



That Council pursuant to Regulation 15(9) of the *Local Government (Meeting Procedures) Regulations 2015*, having considered privacy and confidentiality issues, has determined to release a redacted version of the Key Findings of the Review of the Recruitment Process for the New General Manager Appointment Report'. The information from the report approved for release includes:

1. That Council being aware of public interest in the circumstances of the appointment of its new General Manager and having taken the step of commissioning a thorough independent review of the appointment process, considers that it is appropriate in the interests of informing the public as to the outcome of that review that it formally accept and adopts the following summary of the key findings of that review. Namely that:
 - 1.1 On 6 May 2021, a potential conflict of interest came into existence.
 - 1.2 Ideally, the recruitment agency engaged by the Council ('the recruitment agency') should have disclosed the potential conflict to Council's Recruitment Panel.
 - 1.3 On 24 May 2021, there was an actual conflict.
 - 1.4 The failure to disclose the conflict (to the Council) until 4 July 2021 was not a disclosure 'as soon as practicable' and in breach of the Conflict of Interest Policy of the recruitment agency.
 - 1.5 The recruitment agency in good faith disclosed the conflict as soon as (it) considered it appropriate to do so.
 - 1.6 The responsibility to appropriately manage the conflict ultimately lies with Council and not Ms Inches the recruitment agency.
 - 1.7 The recruitment agency assiduously restricted her involvement in the recruitment process to follow the control measures (proposed by the recruitment agency). In the circumstances there was no actual bias or undue influence in the recruitment process as a consequence of the late disclosure.
 - 1.8 Council's appointment of the recruitment agency, a reputable and highly credentialed executive recruitment agency in Tasmania, was appropriate in the circumstances.

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- 1.9 Council's Recruitment Panel should have referred the conflict back to the full Council to resolve how to manage it when meeting on 5 July 2021 to, among other things, discuss the conflict which was notified to them on 4 July 2021. The late disclosure by the recruitment agency would have made it undesirable to remove the recruitment agency from the process at a late stage. The Recruitment Panel was confident in being able to select for themselves a short list but was unaware as to how to properly manage such a conflict.
- 1.10 The full Council did not properly consider the adequacy of the management of the conflict of interest until its ordinary meeting on 25 August 2021 where the focus is on resolving to decide the preferred candidate and a coterminous independent review of the recruitment process as to the conflict of interest. The late notification of the conflict of interest by Council's Recruitment Panel disadvantaged the full Council in managing the conflict and, like the Panel, the full Council lacked an adequate understanding of the conflict of interest issue.
- 1.11 The restriction of the recruitment agency not being involved in any decision as to the relevant candidate's suitability to manage the conflict of interest did not adequately address the perceived bias.
- 1.12 The appropriate management strategy was to remove the recruitment agency from the recruitment process. This would have entirely removed the perceived conflict of interest or any potential conflict of interest.
- 1.13 There was no actual bias in Council's resolution of the relevant candidate as the preferred candidate. Each of the Councillors selected their preferred candidate following the process recommended by the recruitment agency and free from any influence or bias created by the recruitment agency. The Panel members selected their preferred 6 candidates, and then their top 3 following interviews to present to Council, and then their individually preferred candidate following a full Council interview. They did so using an Assessment Matrix where they scored candidates. The remaining 5 Councillors did the same in selecting their individually preferred candidate from the 3 candidates presented to full Council.
- 1.14 The Council's management of the conflict of interest in the General Manager recruitment process did not breach the Code of Conduct, LG Act or Framework.



- 1.15 The conduct engaged in by the Council in managing the conflict falls below expected standards of managing conflicts, particularly having regard to the need for public confidence in the recruitment process of its General Manager.
2. Notes the finding of the Independent Review that there was no actual bias in the appointment process but resolves to have regard to the findings of the Independent Review in all future appointment processes.