
20.1. Director Recruitment, Selection and Appointment for Infrastructure Management and Corporate and Customer Relations

Author	Chief Executive Officer, Samantha Chamberlain
Authorising Officer	Chief Executive Officer, Samantha Chamberlain
Nature of the Decision	Contractual Executive/Strategic
Attachments	CONFIDENTIAL – Recruitment and Selection Reports <i>to be distributed separately from the agenda.</i>
Confidential Status	<i>This item is confidential under the Local Government Act 1995 due to:</i> <i>a. a matter affecting an employee or employees;</i> <i>b. the personal affairs of any person;</i> <i>c. a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;</i>

Proposal

Endorse the Chief Executive Officer's (CEO) preferred candidates for the positions of Director Infrastructure Management and Director Corporate and Customer Relations, who on the successful completion of all pre-employment testing and checking, be offered employment in the Shire of Capel's (the Shire) senior officer roles.

Officer's Recommendation

That Council:

1. Notes and endorses the Chief Executive Officer's recommendation as contained within CONFIDENTIAL Attachment 20.1.1 (distributed separately) be offered a 5-year contract of employment in the Shire's senior officer positions of Director Infrastructure Management and Director Corporate and Customer Relations, upon successful completion of pre-employment testing and probity checks.
2. Notes and supports that following the negotiation and signing of contracts of employment, a formal public announcement be made.

Background

Pursuant to the *Local Government Act 1995* (the Act) and in accordance with Council Policy 3.26 Designated Senior Employees, Council has designated the following positions as Senior Employees:

1. Director Corporate and Customer Relations.
2. Director Infrastructure Management.
3. Director Community; Planning and Development.



The above senior roles are the outcome of a full organisational restructure process, transitioning the organisation from a two-directorate to a three-directorate structure, as supported by the Council through the Shire's endorsed workforce plan.

Given each senior role was vacant, a recruitment process commenced to select suitable senior officers to fulfill the requirements of each Director position.

The three senior officer positions advertised were:

1. Director Corporate and Customer Relations – vacancy due to substantive officer recruited to the Shire's CEO position.
2. Director Infrastructure Management – new role following the organisational restructure.
3. Director Community, Planning and Development – vacancy due to the substantive officer no longer employed by the Shire.

The recruitment for all three positions was advertised in accordance with the Local Government Act 1995 and Local Government (Administration) Regulations 1996. The contents of the Vacancy Advertisement and the public notice met the requirements of the Regulations.

The application advertising period was from 18 June 2026 to 13 July 2026.

A total of 110 applications were received for all three positions.

Interviews commenced on Monday 3 August 2026 through to Wednesday 5 August 2026.

Of the three positions advertised, two senior officer roles have selected preferred candidates, with the remaining senior officer role of Director Community; Planning and Development remaining vacant.

A further recruitment process will commence for this position in the near future.

Decision Framework

Shire of Capel Strategic Community Plan 2025-2035

Direction 4 - Deliver good leadership, governance and decision-making

4.2 Informed and transparent decision making

4.4 Increased attraction and retention of high quality staff to deliver optimal services to the community

Direction 6 - Effective communication, engagement and relationship development

6.1 Greater trust and the development of positive relationships within the Shire and with the community

6.2 Improved cross sector relationships and collaboration

Corporate Business Plan 2025-2029

- CEO 6 - **Organisational Outcomes** - Develop a holistic organisational improvement plan through a best practice (efficiency and effectiveness) framework that enhances service results, values, innovation, efficiency and sustainability through implementation of service reviews.
- CEO 10 - **Organisational Structure** - Continue to implement an organisational structure and resource allocation via the Workforce Plan and Annual Budget that achieves organisational

outcomes in the Strategic Community Plan, Corporate Business Plan and relevant informing (LTFP, asset).

- CEO 11 - **Regional Outcomes** - Develop and maintain positive regional collaboration with other local authorities, government departments, commercial organisations and businesses to achieve individual Shire and regional outcomes.

Statutory Framework

Local Government Act 1995 Division 4 – Local Government Employees

5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.
- (3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
- (4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

5.39. Contracts for CEO and senior employees

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.
- (1a) Despite subsection (1) –
 - (a) an employee may act in the position of a CEO or a senior employee for term not exceeding one year without a written contract for the position in which he or she is acting; and
 - (b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.
- (2) A contract under this section –
 - (a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
 - (b) in every other case, cannot be for a term exceeding 5 years.
- (3) A contract under this section is of no effect unless –
 - (a) the expiry date is specified in the contract; and
 - (b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and
 - (c) any other matter that has been prescribed as a matter to be included in the contract has been included.
- (4) A contract under this section is to be renewable and subject to subsection (5), may be varied.
- (5) A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.

- (6) Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.
- (7) A CEO is to be paid or provided with such remuneration as is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7A.
- (8) A local government is to ensure that subsection (7) is complied with in entering into, or renewing, a contract of employment with a CEO.

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees –

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and
- (c) employees are to be treated fairly and consistently; and
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and
- (e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and
- (f) such other principles, not inconsistent with this Division, as may be prescribed.

Local Government (Administration) Regulations 1996

18A. Vacancy in position of CEO or senior employee to be advertised (Act s. 5.36(4) and 5.37(3))

- (1) If a position of CEO, or of a senior employee, of a local government becomes vacant, the local government must give Statewide public notice of the position unless it is proposed that the position be filled by –
 - (a) a person who is, and will continue to be, employed by another local government and who will fill the position on a contract or contracts for a total period not exceeding 5 years; or
 - (b) a person who will be acting in the position for a term not exceeding one year.

Policy Framework

The following Shire Policies apply:

- Council Policy 3.26 Designated Senior Employees.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Service Delivery	Possible	Major	Recruitment of suitably qualified and highly capable Directors will ensure that outcomes detailed in the Shire's

Rating: High			strategic and operational plans are delivered to the community.
Risk Description: Organisation's Executive is not capable of meeting the service delivery requirements of the community.			
Risk 2 Legislative Compliance Rating: Medium	Possible	Moderate	Recruitment is compliant with required legislative and regulatory requirements.
Risk Description: Recruitment may be challenged and ultimately invalidated through non-compliance, increasing the period of acting arrangements and prolonging organisational instability.			
Risk 3 Reputation Rating: High	Possible	Major	Recruitment of suitably qualified and highly capable Directors will ensure that the Shire reputation with the State and the sector is enhanced.
Risk Description: Reputation of the Shire is damaged through the recruitment process and / or the selection of new Directors.			
Opportunity: Recruitment of skilled, experienced and capable Directors will complement and enhance the Shire's Executive Leadership Team and the overall organisational capability.			

Financial Implications

Budget

All recruitment costs are included in the adopted Annual Budget.

Director salaries and total remuneration benefits are costed within the adopted Annual Budget.

Long Term

As no assets / infrastructure are being created, there are no long term financial implications relevant to this proposal.

Sustainability Implications

Climate Change and Environmental

There are no relevant climate change and environmental implications relevant to this item.

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

The Director recruitment process was managed through an external consultant, and a suitably qualified independent professional was appointed to be a part of the recruitment panel for each Director interview process.

Internal Consultation

The People and Culture Team were involved in the recruitment process.

Officer Comment

Following the process to restructure the organisation earlier this year from a two-directorate to a three-directorate structure, a recruitment process commenced to select suitable senior officers to fulfill the requirements of each Director position.

The three senior officer positions advertised were:

1. Director Corporate and Customer Relations – vacancy due to substantive officer recruited to the Shire's CEO position.
2. Director Infrastructure Management – new role following the organisational restructure.
3. Director Community, Planning and Development – vacancy due to the substantive officer no longer employed by the Shire.

The recruitment for all three positions was advertised in accordance with the Local Government Act 1995 and Local Government (Administration) Regulations 1996. The contents of the Vacancy Advertisement and the public notice met the requirements of the Regulations.

Advertisements were posted in the press and online in the following places:

1. The West Australian publication (Wednesday 24 June 2026).
2. Seek.
3. LinkedIn.
4. Beilby Downing Teal website.
5. The Shire of Capel website.
6. The Shire of Capel Facebook page.
7. LG Professionals website.
8. Printed and placed on noticeboards in the Shire's administration building and libraries.

The application advertising period was from 18 June 2026 to 13 July 2026.

A targeted search was undertaken, and a total of 34 individuals were identified and notified of the opportunity.

Candidates emanating from both advertising and targeted search were requested to apply on-line through the Beilby Downing Teal website.



During the advertising period, Beilby Downing Teal responded to prospective candidate emails and phone enquiries.

A total of 110 applications were received for all three positions.

Of the three positions advertised, two senior officer roles have selected preferred candidates, with the remaining senior officer role of Director Community; Planning and Development remaining vacant.

A further recruitment process will commence for this position in the near future.

The current Acting Director Community; Planning and Development has agreed to continue in this role until a successful candidate is appointed.

Beilby Downing Teal prepared a summary matrix of all applications which was presented to the shortlisting panels.

Shortlisting was completed with a matrix that reviewed candidates against the advertised selection criteria.

The recruitment and Selection report (CONFIDENTIAL Attachment 20.1.1 – distributed separately) summarises the recruitment process; applications received, interviews, reference checking and pre-appointment assessment undertaken.

The reports detail the justification associated with the preferred candidates recommended for appointment to the Shire's senior officer vacancies.

Summary

Following the process to restructure the organisation earlier this year, three vacant Director positions were advertised via Statewide publication as prescribed within the *Local Government (Administration) Regulations 1996* and in both local, statewide and national professional networks.

The application advertising period was from 18 June 2026 to 13 July 2026.

The consultant received a total of 110 applications for the three Director positions from within WA and Interstate.

Five (5) candidates were shortlisted for each interview process, followed by reference checking and preliminary pre-employment assessments.

Of the three positions advertised, two senior officer roles have selected preferred candidates, with the remaining senior officer role of Director Community; Planning and Development remaining vacant.

A further recruitment process will commence for this position in the near future.

Council endorsement is sought regarding the identified preferred candidates detailed in the Recruitment and Selection report (CONFIDENTIAL Attachment 20.1.1 – distributed separately) to enable the completion and execution of contractual arrangements.



Voting Requirements

Absolute Majority.

Officer's Recommendation – 20.1.

That Council:

1. Notes and endorses the Chief Executive Officer's recommendation as contained within **CONFIDENTIAL Attachment 20.1.1 (distributed separately)** be offered a 5-year contract of employment in the Shire's senior officer positions of Director Infrastructure Management and Director Corporate and Customer Relations, upon successful completion of pre-employment testing and probity checks.
2. Notes and supports that following the negotiation and signing of contracts of employment, a formal public announcement be made.