



# CAO Hiring Select Committee

## Agenda

Date: Thursday, December 19, 2024  
Time: 9:00 am  
Location: Electronic Zoom Meeting

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### Pages

**1. CALL TO ORDER / LAND ACKNOWLEDGEMENT**

**2. APPROVAL OF AGENDA**

**3. SELECT COMMITTEE BUSINESS**

**3.1 Performance Evaluation Policy Project with Leaders International - Briefing**

2 - 10

**4. CLOSED MEETING**

That the Chief Administrative Officer Hiring Select Committee close this meeting to public subject to Sections 90 (1) (a) and (j) of the Community Charter in order to consider matters related to personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the Islands Trust and staff be invited to remain at the meeting.

**5. RISE AND REPORT**

**6. MINUTES OF PREVIOUS MEETING**

**6.1 November 21, 2024 draft minutes**

11 - 12

**7. NEXT MEETING**

The next CAO Hiring Select Committee is scheduled to be held electronically January 13, 2025 beginning at 9:00 AM.

**8. ADJOURNMENT**



# BRIEFING

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|                 |                                                                               |                            |                   |
|-----------------|-------------------------------------------------------------------------------|----------------------------|-------------------|
| <b>To:</b>      | <b>CAO PEP Select Committee</b>                                               | <b>For the Meeting of:</b> | December 19, 2024 |
| <b>From:</b>    | <b>Executive Assistant</b>                                                    | <b>Date Prepared:</b>      | December 13, 2024 |
| <b>SUBJECT:</b> | <b>Performance Evaluation Policy (PEP) Project with Leaders International</b> |                            |                   |

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## **PURPOSE:**

For the PEP Select Committee to meet with Leaders International, project consultants, and discuss contract deliverables regarding the development of a CAO Performance Evaluation Policy for Islands Trust.

## **BACKGROUND:**

Islands Trust has engaged Leaders International in the following service contract deliverables:

1. Review material provided by Trustee Falck and Trustee Patrick to Trust Council on December 7, 2023 regarding evaluation of Chief Administrative Officers;
2. Work with the Chief Administrative Officer Performance Evaluation Policy (CAOPEP) Select Committee, to develop a policy for the performance evaluation of the Islands Trust Chief Administrative Officer; and
3. Assist the CAOPEP to make recommendations to Trust Council on adoption of a Chief Administrative Officer Performance Evaluation Policy

Trust Council resolution TC-2023-098 requests that the above deliverables be reported back to Trust Council by March 2024.

The following timeline is presented for consideration in order for the consultant's deliverables to meet Trust Council's request to report back in March on this policy work:

- January 6, 2025 - deadline to receive Leaders first review and draft policy.
- January 13, 2025 - CAO Select Committee business meeting. Request for review and decision of draft policy.
- January 27, 2025 – deadline to receive Leaders second review and draft policy.
- February 3, 2025 – CAO Select Committee business meeting. Request for review and decision of draft policy.

Should the committee wish for another meeting to review the policy prior to the February 20, 2025 Trust Council agenda deadline there may be time available.

- February 20, 2025 – deadline to receive agenda items for addition in March Trust Council agenda package.
- February 28, 2025 Trust Council March 11-13, 2025 agenda published.

**ATTACHMENT(S):**

- 1. Trustees Falck and Patrick review material from December 2023 Trust Council Meeting**

**FOLLOW-UP:**

As directed.

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**Prepared By:** Executive Administrative Assistant

**Reviewed By/Date:** DLS Marlor, December 17, 2024

**Subject: Review and Discussion of the Chief Administrative Officer Liaison duties described in Section 9 of Policy 2.4.1 - Executive Committee Terms of Reference.**

**RECOMMENDATION:**

**WHEREAS:**

- A. Annual performance reviews of the Chief Administrative Officer (CAO) are crucial for the proper management of the Islands Trust.
- B. Among local governments in British Columbia, annual CAO performance reviews are conducted in accordance with standard practices that require the appraisal to follow rigorously structured procedures that:
  - are documented in detail and include prescribed timelines;
  - have been designed to provide the CAO with an accurate and comprehensive performance assessment to better enable the achievement of strategic priorities through improved organizational performance;
  - ensure fairness by relying on the guidance of a neutral third party at each stage of the evaluation process; and
  - are supervised by the municipal council or regional district board that, as the case may be, employs the CAO.
- C. Under section 17(3) of the *Islands Trust Act*, the Trust Council is deemed to be the CAO's employer.
- D. Section 9 of Policy 2.4.1 "Executive Committee Terms of Reference" identifies the procedures for the employment, appraisal, and termination of a CAO. These do not meet the minimum accepted standards and practices followed by other local governments in the province and, with respect to CAO performance reviews in particular, Section 9 does not:
  - recognize Trust Council as the decision-making authority in the review process;
  - describe the steps to be followed in conducting the review; or
  - prescribe timelines for the review.
- E. In practice, CAO performance reviews at the Islands Trust:
  - have not been consistently undertaken on an annual basis;
  - have involved minimal or no input from Trust Council and those trustees who are not members of the Executive Committee; and
  - have not involved the participation of the CAO's direct reports.
- F. Section 9 of Policy 2.4.1 has not been updated since 2014.

**TRUST COUNCIL THEREFORE RESOLVES:**

- 1. Section 9 of Policy 2.4.1 and Attachment 1 thereto are repealed;
- 2. A new policy entitled "Annual Performance Review and Employment — Chief Administrative Officer", the provisions of which are set out in the Appendix A to this resolution and based on the

best practices described in the 2023 Canadian Association of Municipal Administrators “CAO Performance Evaluation Toolkit – Guide for the Mayor & Council”, is adopted to take immediate effect (Policy);

3. A Special Committee of Trust Council (Special Committee) comprised of the chairs of Trust Council’s four standing committees is established to coordinate the implementation of the Policy in accordance with the duties assigned to such committee in the Policy;
4. The Special Committee initiate and coordinate the Chief Administrative Officer performance review for 2023 in accordance with the Policy; and
5. The engagement of the independent consultant prescribed by the Policy be funded:
  - (a) for the 2023 performance review, by drawing from the general revenue surplus fund; and
  - (b) for each subsequent year by its inclusion as a permanent budget item.

**FINANCIAL:** Annual budget for independent consultant

**ATTACHMENT(S):** Appendix A: Annual Performance Review and Employment — Chief Administrative Officer. Attachment 1: Terms of Reference Chief Administrative Officer Hiring Committee

## **Appendix A**

### **DRAFT FOR DISCUSSION**

#### **Annual Performance Review and Employment — Chief Administrative Officer**

1. In the event the position of Chief Administrative Officer (CAO) becomes vacant for any reason and in accordance with Attachment 1 to this Policy:
  - (a) The Special Committee of Trust Council (Special Committee) shall coordinate the formation and operation of a Chief Administrative Officer Hiring Committee (CAOHC) comprised of the members of the Executive and Special Committees.
  - (b) The CAOHC shall be responsible for recruiting a suitable candidate and recommending the selection to Trust Council.
  - (c) Upon Trust Council's appointment of a new CAO, the CAOHC shall be responsible for the CAO's orientation and evaluation during their initial six-month period of probationary employment.
2. Following the CAO's six-month period of probationary employment, the Special Committee in consultation with Trust Council shall in each calendar year coordinate a performance review of the CAO and, if necessary, be responsible for implementing any disciplinary actions directed by Trust Council.
3. The annual review shall assess the CAO's performance during the preceding year against the following criteria:
  - (a) The timeliness of the land planning services delivered by Islands Trust staff (Staff) to Local Trust Committees, which in all cases should meet the highest professional standards.
  - (b) The effectiveness and efficiency by which Trust Council's other strategic objectives and priorities have been implemented, which in all cases should be done in a fiscally prudent manner.
  - (c) The degree to which Islands Trust operations have been effective in supporting Local Trust Committees and Trust Council committees. Among other things, it is expected that Staff will be fully collaborative in their dealings with trustees.
  - (d) The soundness and sufficiency of the advice the CAO has provided to Trust Council in the CAO's capacity as its principal adviser.
  - (e) The extent to which specific performance objectives agreed upon between Trust Council and the CAO for the period under review have been met.
4. The purpose of the CAO performance review shall be to provide:
  - (a) A formal framework for Trust Council and the CAO to jointly examine and discuss their professional working relationship.
  - (b) The CAO with Trust Council's assessment of the extent to which the CAO has satisfactorily fulfilled the responsibilities of the position as set out in the relevant legislation and Islands Trust policies, and has met the leadership standards required of the role.
  - (c) Clear direction to the CAO in the form of specific performance objectives that identify Trust Council's performance expectations for the next calendar year.
  - (d) A basis for salary adjustments.

5. The review process shall be comprised of the following elements and guided by the following timelines:

| Sequence | What                                                                     | Who                                                                           | When           | Notes                                                                              |
|----------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------|
| 1        | Performance review process initiated.                                    | By Trust Council resolution.                                                  | By December 31 |                                                                                    |
| 2        | Independent Consultant appointed.                                        | By Trust Council resolution after receiving Special Committee recommendation. | By December 31 |                                                                                    |
| 3        | Trustees are interviewed.                                                | Independent Consultant & Trustees.                                            | January        | Kept confidential.                                                                 |
| 4        | CAO interviewed & provides self-evaluation.                              | Independent Consultant & CAO.                                                 | January        | Kept confidential.                                                                 |
| 5        | CAO's direct reports are interviewed.                                    | Independent Consultant & CAO's direct reports.                                | January        | Kept confidential.                                                                 |
| 6        | Initial report.                                                          | Independent Consultant.                                                       | February       | To CAO & Special Committee.                                                        |
| 7        | Comprehensive report.                                                    | Independent Consultant.                                                       | February/March | Presented to Trust Council <i>in camera</i> .                                      |
| 8        | Discuss findings with CAO.                                               | Special Committee & Independent Consultant.                                   | February/March | Special Committee to receive prior direction from Trust Council <i>in camera</i> . |
| 9        | Develop mutually agreed upon performance objectives for the coming year. | Special Committee, CAO & Independent Consultant.                              | February/March | Special Committee to receive prior direction from Trust Council <i>in camera</i> . |

| Sequence | What                                                            | Who                          | When         | Notes                     |
|----------|-----------------------------------------------------------------|------------------------------|--------------|---------------------------|
| 10       | Completion of performance review and report on lessons learned. | Independent Consultant.      | By March 31. | To Trust Council and CAO. |
| 11       | Salary review.                                                  | By Trust Council resolution. | By March 31. |                           |

6. In consultation with Trust Council, the Special Committee shall be responsible for the scheduling of the dates and times for each stage of the CAO's performance review.
7. To facilitate each CAO annual performance review, the Director, Administrative Services shall at the Special Committee's direction instruct Staff to provide to the Special Committee such support as it may require.
8. After the CAO's completion of their initial six-month period of probationary employment and in the event either the Executive Committee or the Special Committee deem it necessary:
  - (a) The Special Committee shall coordinate the formation and operation of a Chief Administrative Officer Employment Evaluation Committee (CAOEEC) comprised of the members of the Executive and Special Committees.
  - (b) The chair of Trust Council will preside over meetings of the CAOEEC, which will follow the procedures for committee meetings as established by the current Meeting Procedures Bylaw.
  - (c) The CAOEEC shall be responsible for consulting with the Public Service Agency regarding the CAO's potential termination.
  - (d) The CAOEEC shall make a recommendation to Trust Council that includes a comprehensive review and assessment of the CAO's competencies.
  - (e) In the event Trust Council authorizes the CAO's termination, the CAOEEC shall ensure it is implemented in accordance with the requirements of the *Employment Standards Act*.

## **Attachment 1**

### **DRAFT FOR DISCUSSION**

#### **Terms of Reference**

##### **Chief Administrative Officer Hiring Committee**

#### **1. Purpose**

- 1.1. The purpose of these Terms of Reference is to guide a Chief Administrative Officer Hiring Committee (CAOHC) that has been established under Section 1 of the Annual Performance Review and Employment — Chief Administrative Officer Policy.

#### **2. References**

- 2.1. The following references are relevant to these Terms of Reference:

- 2.1.1. Annual Performance Review and Employment — Chief Administrative Officer Policy.
- 2.1.2. The job description for the Chief Administrative Officer (CAO) position current at the time the CAOHC is formed.
- 2.1.3. The Public Service Agency Policies and Procedures regarding hiring processes and probationary periods for Exempt Staff current at the time the CAOHC is formed.
- 2.1.4. *Public Service Act*.

#### **3. Background**

- 3.1. The hiring process for a CAO must follow the requirements of the *Public Service Act*, including the policies and procedures of the BC Public Service Agency and requirements of the BC Merit Commissioner.
- 3.2. All appointments to the BC Public Service must be based on merit, and are subject to audit by the BC Merit Commissioner to ensure this condition has been observed.
- 3.3. The criteria used to select a CAO must include the qualifications relating to the education, experience, knowledge, skills, abilities and competencies prescribed by Trust Council in the job description for the position current at the time of the CAOHC's formation.
- 3.4. The first six months of a new CAO's employment are a probationary period, the management of which must follow the policies and procedures of the BC Public Service Agency.

#### 4. Process

- 4.1. Upon Trust Council's determination that it is necessary to begin the process for hiring a CAO, the Special Committee on Management (Special Committee) will as soon as is practicable form a Chief Administrative Officer Hiring Committee (CAOHC).
- 4.2. The chair of Trust Council will preside over meetings of the CAOHC, which will follow the procedures for committee meetings as established by the current Meeting Procedures Bylaw.
- 4.3. The CAOHC will be responsible for:
  - 4.3.1. Seeking advice from the Public Service Agency regarding the CAO hiring process to ensure it is based upon a fair and appropriate methodology that meets the requirements of the BC Merit Commissioner. This consultation will include seeking advice concerning the appropriate methods for: advertising the position; reviewing and rating candidate resumes; and screening candidates through the use of interview questions, written tests, work simulation exercises, the evaluation of work samples, and other human resource assessment methods approved by the Public Service Agency.
  - 4.3.2. Obtaining direction from Trust Council regarding the criteria that are to be given priority in the recruitment of a suitable candidate.
  - 4.3.3. Recruiting a suitable candidate.
  - 4.3.4. Recommending a suitable candidate to Trust Council for appointment, and providing Trust Council with a comprehensive review and assessment of the candidate's qualifications.
  - 4.3.5. Orienting the new CAO during their initial six-month period of probationary employment.
  - 4.3.6. In consultation with Trust Council and the BC Public Service Agency, evaluating the new CAO during their probationary period of employment.
  - 4.3.7. Prior to the conclusion of the probationary employment period, recommending to Trust Council whether or not the new CAO's appointment should be confirmed as permanent.



## **CAO Hiring Select Committee**

### **Minutes of a Regular Meeting**

**Date:** November 21, 2024  
**Location:** Electronic Zoom Meeting

**Members Present:** Peter Luckham, Chair, Trust Council  
Laura Patrick, Chair, Region Planning Committee  
Tobi Elliott, Vice-chair  
Timothy Peterson, Vice-chair  
David Maude, Vice-chair  
Judith Gedye, Chair, Governance Committee  
Joe Bernardo, Chair, Finance Committee  
Kristina Evans, Chair, Trust Programs Committee

**Staff Present:** David Marlor, Director Legislative Services (DLS)  
Lori Foster, Executive Administrative Assistant/Recorder

**Others Present:** None

**1. CALL TO ORDER**

At 9:07 a.m., Chair Luckham called the meeting to order and that the meeting was being held on Coast Salish territory.

**2. APPROVAL OF AGENDA**

Discussion regarding item 5.1 Terms of Reference and the policy pertaining to this committee for the purpose of review of the new chief administrative officer ensued. Item 5.1

**By general consent** the agenda was approved as presented.

**By general consent**, at 9:17 a.m. the committee addressed item 6, Closed Meeting next.

**6. CLOSED MEETING**

**CAO-2024-019**

**It was MOVED and SECONDED,**

That the Chief Administrative Officer Hiring Select Committee close this meeting to public subject to Sections 90 (1) (a) and (j) of the Community Charter in order to consider matters related to personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality and information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act and staff be invited to remain at the meeting.

**CARRIED**

At 9:17 a.m., the meeting was closed to the public.

At 11:30 a.m., the meeting was reopened to the public then the agenda resumed at item 7. Rise and Report.

**7. RISE AND REPORT**

Chair Luckham reported that Islands Trust is looking forward to its new Chief Administrative Officer, Rueben Bronee's starting on November 25, 2024.

**By general consent** the committee addressed the remaining agenda items as presented.

**3. MINUTES OF PREVIOUS MEETING**

**3.1 October 24, 2024, draft minutes**

**By general consent** the October 24, 2024, minutes were adopted as presented.

**4. FUAL - None**

**5. BUSINESS - None**

**5.1 Terms of Reference**

Discussed under item 2 and received for information.

**8. NEXT MEETING**

The next CAO Hiring Select Committee meeting is scheduled to be held electronically, Thursday, December 19<sup>th</sup> from 9 AM to 12 PM.

**9. ADJOURNMENT**

**By general consent** the meeting was adjourned at 11:35 AM.

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Peter Luckham, Chair

Certified Correct

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Lori Foster, Executive Administrative Assistant/Recorder