

The Chief Executive Officer's Performance Review Committee

Narration Script

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Slide 1 — Title — The Chief Executive Officer's Performance Review Committee

Welcome to The Chief Executive Officer's Performance Review Committee, part of the Huon Valley Council Candidate and Councillor Knowledge Series.

Council employs one person. Everyone else who works at Council is employed by that person. Monitoring how that one employee performs is a function the Act gives to councillors, and from the first of November 2026 it is exercised through a committee made up of every councillor.

This module covers why that committee exists, what it can and cannot decide, and what membership of it asks of a councillor.

Slide 2 — Before You Begin

From the first of November 2026, every councillor is a member of the Chief Executive Officer's Performance Review Committee. It is not optional and it is not honorary.

Council resolved in July 2026 to abolish the General Manager's Performance Review Committee on the thirty-first of October, and to establish this one from the first of November with the new Council.

Membership is the whole Council. There is no nomination process and no election — being elected as a councillor makes you a member.

And it decides rather than recommends. Council has delegated the monitoring function, so what the Committee decides is a decision, not a recommendation that comes back to a Council meeting.

One note on titles. The Act uses the term general manager. Huon Valley Council calls that position the Chief Executive Officer. Same office, same person.

Slide 3 — Committees at Council

Council can establish three kinds of committee. A Council Committee under section 23, made up solely of councillors. A Special Committee under section 24, which may include community members or stakeholders. And Statutory Committees required by legislation — the Audit Panel, the Municipal Emergency Management Committee, and a committee to assess a sealed plan amendment.

Council's Committees Policy makes an important point. A formal committee is not the default. It requires resourcing and administration, adds a layer to Council's governance structure, and can dilute the collective decision making that properly sits with councillors as a whole.

So Council will only establish one where the membership needs the formal structure of the Act, where there is a statutory requirement, where decisions must be made under delegation, or where no alternative engagement would work as effectively.

This Committee meets two of those tests. The law requires the Chief Executive Officer's performance to be monitored, and Council decided those decisions should be made under delegation rather than duplicated at a Council meeting.

Slide 4 — A Function of Councillors

Monitoring the performance of the Chief Executive Officer is not an administrative task that happens somewhere in the organisation. The Act gives it to councillors.

Start with the structure. Council employs one person. The Chief Executive Officer is appointed by the Council under section 61, and every other employee is appointed by the Chief Executive Officer, not by councillors.

That single relationship is the whole of Council's direct employment responsibility, and section 28(2)(d) makes monitoring the general manager's performance a function of councillors, exercised collectively.

The Mayor has a specific role. Section 27(1)(g) requires the Mayor to lead and participate in the appointment of the general manager and in the monitoring of their performance. That is why the Mayor chairs — a statutory function, not a courtesy.

And it matters more than its size suggests. Councillors set the direction and adopt the plans and budget; the Chief Executive Officer delivers them. Performance monitoring is where those two responsibilities meet.

Slide 5 — What the Law Requires

The Minister has made an Order under section 61A setting out how a council must monitor its general manager's performance. It is subordinate legislation, so these are requirements rather than guidance.

There must be a written assessment at least once in each twelve-month period, running from the day the Chief Executive Officer was appointed. Note it is the appointment anniversary, not the financial year.

Before performance is assessed, the Chief Executive Officer and the Council must agree on specified, clear and measurable criteria, which may include current and future remuneration. The word to notice is agree — criteria are settled in advance, not imposed after the fact.

Council must ensure the Chief Executive Officer is treated fairly, equitably and without discrimination.

Independent expertise is mandatory. Council must obtain advice from one or more non-councillors qualified in contemporary human resource practices with experience in senior management performance assessments. That is why the Terms of Reference expressly allow an independent facilitator.

And all assessment reports must be prepared and recorded in the minutes of an open or closed council meeting.

Slide 6 — Why the Committee Changed

The current committee is four councillors. With a Council of seven that arithmetic stops working, and the reasoning is a good example of designing a committee around a governance risk.

The General Manager's Performance Review Committee has four members. It monitors performance, conducts the annual review, then makes recommendations back to Council for decision.

With nine councillors, four was a minority — five others still had to be persuaded. After the 2026 elections Council reduces from nine to seven, and four becomes a majority of the whole Council.

Think about what that does to the Council decision. If the four members agreed, the recommendation would carry regardless of what the other three thought. The Council decision becomes a rubber stamp, and Council said plainly that is not a good governance outcome.

Reducing the committee to three fixes the arithmetic but shifts the problem — the same work now falls on fewer councillors.

So the answer was everyone. A committee of the whole means every councillor receives the same information, every councillor can participate in monitoring across the year, and with a delegation in place one decision is made rather than the same matter decided twice.

Slide 7 — What the Committee Does

The Terms of Reference limit the Committee to five roles, and everything it does has to fit within them.

First, to monitor the performance of the Chief Executive Officer in accordance with the employment contract. Note this runs across the year — monitoring is continuous; the review is an event.

Second, to undertake and finalise the annual performance review, in accordance with the contract and any order issued by the Minister, in a timely manner. That timeliness requirement is deliberate; reviews that drift are a common failing in local government.

Third, to appoint an independent facilitator, or engage independent legal or human resources advice as required. Not window dressing — the Minister's Order makes independent input mandatory.

Fourth, to negotiate with the Chief Executive Officer on the salary package and benefits for the following year, at the completion of the review.

And fifth, to make decisions on the contract of employment — other than appointment or dismissal, which is the subject of the next slide.

Slide 8 — The Delegation and Its Limits

Council delegated the monitoring function to the Committee under section 22. What it did not delegate matters just as much.

What was delegated is the function in section 28(2)(d) — to monitor the performance of the general manager — effective the first of November 2026.

What was not delegated is everything else. The delegation is expressly limited to monitoring. It does not extend to the appointment or dismissal of the Chief Executive Officer.

And it could not have. Section 61 places the appointment of the general manager with the Council itself. Appointing or ending that appointment is for the whole Council sitting as Council, following the process in the Minister's Order — a selection panel with councillors in the majority, led by the Mayor.

The delegation also carries conditions — subject to Council's policies and directions, the Act and the By-law, and to obtaining qualified advice under section 65 exactly as Council would.

The boundary matters practically. A councillor in that room needs to know whether the Committee is making a decision or preparing something for Council to decide.

Slide 9 — How It Operates

The Committee runs as a council committee under the Meeting Procedures Regulations, so the procedures councillors already know apply here too.

Membership is all councillors — from November 2026, seven members. The Mayor chairs under section 27(1)(g), and if the Mayor is absent the councillors present elect one of their members to chair that meeting.

The Committee meets at least once every three months, and as often as required to meet the terms of the Chief Executive Officer's employment contract. Quarterly is the floor, not the expectation — monitoring performance across a year takes more than four conversations.

Meetings are convened under the Regulations — notice, agenda, quorum, motions, voting and minutes all apply as at a Council meeting.

And the minutes of each meeting are reported to the next available ordinary meeting of Council — so the Committee's work returns to the Council table even where the decision has already been made.

Slide 10 — Open, Closed and Confidential

A council committee meets in public by default. This one will usually close, and councillors need to understand both why and how.

The Committees Policy provides that a Councillor Committee established as a Council Committee is open to the public, except when dealing with matters properly considered in closed session under regulation 17.

Regulation 17 allows a part of a meeting to be closed where personnel matters are being discussed. One difference worth noting: a Council meeting closes by absolute majority, but a council committee closes by simple majority.

In practice this Committee will close for most of its business, because a named employee's performance, criteria, assessment and remuneration are squarely personnel matters.

The papers follow the meeting — agenda extracts relating to closed matters are not made available for public inspection.

And confidentiality is a decision, not an assumption. At the end of a closed part of a meeting the Committee must consider whether what was discussed stays confidential or is released — rather than treating everything as permanently secret.

Slide 11 — What It Asks of a Councillor

Membership is automatic. Doing it properly is not, and five things make the difference.

Turn up and participate. The point of a committee of the whole is that every councillor contributes. A member who attends and says nothing has not monitored anything, and has still shared in the decision.

Monitor across the year. Evidence gathered over twelve months makes a fair assessment. Impressions formed in the fortnight before a review are the fastest route to a process that feels arbitrary.

Assess against the agreed criteria. The Order requires them to be specified, clear, measurable and agreed in advance. The review measures performance against those — not against a councillor's own list of grievances.

Keep confidences. Information about a person's employment does not leave the room. Not to a journalist, not in the street, not on social media. This is somebody's livelihood and reputation.

And declare an interest. A councillor with a close association with the Chief Executive Officer deals with it exactly as they would in any other meeting.

Slide 12 — Five Things to Remember

Five things to take away.

One. Council employs one person. The Chief Executive Officer is appointed by the Council, and every other employee is appointed by the Chief Executive Officer.

Two. Monitoring that person's performance is a function of councillors under section 28(2)(d), led by the Mayor under section 27(1)(g), and from November 2026 exercised by every councillor through this Committee.

Three. The Committee decides, within limits. Monitoring is delegated to it. Appointment and dismissal are not, and remain with the Council.

Four. The Minister's Order sets the process — a written assessment at least every twelve months, criteria agreed with the Chief Executive Officer in advance, and independent human resources advice that Council must obtain.

Five. It is somebody's employment. Assess against the agreed criteria, keep what is said in the room, and declare any interest.

A committee of the whole was chosen so that no councillor is a spectator in this process. That only works if every councillor treats it that way.