss and review the CEO's performance against an agreed set of criteria in preparation for biannual reviews;
 - Meet with the CEO to discuss and review the CEO performance against an agreed set of criteria;
 - Consider the responses from the CEO prior to finalising a proposed rating against each KPI (to be approved by resolution of Council) for the annual review;
 - Prepare relevant documentation including Council reports and contractual documents for the approval of Council by resolution;
 - Conduct and maintain appropriate records regarding performance reviews; and
 - Review the remuneration package and conditions of employment of the CEO and make recommendations to Council.
- The Committee will provide an annual report to Council.
- The Committee will determine the meeting procedures at the first meeting of the Committee with the assistance and input of the Independent Member.
- Minutes will be prepared and distributed to the Committee by the secretariat support or their delegate.

Recruitment of the CEO

- The Committee will establish and manage the process to recruit the CEO, designed to ensure the Council can select the best candidate from a shortlist of preferred candidates (with or without a recommendation from the Committee).
- The Committee will identify an Executive Search Consultant to run the recruitment process.
- The Committee will make a recommendation to Council in relation to recommending the identified Executive Search Consultant.
- The Committee must have regard to Council's *Recruiting and Selecting for Excellence Policy* when considering the recruitment of the position of CEO including to:
 - Ensure that the recruitment decision is based on merit;



- The Disclosure of any conflicts of interest;
- Support transparency in the recruitment process and, subject to Council's discretion to offer reappointment in accordance with section 44 of the Act, the public advertising of the position; and
- Have regard to gender equality, diversity and inclusiveness.
- Council will appoint the Executive Search Consultant by resolution at a Council meeting;
- The Committee must ensure that the Executive Search Consultant publicly advertises the CEO role for a new appointment.
- The Committee must liaise with the Executive Search Consultant.

Appointment of the CEO

- Council will receive a report from the Committee on the completion of its role in the recruitment process and Council will proceed to decide on a preferred candidate and to negotiate and finalise a draft Contract of Employment.
- The Committee will provide a recommendation to Council on the provisions to be contained in the proposed Contract of Employment.
- The appointment of the CEO must be made by a resolution of Council.

Re-appointment of the CEO

- At a minimum of six months prior to the expiry of the current CEO's Contract of Employment, the Committee will provide a recommendation to Council on:
 - Whether the CEO should be reappointed under a new Contract of Employment;
 - If the recommendation is to reappoint the CEO, the proposed provisions of the further Contract of Employment.
- Any reappointment of the current CEO must be made by a resolution of Council.

Contract of Employment

- The Contract of Employment will at a minimum, include the following:
 - The employment term, which must not exceed 5 years in accordance with s 44(2) of the Act;
 - The responsibilities and duties of the position including compliance with the Act and the Code of Conduct for Council staff;
 - The conflict of interest management requirements;
 - The CEO's remuneration package and other entitlements;
 - Any legislative and contractual obligations, including those during and continuing after appointment;
 - The CEO's leave entitlements;
 - Processes for managing unsatisfactory performance;
 - Processes for early termination, including notice of termination provisions, with notice of termination by Council being a period of six (6) months;
 - Any other matters required to be contained in the Contract of Employment by the Regulations.
- The Contract of Employment may only be varied by a resolution of the Council and if accepted by the CEO, documented in a deed of variation.

Remuneration and Expenses



- The Remuneration package provided to the CEO will form part of the Committee's annual review having regard to:
 - Any statement of Policy issued by the Government of Victoria which is in force with respect to its wages policy or equivalent; and
 - Any determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* in relation to remuneration bands for executives employed in public service bodies.
- Council will meet expenses incurred by CEO in relation to:
 - Membership and subscription fees payable to professional associations which are reasonably necessary in order to carry out duties;
 - Reasonable costs incurred where attending conferences, seminars or other professional development or networking functions; and
 - Reasonable costs incurred in performance of required duties.
- The following principles are to guide any setting or review of the Remuneration package:
 - The establishment of the remuneration package of the CEO should be fair and reasonable in light of the role, accountability and inherent requirements of the role.
 - The establishment of the Remuneration package and remuneration review of the CEO should have regard to Council's financial and economic conditions.
 - The establishment of the Remuneration package and remuneration review of the CEO should be set at a competitive level for the relevant market and sector, subject to benchmarking, in order to attract and retain talent.
- The establishment of the Remuneration package and remuneration review of the CEO should be based on rigorous analysis of all relevant factors including those listed above.



Performance Monitoring

- Council will adopt annual Performance Criteria for the CEO, which will include KPIs. The Performance Criteria must be developed collaboratively between the CEO and the Committee.
- The CEO is to provide progress reports to the Committee on a twice-yearly basis.
- The Committee shall meet with the CEO following each progress report to discuss the matters contained in the progress report.
- Following the initial three months of the CEO's term, a meeting with Councillors and the CEO may be coordinated so that:
 - The CEO has an opportunity to prepare, present and highlight any matters that may hinder their ability from achieving any KPIs;
 - The Councillors can provide feedback to the CEO on their perspective of the CEO's performance during the initial period; and
 - The Council and CEO can agree to projects and priorities for inclusion in the CEO's Performance Criteria and KPIs.
- Nothing in this Policy prevents the Committee and/or Council from monitoring the CEO's performance on an ongoing basis.

Annual Review

- In preparation for Council's review, the Committee is required to submit a confidential annual review report after the end of the financial year to Council (Annual Review Report), which includes recommendations on the following:
 - Whether, and to what extent, the CEO has met the KPIs under the Performance Criteria;
 - Whether any KPIs or other criteria ought to be varied under the Performance Criteria;
 - Whether the Remuneration Package ought to be varied; and
 - Any other necessary matters.
- The Committee will submit the Annual Review Report to Council only after meeting with the CEO to discuss the Committee's proposed recommendations.
- Council shall, after receipt of the Annual Review Report, review the recommendation in the Annual Review Report and advise the CEO of the outcomes of the review process.
- The Annual Review Report will be discussed between Council and the CEO only at a confidential Council Issues Briefing.

Acting CEO

- Council must appoint an Acting CEO when there is a vacancy in the office of the CEO of greater than 28 days or the CEO is unable to perform the duties of the office of CEO.
- The appointment of the Acting CEO must be made by a resolution of Council unless the Acting CEO is appointed for a period not exceeding 28 days, in which case the CEO may appoint an Acting CEO under delegation from Council.

Independent Advice

- The Independent Member appointed to the Committee is responsible for providing independent professional advice to the matters dealt with under this Policy.
- Council will determine:
 - The term of the appointment of the Independent Member; and
 - The remuneration of the Independent Member.
- Council or the Committee can, on an as needed basis, obtain additional independent professional advice in relation to the matters dealt with under this Policy.

**Interaction with the Act & Regulations**

- This Policy applies subject to any inconsistent obligations in the Act or the Regulations.

Confidentiality

- Council will not disclose any personal information, being information which released would result in the unreasonable disclosure of information about any person or their affairs.
- Council will ensure that it is a term of the Independent Member's engagement that the Independent Member keep confidential all information which the Independent Member acquires by virtue of the engagement.

Delegations

- Council must not delegate the power to appoint the CEO whether on a permanent or acting basis greater than 28 days, however, Council may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days.
- Council must not delegate the power to make any decision in relation to the employment, dismissal or removal of the CEO.

5. Roles & Responsibilities

Council is responsible for:

- Meeting the requirements of the Act and other relevant legislation;
- The appointment and management of the CEO, including an Acting CEO, where required;
- Appointing the Independent Member(s) of this Committee;
- Appointing the members of the Committee
- Adopting, overseeing and monitoring the implementation of this Policy; and
- Undertaking a review of the Policy when required in accordance with the terms of reference.

Committee Members are responsible for:

- Attending and contributing at each Committee meeting;
- Undertaking the responsibilities of the Committee as set out in this Policy and the Act.
- Facilitating involvement of non-member Councillors as observers on the Committee.

The Independent Member is responsible for:

- Attending and participating each Committee meeting;
- Assisting in the development of the performance criteria and undertaking the annual review of the CEO;
- Performing other functions as required in supporting the CEO's performance reviews and performance development, and providing advice on appropriate development opportunities for the role of CEO;
- Providing independent and impartial advice on the CEO's total remuneration package and remuneration reviews;
- Ensuring that the Committee adheres to statutory obligations and Council's policies and procedures, including equity and fairness;
- Advising of conflict of interests;
- Sharing their findings with the Committee and ultimately, sharing them with the CEO.



The CEO is responsible for:

- Attending and contributing at each Committee meeting to which the CEO has been invited;
- Participating in each performance review undertaken by the Committee;
- Providing relevant information to the Committee in a timely manner;
- Advising Council in instances where an Acting CEO is to be appointed under delegation during the temporary absence of the CEO, in accordance with approved delegations;
- Supporting the Mayor and the Councillors in the performance of their roles in accordance with the Act;
- Ensuring the effective and efficient management of the day-to-day operations of Council in accordance with the Act.

The Chief People Officer is responsible for:

- Providing advice on the interpretation and application of this Policy (recognising that the position of any member of staff assisting in the application of this Policy is made difficult because they are accountable to the CEO (or a person acting as CEO) and therefore acknowledging that requests for assistance need to be limited to no more than those which are reasonably necessary);
- Assisting Council to obtain formal advice, if required; and
- Providing executive and secretariat support to the Committee.

6. References

Council Plan 2021-25

- Civic engagement and integrity: Ensure our processes are transparent and decisions are accountable.

Relevant Legislation

- *Local Government Act 2020*
- *Victorian Independent Remuneration Tribunal & Improving Parliamentary Standards Act 2019*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Fair Work Act 2009*
- *Gender Equality Act 2020*
- *Freedom of Information Act 1982*

Related Council Policies

- Child Safe Standards
- Procurement Policy
- Recruiting and Selecting for Excellence Policy
- Councillor Code of Conduct
- Staff Code of Conduct

7. Definitions

For the purpose of this Policy, the following definitions apply.

Chief Executive Officer (CEO)	Means the Chief Executive Officer of Knox City Council who has been appointed under section 44 of the <i>Local Government Act 2020</i> .
Committee	Means the CEO Employment and Remuneration Committee established



under this Policy.

Contract of Employment	Means the Contract of Employment between the CEO and Knox City Council, including any schedule of the Contract of Employment.
Executive Search Consultant	A consultant with specialist expertise in sourcing and evaluating candidates for senior executive roles.
Independent Member	Means, for the purpose of this policy, a highly experienced individual engaged by Council to fulfil the responsibilities in accordance with this Policy and providing professional and impartial advice to the Committee members. This person will not be a Councillor or Officer of Council.
Remuneration	The total gross remuneration package paid to the CEO pursuant to the Contract of Employment.

8. Monitoring, Evaluation & Review

- This Policy will be reviewed by Council at least once every Council term.
- The implementation of this Policy will be reported annually to Council's Audit & Risk Committee.

9. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

Chief Executive Officer Employment & Remuneration Committee

Directorate:	Customer & Performance	Responsible Officer:	Chief People Officer
Approval Date:	22 April 2024	Version Number:	5
		Review Date:	30 April 2027

1. Purpose

The Chief Executive Officer's Employment & Remuneration Committee undertakes, in conjunction with the Chief Executive Officer, confidential bi-annual reviews of the performance of the Chief Executive Officer against pre-determined performance criteria and key performance indicators and assesses the progress towards meeting these criteria, inclusive of making recommendations to Council on the remuneration review.

A confidential annual review report is reported to Council for formal consideration. Further, the Committee, in conjunction with the Chief Executive Officer, formulates the Chief Executive Officer's annual key performance indicators for recommendation to Council.

The Committee has the authority to undertake discussions with the Chief Executive Officer in relation to employment and remuneration within agreed parameters. As an advisory Committee, the Committee can make recommendations to the Council in relation to the Chief Executive Officer's remuneration review.

2. Objectives

The objective of the committee is to provide a forum for authentic dialogue with the Chief Executive Officer on overall performance and to establish as early as possible in the financial year, and adjust where necessary, the Chief Executive Officer's annual Key Performance Indicators.

3. Membership, Period of Membership and Method of Appointment

The Chief Executive Officer Employment & Remuneration Committee shall comprise:

- at least four Councillors including the current Mayor and Deputy Mayor, and the immediate past Mayor (if available); and
- An Independent Member.

A quorum of four Councillors is required for a meeting.

Councillors are appointed annually by resolution of Council.

The Independent Member shall be appointed periodically by resolution of Council.

Any Councillor not appointed to the Committee may attend a Committee meeting as an observer.

4. Delegated Authority and Decision Making

The committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

5. Meeting Procedures

Meeting procedures are not prescribed. Meetings are to be held at a time and place determined by the Committee.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.

Meetings will follow standard meeting procedures protocols, which are in summary:

- Schedule and confirm meetings with member Councillors in advance, and send invitations to all Councillors.
- Commence on time and conclude by the stated completion time;
- Distribute documentation for the meeting seven days in advance of meetings where practicable, including to non-member Councillors who have indicated an intention to attend as an observer;
- Encourage fair and respectful discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

6. Chair

The position of Chairperson shall be held by the Mayor of the day. When this cannot be achieved, the Mayor shall determine the acting Chairperson from other Councillors that sit on this Committee, provided there is a quorum of a minimum of four (4) Councillors.

7. Agendas and Meeting Notes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the committee not less than 7 days before the time fixed for the holding of the meeting, in both digital and hard copy formats. The only exception to this deadline is when a public holiday falls on the day the agendas are due, in which case agendas are to be provided close of business 6 days in advance.

Officer reports that fail to meet this deadline, may be considered as supplementary reports and will only be permitted to be included with the approval of the Mayor.

The Chairperson must arrange for meeting notes of each meeting of the committee to be kept.

The meeting notes must:

- (a) contain details of the proceedings and recommendations made;
- (b) be clearly expressed;
- (c) be self-explanatory; and
- (d) incorporate relevant reports or a summary of the relevant reports considered by the committee.

Draft meeting notes must be:

- (a) submitted to the Committee Chairperson for confirmation within 7 days of the meeting;
- (b) distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) submitted to the next meeting of the Committee for information.

Agendas and notes from meetings are not required to be made available to the public.

8. Conduct and Integrity

In performing the role of committee member, a person must comply with the conflict of interest provisions in the *Local Government Act 2020* and the Governance Rules of Knox City Council, and:

- Act with integrity;
- Impartially exercise their responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

9. Reporting

A report of the Chief Executive Officer's annual performance review will be reported to the Council.

10. Administration Support

Administration support will be provided by the Customer & Performance Directorate.

11. Contact with the Media

Contact with the Media by committee members will be conducted in accordance with the Councillor and Staff Media Policies.

12. Meals

The provision of refreshments during the course of a committee meeting will be provided in accordance with the Councillor Expenses and Support Policy.

13. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.



Chief Executive Officer Employment & Remuneration Policy

Policy Number:	2021/04		
Directorate:	The Office of the CEO	Responsible Officer:	Executive Manager Strategy, People & Culture <u>Chief People Officer</u>
Approval by:	Council	Version Number:	1
Approval Date:	20 December 2021 <u>22 April 2024</u>	Review Date:	30 April 2024 <u>2027</u>
Commencement Date:	1 January 2022		

1. Purpose

This Policy meets a legislative requirement under section 45 of the *Local Government Act 2020* (the Act) and provides for the ways in which Knox City Council (**Council**) will:

- Obtain independent professional advice in relation to the matters dealt with in this policy;
- Manage the recruitment and appointment of its Chief Executive Officer (CEO);
- Form and manage the terms of the CEO employment contract;
- Form and monitor the CEO performance criteria and establish key performance indicators (KPIs);
- Conduct the annual review of the performance of the CEO; and
- Form and monitor the remuneration package of the CEO.

In meeting its obligations under section 45 of the Act, this policy includes:

- The recruitment and appointment process;
- Provisions to be included in the contract of employment;
- Remuneration;
- Performance monitoring;
- Setting the annual performance review;
- Other terms and conditions of employment, including any requirements prescribed in legislation.

This policy has been developed taking into account any determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.



2. Context

Knox City Council is committed to ensuring the application of good governance, transparency and respect in all matters relating to the employment, management and remuneration of the CEO.

In the event that any new legislative requirements are made in respect to recommendations arising out of Operation Sandon or otherwise, the legislative requirements will prevail over this Policy and its Terms of Reference.

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The Policy applies to the role of CEO, it encompasses all mechanisms which support Council in fulfilling its obligations regarding the employment and remuneration aspects of the role of CEO and under the Act.

The aims of Council in relation to this Policy are to:

- Establish a CEO Employment & Remuneration Committee (the Committee);
- Provide processes for the recruitment of a natural person and their appointment to the position of the CEO;
- Draft and approve the Contract of Employment entered into between the Council and the CEO;
- Seek and be guided by independent professional advice in relation to the matters dealt with in this Policy;
- Provide processes for determining and reviewing the remuneration package of the CEO;
- Provide processes for supporting the professional development and the monitoring of performance of the CEO, including setting the KPIs, which should be built into the Contract of Employment and conducting an annual review;
- Determine, as required, whether any variations to the remuneration package and terms of conditions of the CEO are needed; and
- Provide processes for the appointment of an Acting CEO for periods in excess of 28 days.

The aims of the CEO in relation to this Policy are to:

- Work collaboratively with the Committee in determining the KPIs and plan on an annual basis;
- Actively participate in the performance appraisal process as required by the Committee;
- Make use of constructive feedback from Councillors and Committee members in relation to performance appraisal;
- Undertake professional development towards assisting this role to meet and/or exceed the set KPIs; and
- Draw the Committee's attention to any situation where any variation of the established KPIs may be required in light of current circumstances.

4. Policy Principles

CEO Employment and Remuneration Committee

- The Council will establish a CEO Employment and Remuneration Committee.
- The Committee will be an advisory committee to Council and will meet at least twice per year and will be chaired by the Mayor of the day.



- The Committee must include at least four Councillors and the Independent Member appointed by Council who is entitled to be remunerated for their services. Appointed Councillors shall include the current Mayor and Deputy Mayor, and the immediate past Mayor (if available). Council may appoint more than four Councillors, however, must not appoint other persons, excluding the Independent Member, who are not Councillors.
- ~~The Committee must include at least three Councillors, one of whom will be the Mayor and the Independent Member appointed by Council who is entitled to be remunerated for their services. Council may appoint more than three Councillors, however, must not appoint other persons, excluding the Independent Member, who are not Councillors.~~
- A quorum of four (4) ~~three (3)~~ Councillors must be present to transact business of the Committee. If the Mayoral election occurs during a CEO recruitment period with a new Mayor elected, the current Mayor at the time of the recruitment process will continue to be involved until such time as the CEO is appointed. The new Mayor, if not already appointed to the Committee, will join the Committee.
- The Councillor members of this Committee will make a recommendation to Council on the appointment of an Independent Member having considered a minimum of two from appropriately experienced persons. The Independent Member will be a neutral person who has detailed knowledge and experience in executive recruitment and oversight of CEO Contracts of Employment as well as experience in developing and facilitating executive performance reviews. Experience and knowledge of the Local Government sector is required. An inquiring mind and the ability to analyse information will assist in carrying out the role of Independent Member.
- The Committee is to hold meetings to:
 - Organise, collect and analyse data and form a view on ratings prior to meeting with the CEO to discuss and review the CEO's performance against an agreed set of criteria in preparation for biannual reviews;
 - Meet with the CEO to discuss and review the CEO performance against an agreed set of criteria;
 - Consider the responses from the CEO prior to finalising a proposed rating against each KPI (to be approved by resolution of Council) for the annual review;
 - Prepare relevant documentation including Council reports and contractual documents for the approval of Council by resolution;
 - Conduct and maintain appropriate records regarding performance reviews; and
 - Review the remuneration package and conditions of employment of the CEO and make recommendations to Council.
- The Committee will provide an annual report to Council.
- The Committee will determine the meeting procedures at the first meeting of the Committee with the assistance and input of the Independent Member.
- Minutes will be prepared and distributed to the Committee by the secretariat support or their delegate.

Recruitment of the CEO

- The Committee will establish and manage the process to recruit the CEO, designed to ensure the Council can select the best candidate from a shortlist of preferred candidates (with or without a recommendation from the Committee).
- The Committee will identify an Executive Search Consultant to run the recruitment process.



- The Committee will make a recommendation to Council in relation to recommending the identified Executive Search Consultant.
- The Committee must have regard to Council's *Recruiting and Selecting for Excellence Policy* when considering the recruitment of the position of CEO including to:
 - Ensure that the recruitment decision is based on merit;
 - The Disclosure of any conflicts of interest;
 - Support transparency in the recruitment process and, subject to Council's discretion to offer reappointment in accordance with section 44 of the Act, the public advertising of the position; and
 - Have regard to gender equality, diversity and inclusiveness.
- Council will appoint the Executive Search Consultant by resolution at a Council meeting;
- The Committee must ensure that the Executive Search Consultant publicly advertises the CEO role for a new appointment.
- The Committee must liaise with the Executive Search Consultant.

Appointment of the CEO

- Council will receive a report from the Committee on the completion of its role in the recruitment process and Council will proceed to decide on a preferred candidate and to negotiate and finalise a draft Contract of Employment.
- The Committee will provide a recommendation to Council on the provisions to be contained in the proposed Contract of Employment.
- The appointment of the CEO must be made by a resolution of Council.

Re-appointment of the CEO

- At a minimum of six months prior to the expiry of the current CEO's Contract of Employment, the Committee will provide a recommendation to Council on:
 - Whether the CEO should be reappointed under a new Contract of Employment;
 - If the recommendation is to reappoint the CEO, the proposed provisions of the further Contract of Employment.
- Any reappointment of the current CEO must be made by a resolution of Council.

Contract of Employment

- The Contract of Employment will -at a minimum, include -the following:
 - The employment term, which must not exceed 5 years in accordance with s 44(2) of the Act;
 - The responsibilities and duties of the position including compliance with the Act and the Code of Conduct for Council staff;
 - The conflict of interest management requirements;
 - The CEO's remuneration package and other entitlements;
 - Any legislative and contractual obligations, including those during and continuing after appointment;
 - The CEO's leave entitlements;
 - Processes for managing unsatisfactory performance;
 - Processes for early termination, including notice of termination provisions, with notice of termination by Council being a period of six (6) months;
 - Any other matters required to be contained in the Contract of Employment by the Regulations.



- The Contract of Employment may only be varied by a resolution of the Council and if accepted by the CEO, documented in a deed of variation.

Remuneration and Expenses

- The Remuneration package provided to the CEO will form part of the Committee's annual review having regard to:
 - Any statement of Policy issued by the Government of Victoria which is in force with respect to its wages policy or equivalent; and
 - Any determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* in relation to remuneration bands for executives employed in public service bodies.
- Council will meet expenses incurred by CEO in relation to:
 - Membership and subscription fees payable to professional associations which are reasonably necessary in order to carry out duties;
 - Reasonable costs incurred where attending conferences, seminars or other professional development or networking functions; and
 - Reasonable costs incurred in performance of required duties.
- The following principles are to guide any setting or review of the Remuneration package:
 - The establishment of the remuneration package of the CEO should be fair and reasonable in light of the role, accountability and inherent requirements of the role.
 - The establishment of the Remuneration package and remuneration review of the CEO should have regard to Council's financial and economic conditions.
 - The establishment of the Remuneration package and remuneration review of the CEO should be set at a competitive level for the relevant market and sector, subject to benchmarking, in order to attract and retain talent.
- The establishment of the Remuneration package and remuneration review of the CEO should be based on rigorous analysis of all relevant factors including those listed above.



Performance Monitoring

- Council will adopt annual Performance Criteria for the CEO, which will include KPIs. The Performance Criteria must be developed collaboratively between the CEO and the Committee.
- The CEO is to provide progress reports to the Committee on a twice-yearly basis.
- The Committee shall meet with the CEO following each progress report to discuss the matters contained in the progress report.
- Following the initial three months of the CEO's term, a meeting with Councillors and the CEO may be coordinated so that:
 - The CEO has an opportunity to prepare, present and highlight any matters that may hinder their ability from achieving any KPIs;
 - The Councillors can provide feedback to the CEO on their perspective of the CEO's performance during the initial period; and
 - The Council and CEO can agree to projects and priorities for inclusion in the CEO's Performance Criteria and KPIs.
- Nothing in this Policy prevents the Committee and/or Council from monitoring the CEO's performance on an ongoing basis.

Annual Review

- In preparation for Council's review, the Committee is required to submit a confidential annual review report after the end of the financial year to Council (Annual Review Report), which includes recommendations on the following:
 - Whether, and to what extent, the CEO has met the KPIs under the Performance Criteria;
 - Whether any KPIs or other criteria ought to be varied under the Performance Criteria;
 - Whether the Remuneration Package ought to be varied; and
 - Any other necessary matters.
- The Committee will submit the Annual Review Report to Council only after meeting with the CEO to discuss the Committee's proposed recommendations.
- Council shall, after receipt of the Annual Review Report, review the recommendation in the Annual Review Report and advise the CEO of the outcomes of the review process.
- The Annual Review Report will be discussed between Council and the CEO only at a confidential Council Issues Briefing.

Acting CEO

- Council must appoint an Acting CEO when there is a vacancy in the office of the CEO of greater than 28 days or the CEO is unable to perform the duties of the office of CEO.
- The appointment of the Acting CEO must be made by a resolution of Council unless the Acting CEO is appointed for a period not exceeding 28 days, in which case the CEO may appoint an Acting CEO under delegation from Council.

Independent Advice

- The Independent Member appointed to the Committee is responsible for providing independent professional advice to the matters dealt with under this Policy.
- Council will determine:
 - The term of the appointment of the Independent Member; and
 - The remuneration of the Independent Member.
- Council or the Committee can, on an as needed basis, obtain additional independent professional advice in relation to the matters dealt with under this Policy.



Interaction with the Act & Regulations

- This Policy applies subject to any inconsistent obligations in the Act or the Regulations.

Confidentiality

- Council will not disclose any personal information, being information which released would result in the unreasonable disclosure of information about any person or their affairs.
- Council will ensure that it is a term of the Independent Member's engagement that the Independent Member keep confidential all information which the Independent Member acquires by virtue of the engagement.

Delegations

- Council must not delegate the power to appoint the CEO whether on a permanent or acting basis greater than 28 days, however, Council may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days.
- Council must not delegate the power to make any decision in relation to the employment, dismissal or removal of the CEO.

5. Roles & Responsibilities

Council is responsible for:

- Meeting the requirements of the Act and other relevant legislation;
- The appointment and management of the CEO, including an Acting CEO, where required;
- Appointing the Independent Member(s) of this Committee;
- Appointing the members of the Committee – ~~Mayor and at least 2 other Councillors will be the minimum three (3) members that sit on this Committee, plus the Independent Member will also be part of this Committee, once appointed;~~
- Adopting, overseeing and monitoring the implementation of this Policy; and
- Undertaking a review of the Policy when required in accordance with the terms of reference.

Committee Members are responsible for:

- Attending and contributing at each Committee meeting;
- Undertaking the responsibilities of the Committee as set out in this Policy and the Act.
- Facilitating involvement of non-member Councillors as observers on the Committee.

The Independent Member is responsible for:

- Attending and participating each Committee meeting;
- Assisting in the development of the performance criteria and undertaking the annual review of the CEO;
- Performing other functions as required in supporting the CEO's performance reviews and performance development, and providing advice on appropriate development opportunities for the role of CEO;
- Providing independent and impartial advice on the CEO's total remuneration package and remuneration reviews;
- Ensuring that the Committee adheres to statutory obligations and Council's policies and procedures, including equity and fairness;
- Advising of conflict of interests;



- Sharing their findings with the Committee and ultimately, sharing them with the CEO.

The CEO is responsible for:

- Attending and contributing at each Committee meeting to which the CEO has been invited;
- Participating in each performance review undertaken by the Committee;
- Providing relevant information to the Committee in a timely manner;
- Advising Council in instances where an Acting CEO is to be appointed under delegation during the temporary absence of the CEO, in accordance with approved delegations;
- Supporting the Mayor and the Councillors in the performance of their roles in accordance with the Act;
- Ensuring the effective and efficient management of the day-to-day operations of Council in accordance with the Act.

The ~~Executive Manager Strategy, People & Culture~~ Chief People Officer is responsible for:

- Providing advice on the interpretation and application of this Policy (recognising that the position of any member of staff assisting in the application of this Policy is made difficult because they are accountable to the CEO (or a person acting as CEO) and therefore acknowledging that requests for assistance need to be limited to no more than those which are reasonably necessary);
- Assisting Council to obtain formal advice, if required; and
- Providing executive and secretariat support to the Committee.

6. References

Council Plan 2021-25

- Civic engagement and integrity: Ensure our processes are transparent and decisions are accountable.

Relevant Legislation

- *Local Government Act 2020*
- *Victorian Independent Remuneration Tribunal & Improving Parliamentary Standards Act 2019*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Fair Work Act 2009*
- *Gender Equality Act 2020*
- *Freedom of Information Act 1982*

Related Council Policies

- Child Safe Standards
- Procurement Policy
- Recruiting and Selecting for Excellence Policy
- Councillor Code of Conduct
- Staff Code of Conduct

7. Definitions

For the purpose of this Policy, the following definitions apply.

Chief Executive Officer	Means the Chief Executive Officer of Knox City Council who has been
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(CEO)	appointed under section 44 of the <i>Local Government Act 2020</i> .
Committee	Means the CEO Employment and Remuneration Committee established under this Policy.
Contract of Employment	Means the Contract of Employment between the CEO and Knox City Council, including any schedule of the Contract of Employment.
Executive Search Consultant	A consultant with specialist expertise in sourcing and evaluating candidates for senior executive roles.
Independent Member	Means, for the purpose of this policy, a highly experienced individual engaged by Council to fulfil the responsibilities in accordance with this Policy and providing professional and impartial advice to the Committee members. This person will not be a Councillor or Officer of Council.
Remuneration	The total gross remuneration package paid to the CEO pursuant to the Contract of Employment.

8. Monitoring, Evaluation & Review

- This Policy will be reviewed by Council at least once every Council term.
- The implementation of this Policy will be reported annually to Council's Audit & Risk Committee.

9. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.



Chief Executive Officer Employment & Remuneration Committee

Directorate: ~~The Office of the CEO~~ Customer & Performance Responsible Officer: Chief ~~Executive~~ People Officer

Version Number: 5

Approval Date: ~~20 December 2021~~ 22 April 2024 Review Date: 30 April 20274

1. Purpose

The Chief Executive Officer's Employment & Remuneration Committee undertakes, in conjunction with the Chief Executive Officer, confidential bi-annual reviews of the performance of the Chief Executive Officer against pre-determined performance criteria and key performance indicators and assesses the progress towards meeting these criteria, inclusive of making recommendations to Council on the remuneration review.

A confidential annual review report is reported to Council for formal consideration. Further, the Committee, in conjunction with the Chief Executive Officer, formulates the Chief Executive Officer's annual key performance indicators for recommendation to Council.

The Committee has the authority to undertake discussions with the Chief Executive Officer in relation to employment and remuneration within agreed parameters. As an advisory Committee, the Committee can make recommendations to the Council in relation to the Chief Executive Officer's remuneration review.

2. Objectives

The objective of the committee is to provide a forum for authentic dialogue with the Chief Executive Officer on overall performance and to establish as early as possible in the financial year, and adjust where necessary, the Chief Executive Officer's annual Key Performance Indicators.

3. Membership, Period of Membership and Method of Appointment

The Chief Executive Officer Employment & Remuneration Committee shall ~~comprise~~ comprise:

- at least four Councillors including the current Mayor and Deputy Mayor, and the immediate past Mayor (if available); and the last appointed Mayor, where possible and at least two (2) other Councillors, plus
- An the Independent Member.

A quorum of ~~three~~ four Councillors is required for a meeting.

~~Period of Membership: Council will appoint Councillor representation annually.~~

Method of Appointment: Annually through Councillor Committee Appointments by Council
Councillors are appointed annually by resolution of Council.

The Independent Member shall be appointed periodically by resolution of Council.

Any Councillor not appointed to the Committee may attend a Committee meeting as an observer.

4. Delegated Authority and Decision Making

The committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

5. Meeting Procedures

Meeting procedures are not prescribed. Meetings are to be held at a time and place determined by the Committee.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.

Meetings will follow standard meeting procedures protocols, which are in summary:

- Schedule and confirm meetings with member Councillors in advance, and send invitations to all Councillors.
- Commence on time and conclude by the stated completion time;
- Distribute documentation for the meeting seven days in advance of meetings where practicable, including to non-member Councillors who have indicated an intention to attend as an observer;
~~Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member; Allow five days for Members of the Committee to read any draft minutes, agenda and associated documentation;~~
- ~~An invitation to all Councillors, outside of the Members of this Committee to be issued by the Chair and attend the Committee meetings as observers, Councillors attending as observers will receive the same documentation circulated in advance for their perusal;~~
- Encourage fair and respectful discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

6. Chair

The position of Chairperson shall be held by the Mayor of the day. When this cannot be achieved, the Mayor shall determine the acting Chairperson from other Councillors that sit on this Committee, provided there is a quorum of a minimum of three-four (34) Councillors.

7. Agendas and Meeting Notes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the committee not less than 7 days before the time fixed for the holding of the meeting, in both digital and hard copy formats. The only exception to this deadline is when a public holiday falls on the day the agendas are due, in which case agendas are to be provided close of business 6 days in advance.

Officer reports that fail to meet this deadline, may be considered as supplementary reports and will only be permitted to be included with the approval of the Mayor.

The Chairperson must arrange for meeting notes of each meeting of the committee to be kept.

The meeting notes must:

- (a) contain details of the proceedings and recommendations made;
- (b) be clearly expressed;
- (c) be self-explanatory; and
- (d) incorporate relevant reports or a summary of the relevant reports considered by the committee.

Draft meeting notes must be:

- (a) submitted to the Committee Chairperson for confirmation within 7 days of the meeting;
- (b) distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) submitted to the next meeting of the Committee for information.

Agendas and notes from meetings are not required to be made available to the public.

8. Conduct and Integrity

In performing the role of committee member, a person must comply with the conflict of interest provisions in the *Local Government Act 2020* and the Governance Rules of Knox City Council, and:

- Act with integrity;
- Impartially exercise their responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

9. Reporting

A report of the Chief Executive Officer's annual performance review will be reported to the Council.

10. Administration Support

Administration support will be provided by the ~~Chief Executive Officer~~Customer & Performance Directorate.

11. Contact with the Media

Contact with the Media by committee members will be conducted in accordance with the Councillor and Staff Media Policies.

~~Review Date~~

~~To ensure currency, the Terms of Reference will be reviewed at least nine (9) months prior to any Council election.~~

12. Meals

The provision of refreshments during the course of a committee meeting will be provided in accordance with the Councillor Expenses and Support Policy~~Meals and Beverages for Council Committees Policy~~.

13. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

9.2 Australian Local Government Association (ALGA) Motions

Final Report Destination:	Council
Paper Type:	For Decision
Author	Director Customer and Performance, Greg Curcio
Executive:	Chief Executive Officer, Bruce Dobson

SUMMARY

The Australian Local Government Association (ALGA) will hold its 2023 National Assembly of Local Government (NGA) Conference in Canberra from 2 to 4 July 2024. Council has an opportunity to submit motions to the NGA which if carried, inform ALGA's advocacy priorities.

RECOMMENDATION

That Council endorses the motions as set out in Attachment 1 to this report for submission to the Australian Local Government Association 2023 National General Assembly of Local Government.

1. DISCUSSION

ALGA is the national peak body for local government, representing over 500 councils across Australia. It is a federation of state and territory local government associations, such as the Municipal Association of Victoria (MAV) and its counterparts. ALGA represents local government on national bodies and ministerial councils, including the National Federation Reform Council, and develops policy submissions on federal issues affecting local government. It lobbies the Australian Government and Parliament on specific issues and runs campaigns to secure agreed policy objectives.

The ALGA 2023 National General Assembly of Local Government (NGA) will be held from 2-4 July 2024 in Canberra.

The NGA is a major event and typically attracts more than 600 Mayors, Councillors and Senior Officers from Councils across Australia. Council has the opportunity to submit motions for debate at the NGA which if carried will inform ALGA's advocacy priorities.

A motion is an opportunity to seek national endorsement of Knox's advocacy priorities. As ALGA is a national peak body, any motion submitted must relate to a national issue and suggest a clear policy position which ALGA can advocate for.

The theme of the 2024 NGA is "Building Community Trust". The associated discussion paper calls on councils to submit motions for debate at the NGA, particularly motions that consider:

- How all levels of government in Australia can build trust in each other and earn greater trust from the community;
- Practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- Focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and

- New program ideas that that would help the local government sector to deliver the Australian Government’s objectives.

Officers have prepared two motions for Council consideration which if endorsed would be submitted to the NGA. All motions submitted will be reviewed by the NGA Subcommittee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

Motions carried at the NGA become resolutions, and these resolutions are then considered by the ALGA Board when setting national local government policy and will also feed into the Australian Council of Local Government processes.

Motion 1 – Community Services Access and Personal Identification

This motion links to theme #7 Community Services, with a strong dependency with theme #9 Data, Digital Technology and Cyber Security.

Importantly, this motion aligns with the following NGA considerations:

- Focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- New program ideas that that would help the local government sector to deliver the Australian Government’s objectives.

Access to the internet is essential in today’s world. Many services and programs are being digitized, including booking social housing, and applying for jobs. As the process of digitizing increases, those without access to the internet will be further left behind. Although there are many issues vulnerable people experience in accessing services, including obtaining hardware and SIM cards, the practical issue comes down to having access and providing personal identification documentation – which many vulnerable and homeless community members do not have access to.

The proposed motion for consideration at the NGA is:

This National General Assembly calls on the Australian Government to investigate, advocate, and where possible, implement reforms aimed at assisting the vulnerable when required to provide personal identification requirements that require access to critical digital community services and obtaining a phone number and/or data SIM card. Specifically, the reforms could investigate the requirements for personal identification documents as per The Identity Verification Services Act 2023 and in consultation with the Australian Communications and Media Authority.

Motion 2 – Insurance Affordability and Availability

This motion links to theme #4 Emergency Management.

Importantly, this motion aligns with the following NGA considerations:

- How all levels of government in Australia can build trust in each other and earn greater trust from the community; and
- New program ideas that that would help the local government sector to deliver the Australian Government's objectives.

With the increasing prevalence of natural disasters impacting properties, community members are being priced out of insurance. Additionally, insurance coverage and availability for properties built prior to the changes in insurance assessment mean some households and businesses are forced to go uninsured.

The proposed motion for consideration at the NGA is:

This National General Assembly calls on the Australian Government to investigate and set measures to assist the affordability and availability of insurance for properties in areas that are likely impacted by natural disasters.

2. ENGAGEMENT

Motions were developed in consultation with relevant staff across the Council and stakeholders (including Knox InfoLink regarding Motion 1).

3. SOCIAL IMPLICATIONS

These motions are designed to build community trust with the government and address blockages in national processes that prevent vulnerable members from accessing services.

4. CLIMATE CHANGE CONSIDERATIONS

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

5. ENVIRONMENTAL IMPLICATIONS

Nil.

6. FINANCIAL AND RESOURCE IMPLICATIONS

There are no direct financial or economic implications arising from submitting motions to the NGA.

7. RISKS

Nil.

8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025

Connection, Resilience & Wellbeing

Strategy 4.1 - Support our community to improve their physical, mental and social health and wellbeing.

Strategy 4.2 - Foster inclusivity, equality, belonging and safety within the community.

Strategy 4.4 - Support the community to identify and lead community strengthening initiatives.

Civic Engagement & Integrity

Strategy 5.2 - Manage our resources effectively to ensure financial sustainability and improved customer experience.

9. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

10. STATEMENT OF COMPATIBILITY

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

11. CONFIDENTIALITY

There is no content in this report that meets the definition of confidential information in the Local Government Act 2020.

ATTACHMENTS

1. ALGA Motions (1) [9.2.1 - 2 pages]

MOTION 1: Community Services access and Personal Identification

This National General Assembly calls on the Australian Government to investigate, advocate, and where possible, implement reforms aimed at assisting the vulnerable when required to provide personal identification requirements that require access to critical digital community services and obtaining a phone number and/or data SIM card.

Specifically, the reforms could investigate the requirements for personal identification documents as per *The Identity Verification Services Act 2023* and in consultation with the Australian Communications and Media Authority.

Why is this a national issue and why should this be debated at the NGA?

This motion links to theme #7 Community Services, with a strong dependency with theme #9 Data, Digital Technology and Cyber Security.

Importantly, this motion aligns with the following NGA considerations:

- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Access to the internet is essential in today's world. Many services and programs are being digitized, including booking social housing, and applying for jobs. As the process of digitizing increases, those without access to the internet will be further left behind.

Although there are many issues vulnerable people experience in accessing services, including obtaining hardware and SIM cards, the practical issue comes down to having access and providing personal identification documentation – which many vulnerable and homeless community members do not have access to.

This issue must be debated as the identification policy requirements risk doing harm to vulnerable people, at the expense of the relatively small risks that this cohort presents.

Background information and supporting arguments:

Telecommunication service providers require ID for data and a phone number based on the Australian Communications and Media Authority: <https://www.acma.gov.au/acmas-rules-id-checks-prepaid-mobiles> and *The Identification Verification Services Act 2023* <https://www.legislation.gov.au/C2023A00115/latest/text>

Telstra has indicated there are some early discussions happening in providing relief for vulnerable people, and/or to obtain an exception for this group. However, there needs to be change at a policy level to allow the telecommunication companies to change internal business processes to service this group in the community.

Importantly, this change will allow the telecommunication companies to work with community support groups to enable them to service vulnerable community members to gain access to the internet with a reduced level of identification requirements.

MOTION 2: Insurance Affordability and Availability

This National General Assembly calls on the Australian Government to investigate and set measures to assist the affordability and availability of insurance for properties in areas that are likely impacted by natural disasters.

Why is this a national issue and why should this be debated at the NGA?

This motion links to theme #4 Emergency Management.

Importantly, this motion aligns with the following NGA considerations:

- How all levels of government in Australia can build trust in each other and earn greater trust from the community; and
- New program ideas that that would help the local government sector to deliver the Australian Government's objectives.

With the increasing prevalence of natural disasters impacting properties, community members are being priced out of insurance. Additionally, insurance coverage and availability for properties built prior to the changes in insurance assessment mean some households and businesses are forced to go uninsured.

Background information and supporting arguments:

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, many Australian councils have been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria, and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

From an insurance perspective and trend over time:

- Home insurance claims rose 25% between the financial years 2020–21 and 2021–22 (source: ASIC Report 768 August 2023).
- The total cost of finalised claims increased by around 35% from an average of \$310m per annum over 2009 to 2013, to an average of \$420m per annum over 2014 to 2021 (source: APRA NCPD Analysis May 2023).