1.03 CEO Recruitment, Remuneration and Performance

Council Resolution:	**2024/09/17/014**
Date to take effect:	September 2024
Policy Custodian:	Corporate Services Manager
Review Date:	October 2027
Version (Revision Number)	1.4

1. Purpose

This policy defines the mechanisms and processes that the Coomalie Community Government Council has in place to manage the employment of the Chief Executive Officer (CEO), which is a key responsibility of Council.

This policy supports Council's actions regarding the recruitment, remuneration, and performance of the CEO as required under relevant legislation including the Local Government Act 2019 (NT) – Chapter 9, Local Government (General) Regulations 2021 (NT) – 109, and Guideline 2: Appointing a CEO (NT). This policy also includes Council's position on CEO allowances and other benefits.

2. Scope

2.1 Council is responsible for managing the employment of Council's CEO including recruitment and appointment of the CEO, determining the CEO's contract conditions and remuneration, and undertaking regular reviews of the performance of the CEO.

2.2. In managing the employment of the CEO, all of Council's activities, processes and procedures will comply with all relevant legislative and regulatory requirements, as well as Ministerial Guideline 2 – Appointing a CEO.

2.3 Council will undertake its functions relating to the recruitment, remuneration and performance review of the CEO in accordance with the following best practice principles: merit; fairness; equity; transparency; consistency; and conducive to good governance.

2.4 This policy applies to activities undertaken by Elected Members of Council in relation to managing the employment of the CEO; to incumbents of the CEO position; and to employees of Council responsible for implementing this policy.

3. Definitions

Term	Definition
Council	Coomalie Community Government Council
CEO	Chief Executive Officer
ATO	Australian Taxation Office

4. Policy Statement

4.1 CEO Employment and Remuneration Advisory Panel

Council will establish a CEO Employment and Remuneration Advisory Panel (the panel). The panel will consist of the full Council, and at least one Independent Member.

(a) The Independent Member/s will be appointed following a public process seeking Expressions of Interest from suitably qualified and experienced candidates.

(b) The Independent Member/s must not be a current Elected Member of Council, or Council employee.

(c) The Independent Member/s may be entitled to remuneration based on a sitting fee per meeting, in line with NT guidelines and/or practices for similar positions.

(d) The Independent Member/s travel costs will be reimbursed in accordance with ATO allowances.

The panel will provide advice and support to Council with regards to the following CEO employment processes:

- Recruitment and Appointment of CEO;
- CEO Contract of Employment and Remuneration;
- CEO Performance Review; and
- Contract Expiry.

The CEO will allocate appropriate human resources to provide secretariat support to the panel, to ensure that all reports and documentation required under this policy are recorded and managed in compliance with legislative and regulatory requirements.

4.2 Recruitment and Appointment of CEO

Council is an equal opportunity employer and will ensure that all applicants for the CEO position have equal access to recruitment opportunities, free from discrimination.

The CEO recruitment process will comply with all relevant legislative requirements including the requirements of the Local Government Act 2019 (NT), Local Government (General) Regulations 2021 (NT) and relevant guidelines, and the Anti-discrimination Act 1992 (NT).

The CEO Employment Advisory Panel will assist Council during the CEO Recruitment and Appointment process by undertaking the following functions:

(a) Making a recommendation to Council on the recruitment process for the position of the CEO (and Council must consider the recommendation and pass a resolution on this issue);

(b) Making a recommendation to Council regarding whether Council should engage an independent and suitably qualified recruitment consultant to support Council to recruit and appoint the CEO (and Council must consider the recommendation and pass a resolution on this issue);

(c) Making a recommendation to Council regarding the qualifications and selection criteria for the position that are necessary to effectively undertake the role and duties of the CEO.
In making this recommendation the panel should take into consideration the needs of the Council and Council's Strategic Plan and operating environment. Council must consider the recommendation and pass a resolution on this issue.

(d) Making a recommendation to Council regarding the CEO's Position Description. Council must consider the recommendation and pass a resolution on this issue. The approved description should clearly outline the qualifications, selection criteria and responsibilities of the position, and should be made available to all applicants.

(e) Making a recommendation to Council regarding the proposed CEO contract of employment (see clauses 4 and 5 below). Council must consider the recommendation and pass a resolution on this issue.

(f) Serving as the recruitment panel for the position of the CEO.

In serving as a recruitment panel for the position of the CEO, the panel must comply with all relevant legislative and regulatory requirements including:

(a) Thoroughly verifying the recommended applicant/s work history, qualifications, professional memberships, referees, and claims made in their job application.

(b) Making enquiries to determine the applicant/s eligibility with reference to section 166 of the Local Government Act 2019 (NT).

(c) Determining any potential conflicts of interest that an applicant may have if appointed, and making a recommendation to Council as to how the conflict of interest will be managed). If a conflict of interest is identified in an applicant, the Council must give due consideration as to how the conflict of interest will be managed. If an applicant with a conflict of interest in appointed as CEO, the conflict of interest must be recorded in the Council's resolution made under section 165(1) of the Act and notified as soon as practicable to the Agency after the appointment is confirmed.

(d) Making a recommendation to Council regarding the most suitable applicant for the position of CEO.

In order to appoint a CEO, Council must pass a resolution after considering the panel's recommendations. Council's decision to appoint a CEO is to be based on the principles of merit, equity, and transparency, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria for the position.

4.3 Contractual Requirements

The CEO Employment and Remuneration Advisory Panel will prepare a proposed CEO employment contract for Council's consideration and approval.

In preparing the CEO's employment contract, the panel must ensure the contract meets the legislative and regulatory requirements as well as all relevant employment law requirements, and that the contract is legally binding and valid.

- The panel may choose to seek advice from an independent recruitment consultant to help inform the terms and conditions of the employment contract and the proposed remuneration package.
- The panel will also consider seeking independent legal advice to ensure that the contract is lawful and able to be enforced.

Prior to the execution of the contract, Council must decide the CEO Key Performance Indicators and performance criteria outcomes, which are to then be reviewed at 12-month intervals (see Section 3.6 – CEO Performance Review below).

4.4 CEO Remuneration

As part of the CEO recruitment process, a remuneration package for the CEO is to be approved by the Council.

The *CEO Employment and Remuneration Advisory Panel* will prepare a proposed remuneration package for Council's consideration and approval.

The remuneration package is to cover cash and non-cash benefits and any limitations or entitlements over private use of Council assets.

In determining the proposed remuneration package, the panel will seek advice on remuneration benchmarks, while taking into account any legislative requirements.

Information and data sources that the panel should take into consideration include (but are not limited to):

- Current remuneration data/market rates across the sector for Council and government organisations of a similar size and complexity.
- CEO Position Description.
- Council's organisational structure and the relativity of the CEO's proposed remuneration package with Council's current senior personnel remuneration.
- The regional location context.

In accordance with the **Ministerial Guideline 2**, the remuneration package must not be increased when offering a contract to an applicant.

Council will review the CEO's remuneration package at 12-month intervals.

In reviewing the remuneration, the following benchmarks should be used:

- Key Performance Indicators and performance criteria outcomes.
- Remuneration benchmarked to the equivalent market rates for Council and NT government organisations of a similar size and complexity.
- CPI movements.

Council should also take into consideration:

- Relevant legislative and regulatory requirements and guidelines.
- Any changes to remuneration relativities internally within Council and externally across the sector.
- The importance of retaining key talent and skills within Council.
- The fiscal environment of the Council.

In undertaking the CEO's remuneration review, Council may choose to seek advice and recommendations from the *CEO Employment and Remuneration Advisory Panel*.

4.5 CEO Allowances and Other Benefits

CEO allowances and other benefits form part of the total remuneration package of the CEO and are to be informed by, and subject to, the terms of the CEO's contract of employment.

The CEO's contract of employment will cover:

- The CEO's entitlement to a vehicle.
- The CEO is to comply with *Council's Staff Vehicle Use Procedure*.
- Vehicle specification should be consistent with Council's Fleet, Plant and Equipment Section of the CCGC Asset Management Plan.
- The CEO's entitlements to housing accommodation.

In addition, the CEO is entitled to the following:

- Travel allowances, relocation assistance, salary packaging and employee vaccinations (in accordance with the terms of *Council's Staff Benefits Procedure.*
- Allocation of ICT equipment and services required to perform the role of the CEO (e.g., mobile phone and suitable plan/laptop computer/tablet etc). Allocation and use of ICT equipment is to be in accordance with Council's *Use of Council ICT Resources Policy.*

Subject to appropriate prior authority, provision of documentary evidence and any applicable policies and procedures in place, Council will meet and/or reimburse expenses incurred by the CEO including:

- Membership and subscription fees payable to professional associations which are reasonably necessary or desirable in performance of duties.
- Reasonable costs incurred where attending conferences, seminars or undertaking study.

The CEO may be provided a Corporate Credit Card to use in transactions related to the role of the CEO. Use of a Corporate Credit Card must follow the Council's *Credit Card Policy*.

If an expense is proposed to be incurred by the CEO that is more than what this policy or the CEO contract of employment provides for, the CEO is to seek a resolution of the Council before incurring the expense.

4.6 CEO Performance Review

The performance of the CEO will be reviewed annually by Council. To ensure that the review is conducted with the required principles of fairness, integrity and impartiality, Council will engage the services of an appropriate independent consultant.

The performance of the CEO will be assessed each financial year against the following:

- Successful completion of Key Performance Indicators previously set from Council;
- Achievements which do not relate to set Key Performance Indicators but are of significant benefit to Council;
- Prudent financial management;
- Delivery of objectives set in Council's Strategic Plan and Shire Plan;
- Implementation of appropriate risk management strategies;
- Representation and advocacy on behalf of Council; and
- Management of the organisational culture and recognition of Council as an employer of choice.

The key stages of the annual performance review are as follows:

- Expressions of interest to conduct the review, will be sought from appropriately qualified and experienced consultants.
- Following consultation with the Council and the CEO, the Corporate Services Manager will appoint an independent consultant to conduct the review.
- A formal report on the Council's achievements over the year is provided by the CEO against the criteria determined above.
- The consultant shall seek feedback from Elected Members in relation to the criteria determined above. The CEO and the Council may agree on the appropriateness of feedback being sought from other people including the Executive Leadership Team. Whilst nominated people are requested to provide feedback, they are not required to do so. Note only factual information that is supported by evidence will be included in the report.
- The consultant will provide the draft to Council to ensure it reflects the responses that were received and to ensure there are no modifications required.
- The draft report will be provided to the CEO for review and to provide an opportunity to respond to any points raised.
- After considering the CEO's responses, the consultant will modify the report accordingly and provide the final report to the Manager People and Culture.
- The Corporate Services Manager to present the final report to Council, who will review the following:
  a) Endorsement of the CEO's performance for the period under review;

b) The CEO's remuneration for the next 12 months, having regard to remuneration benchmarked to the equivalent market rates for Council and NT government organisations of a similar size and complexity;
c) Where required, the extension or renewal of the CEO's contract; and
d) Determination of appropriate Key Performance Indicators for the next 12 months.

Should any disputes arise around the CEO Performance Review process or results, appropriate dispute resolution procedures will apply and can include third party mediation.

All parties involved in the CEO Performance Review process must ensure that accurate records are maintained and kept confidential.

4.7 Contract Expiry

The *CEO Employment and Remuneration Advisory Panel* will make a recommendation to Council six months prior to the expiry of the CEO contract, and with regard to current legislative requirements, to:

- Reappoint the CEO; or
- Advertise for recruitment of the position of the CEO.

The panel may also make a recommendation regarding varying the terms of the reappointed CEO's contract of employment.

The panel may seek independent professional advice, where required, to ensure that any proposed recommendations or variations to the CEO's contract of employment meet current legislative and employment law requirements.

4.8 Review of the Policy

The operation of this policy should be reviewed every 3 years or more frequently as may be required, including at the same time when the CEO's contract of employment is reviewed by Council. In this instance, any policy amendments are to be made in alignment with the terms of the CEO's contract. This policy should then be adopted and made available prior to commencing the recruitment process for the CEO.

5. Associated Documents

- CEO Code of Conduct and Complaints
- Credit Card Policy (CEO and Elected Members)
- Employees Gifts, Benefits Policy
- Use of Councils ICT Resources Policy

6. References and Related Legislation

Local Government Act 2019 (NT) – Chapter 9

Local Government (General) Regulations 2021 (NT) – Section 109

Ministerial Guidelines 2: Appointing a CEO (NT)

DOCUMENT HISTORY **1.03 CEO Recruitment, Remuneration and Performance**	
Date Adopted:	17th September 2024
Amended:	**30/01/2025** – Transferred to the new policy template and changed the policy number to align with the new Governance related policies. (Nil wording changed in the document).
Amended:	**21/10/2025** – Amended Elected Member panel numbers as per resolution CONF2025/10/21/033
Amended:	**15/08/2026 –** Amended Clase 4.1 as per resolution CONF2026/08/15/042