

Rebecca Watson

From: official information
Sent: Friday, 28 June 2019 10:27
To: [REDACTED]
Cc: official information
Subject: LGOIMA 19147: Performance Criteria in the CE's contract

Kia ora,

Further to your information request of 6 June 2019 in respect of performance criteria in the CE's contract, I am now able to provide Hamilton City Council's response.

You requested.:

Sorry to keep asking on this subject. Can I narrow the scope to the performance criteria in the CE contract? This is about the position, not the person, so should not be subjected to the natural person privacy.

In particular, I note that the press release stated there was no incentive or at-risk pay, so I am trying to understand the basis for the pay rises. What process, discussions, and decisions were there about performance leading to the extension of the contract?

Our response:

Can I narrow the scope to the performance criteria in the CE contract?

The CE's performance is reviewed and assessed annually against agreed key performance criteria, as well as a mix of skills and attributes considered necessary by that local authority for the future. These might include, but not limited to, leadership impact, building organisational capability, building a high performance culture and responding to challenges around growth.

What process, discussions, and decisions were there about performance leading to the extension of the contract?

Following annual performance assessments the CEO Review Committee makes recommendations to Council on all matters relating to the employment of the CE. Following the CE's 2017 performance review and in accordance with the Local Government Act, a recommendation was made and accepted by Council to extend the CE's contract by a further two years (the maximum allowable second term) to provide certainty and continued business continuity through until October 2021. Please refer below to the current CEO Review Committee Terms of Reference:

CEO Review Committee

Reports to:	The Council
Chairperson:	Cr Rob Pascoe
Membership:	Mayor Andrew King
Meeting frequency:	As required
Quorum:	Two members

Purpose and Terms of Reference:

To review the Chief Executive's performance and make recommendations to the Council about all matters relating to the employment of the Chief Executive and the Chief Executive's employment agreement.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz

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From: official information**Sent:** Friday, 7 June 2019 3:52 PM**To:** [REDACTED]**Cc:** official information <officialinformation@hcc.govt.nz>**Subject:** Re: LGOIMA 19147: Performance Criteria in the CE's contract

Kia ora,

I write to acknowledge your information request of 6 June 2019 in respect of performance criteria in the CE's contract.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not "as soon as reasonably practicable", no later than 20 working days after the day we received your request. We will respond to you no later than 4 July 2019.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz

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From: [REDACTED]**Sent:** Thursday, 6 June 2019 3:58 PM**To:** official information <officialinformation@hcc.govt.nz>**Subject:** Re: FW: LGOIMA 19117: CEO contract

Thank you Amy

Sorry to keep asking on this subject. Can I narrow the scope to the performance criteria in the CE contract? This is about the position, not the person, so should not be subjected to the natural person privacy.

In particular, I note that the press release stated there was no incentive or at-risk pay, so I am trying to understand the basis for the pay rises. What process, discussions, and decisions were there about performance leading to the extension of the contract?

The rest of the minutes are not required.

Thank you



On 04 June 2019 at 11:55 official information <officialinformation@hcc.govt.nz> wrote:

Kia ora

Further to your information request of 13 May 2019 in respect of CEO contract, I am now able to provide Hamilton City Council's response.

You requested:

What was the initial term of employment (i.e. duration) at the commencement of Richard Briggs' original contract in 2014? I don't simply want a date, I want the clauses covering the term of employment.

What was the earliest termination date where the council could cease employment of Richard Briggs.

Was that term of employment subject to a performance review in 2017?

Was the initial term of employment extended in 2017 by four years or was there a new appointment (i.e. new contract) of four years? If neither, provide detailed clauses of the contract or any information to explain the nature of the contract employment period between 2017 and 2021.

Please provide minutes of the council meeting in 2014 where Mr Briggs was appointed, including public excluded parts of the meeting, that cover the appointment, in particular the duration of the appointment.

Please provide minutes of the council meeting in 2017 where Mr Briggs' contract was extended or reappointed, including public excluded parts of the meeting, related to the review, extension, and/or reappointment.

Our response:

What was the initial term of employment (i.e. duration) at the commencement of Richard Briggs' original contract in 2014? I don't simply want a date, I want the clauses covering the term of employment.

The term of employment was for a period of five (5) years commencing 18 October 2014 and expiring on 18 October 2019.

What was the earliest termination date where the council could cease employment of Richard Briggs.

At the conclusion of the term of the CE's original contract as set out above.

Was that term of employment subject to a performance review in 2017?

The term of employment was for a period of five (5) years commencing 18 October 2014 and expiring on 18 October 2019. Under his employment contract, the CE is subject to an annual performance review.

Was the initial term of employment extended in 2017 by four years or was there a new appointment (i.e. new contract) of four years? If neither, provide detailed clauses of the contract or any information to explain the nature of the contract employment period between 2017 and 2021.

The CE's contract was extended for a further 2 years to October 2021 by resolution of the Council on 27 July 2017 as per the media release sent to you as part of our original response (dated 29 April 2019).

Please provide minutes of the council meeting in 2014 where Mr Briggs was appointed, including public excluded parts of the meeting, that cover the appointment, in particular the duration of the appointment.

Please provide minutes of the council meeting in 2017 where Mr Briggs' contract was extended or reappointed, including public excluded parts of the meeting, related to the review, extension, and/or reappointment.

We have determined to refuse this part of your request under (section 7(2)(a) Local Government Official Information and Meetings Act 1987 (LGOIMA) - to protect the privacy of natural persons). As per our original response to you dated 29 April 2019, we have again provided the media releases pertaining to Mr Brigg's appointment as CE and the extension of his contract. The media release in which Mr Brigg's was appointed <https://www.hamilton.govt.nz/our-council/news/Pages/default.aspx?newsItem=3809> and the media release in which the contract was extended for a further 2 years <https://www.hamilton.govt.nz/our-council/news/Pages/default.aspx?newsItem=5658>

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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From: official information

Sent: Tuesday, 14 May 2019 7:59 AM

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>

Subject: RE: LGOIMA 19117: CEO contract

Kia ora

I write to acknowledge your information request of 13 May 2019 in respect of CEO contract.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not “as soon as reasonably practicable”, no later than 20 working days after the day we received your request. We will respond to you no later than 11 June 2019.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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From: [REDACTED]
Sent: Monday, 13 May 2019 12:15 PM
To: official information <officialinformation@hcc.govt.nz>
Subject: RE: LGOIMA 19091: CEO contract

Hi

Thank you for your response. The first link to media releases did not work (error 404). The second link was useful.

What was the initial term of employment (i.e. duration) at the commencement of Richard Briggs' original contract in 2014? I don't simply want a date, I want the clauses covering the term of employment.

What was the earliest termination date where the council could cease employment of Richard Briggs.

Was that term of employment subject to a performance review in 2017?

Was the initial term of employment extended in 2017 by four years or was there a new appointment (i.e. new contract) of four years? If neither, provide detailed clauses of the contract or any information to explain the nature of the contract employment period between 2017 and 2021.

Please provide minutes of the council meeting in 2014 where Mr Briggs was appointed, including public excluded parts of the meeting, that cover the appointment, in particular the duration of the appointment.

Please provide minutes of the council meeting in 2017 where Mr Briggs' contract was extended or reappointed, including public excluded parts of the meeting, related to the review, extension, and/or reappointment.

Note - any financial information may be redacted. The term of employment is not commercially sensitive. There is no frank speech affected.

[REDACTED]

On 29 April 2019 at 14:50 official information <officialinformation@hcc.govt.nz> wrote:

Kia ora,

I write to acknowledge your information request of 27 April 2019 in respect of CEO contract and I am able to provide Hamilton City Council's response.

You requested:

Please provide me with the commencement date of Chief Executive Richard Briggs' current employment contract and its completion date.

Our response:

As per our media releases, which you can find [here](#) and [here](#) , Chief Executive Richard Briggs's commencement date was 17 October 2014 and his contract was extended on 27 July 2017 to October 2021.

Kind regards,

Amy Viggers
On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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From: [REDACTED] >
Sent: Saturday, 27 April 2019 1:00 PM
To: official information <officialinformation@hcc.govt.nz>
Subject: CEO contract

Hello

Please provide me with the commencement date of Chief Executive Richard Briggs' current employment contract and its completion date.

Regards

[REDACTED]