

**Notice of the ordinary meeting of**

# **Chief Executive Employment Committee**

## ***Kōmiti Taimahi o te Tumu Whakarae***

Date:	Friday 28 February 2020
Time:	2.00p.m.
Location:	Rūma Whakatū, Civic House 110 Trafalgar Street Nelson

## **Agenda**

### ***Rārangi take***

<b>Chair</b>	Her Worship the Mayor Rachel Reese
<b>Deputy Chair</b>	Cr Judene Edgar
<b>Members</b>	Cr Gaile Noonan Cr Pete Rainey

**Pat Dougherty**  
**Chief Executive**

Quorum: 2

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision.

## ***Chief Executive Employment Committee***

### **Areas of Responsibility:**

- To develop recommended Key Performance Indicators in consultation with the Chief Executive
- To review and monitor the Chief Executive's performance
- To review the Chief Executive's remuneration
- To address any employment related issues as may from time to time arise between the Chief Executive and Council

### **Powers to Recommend:**

- To recommend to Council a performance agreement between the Chief Executive and Council
- To recommend to Council the outcome of an externally facilitated performance review involving the whole of Council
- To recommend to Council any personal development opportunities for the Chief Executive
- To review annually the Chief Executive's remuneration and make recommendations to Council
- To recommend to Council any action arising from employment related issues

**1. Apologies**

Nil

**2. Confirmation of Order of Business**

**3. Interests**

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

**4. Public Forum**

**5. Confirmation of Minutes**

5.1 11 December 2019

**6 - 10**

Document number M6634

Recommendation

***That the Chief Executive Employment Committee***

- 1. Confirms the minutes of the meeting of the Chief Executive Employment Committee, held on 11 December 2019, as a true and correct record.***

**6. Chairperson's Report**

**CONFIDENTIAL BUSINESS**

**6. Exclusion of the Public**

Recommendation

***That the Chief Executive Employment Committee***

- 1. Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official***

**Information and Meetings Act 1987, that Paul Bell of Intepeople remain after the public has been excluded, for the Confidential Agenda as he has knowledge relating to the Chief Executive's employment that will assist the meeting.**

Recommendation

**That the Chief Executive Employment Committee**

- 1. Excludes the public from the following parts of the proceedings of this meeting.**
- 2. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter 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	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<b>Chief Executive Employment Committee Meeting - Public Excluded Minutes - 11 December 2019</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> <li>• Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that</li> </ul>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			such information should continue to be supplied
2	<b>People Metrics for quarter ending 31 December 2019</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied</li> </ul>
3	<b>Chief Executive's Performance Update - mid-year self review</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>



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## Minutes of a meeting of the Chief Executive Employment Committee

**Held in Rūma Whakatū, Civic House, 110 Trafalgar Street, Nelson**

**On Wednesday 11 December 2019, commencing at 10.05a.m.**

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Present: Her Worship the Mayor R Reese (Chairperson) and Councillor G Noonan

In Attendance: Chief Executive (P Dougherty), Manager People and Capability (S Vincent), External Adviser (P Bell) and Team Leader Governance (R Byrne)

Apologies: Councillors J Edgar and P Rainey

### 1. Apologies

Resolved CEE/2019/029

***That the Chief Executive Employment Committee***

***1. Receives and accepts the apologies from Councillors J Edgar and P Rainey.***

Her Worship the Mayor/Noonan

Carried

### 2. Confirmation of Order of Business

Her Worship the Mayor Reese advised that she had agreed to a Public Forum request, which had been received after the agenda had been published.

### 3. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

### 4. Public Forum

4.1 Avner Nahmias and Judy Crowe

Mr Nahmias and Ms Crowe discussed their observations and concerns regarding how Council was run and how it reflected on the Chief Executive. Mr Nahmias spoke on what he thought was a rift between staff and Elected Members at Council, in terms of their roles and functions, and tabled his speaking notes (A2315627).

Judy Crowe spoke about her last term on Nelson Marlborough District Health Board where she had an awakening about systems and institutions. She explained her concern that the policies and compliance systems used by institutions failed the people who were the reason for the institution.

#### **Attachments**

- 1 A2315627 Avner Nahmias and Judy Crowe Public Forum Chief Executive Employment Committee 11Dec2019

## **5. Exclusion of the Public**

Paul Bell, of Intepeople, was in attendance for the Confidential agenda items to answer questions and, accordingly, the following resolution was passed:

Resolved CEE/2019/030

#### ***That the Chief Executive Employment Committee***

1. ***Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Paul Bell of Intepeople remain after the public has been excluded, for items on the Confidential Agenda as he has knowledge relating to the Chief Executive's employment that will assist the meeting.***

Her Worship the Mayor/Noonan

Carried

Resolved CEE/2019/031

#### ***That the Chief Executive Employment Committee***

1. ***Excludes the public from the following parts of the proceedings of this meeting.***
2. ***The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter 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:**

Her Worship the Mayor/Noonan

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<b>People Metrics for quarter ending 30 September 2019</b>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> <li>• Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied</li> </ul>
2	<b>AskYourTeam - Overview of 2019 Staff Survey Results</b>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> <li>• Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice</li> </ul>



Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied
3	<b>Routine Release of Chief Executive's Performance Agreement and Key Performance Indicators</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
4	<b>Verbal Update from Chief Executive on Key Performance Indicators</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>

The meeting went into public excluded session at 10.27am and resumed in public session at 12.57pm.

### **RESTATEMENTS**

It was resolved while the public was excluded:

#### **1 PUBLIC EXCLUDED: People Metrics for quarter ending 30 September 2019**

- 1. Agrees that Report (R13632), and its attachments (A2305150, A2311145) be excluded from public release at this time.**

#### **2 PUBLIC EXCLUDED: AskYourTeam - Overview of 2019 Staff Survey Results**

The decision (CEE/2019/033) Report (R0R13672) and Attachment (A2310930) are available on Council's website [Decisions Released from Public Excluded Session](#).

- 1. Agrees that Report (R13672) and Attachment (A2310930) be made publicly available.***

**3 PUBLIC EXCLUDED: Routine Release of Chief Executive's Performance Agreement and Key Performance Indicators**

- 1. Receives the report Routine Release of Chief Executive's Performance Agreement and Key Performance Indicators (R13673); and***
- 2. Notes that the Chief Executive's Key Performance Indicators will routinely be published on the Nelson City Council website following their approval each year; and***
- 3. Agrees the decision be released from public excluded business.***
- 4. Agrees that Report (R13673) be excluded from public release at this time.***

There being no further business the meeting ended at 12.57p.m..

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date