

Former Cr Neoh says sacked CEO showed “dog video” for report



Former Warrnambool City Councillor
Michael Neoh. Image: WCC

Carol Altmann – The Terrier

Former Warrnambool City councillor Michael Neoh claims sacked CEO Peter Schneider showed councillors a dog video as a progress report, and that it was hard to “pinpoint any strengths” in his performance.

Mr Neoh is the third of the four councillors who voted to sack Mr Schneider on 13 July to submit a sworn affidavit to the Supreme Court defending his actions in the face of a civil claim by Mr Schneider that he was denied natural justice.

In his eight-page affidavit lodged today – two days after the revised 30 October deadline – Mr Neoh denied claims by Mr

Schneider that the responses of four councillors to a “360 survey” of his performance had been vindictive and spiteful.

Instead, Mr Neoh claims, “...it was difficult to identify areas in which Mr Schneider came close to exceeding average and it was difficult to pinpoint any strengths he had demonstrated.”

“This was my honest assessment and was consistent with the general view of the Councillors that they were unable to identify a single area in which Mr Schneider excelled.”

The affidavit then gives a specific example of what Mr Neoh claims were Mr Schneider’s inadequacies, involving – of all things – a dog video.

“...during Mr Schneider’s review, after six months at the Council, he was asked to report on progress to-date to the full Council. He presented a dog video and said his partner provided afternoon tea for some volunteers.

“I waited for the rest of his presentation but there was nothing else. I found it very disappointing that such a presentation would be deemed, by a CEO of a regional city, to be adequate,” the statement says.

Mr Neoh said, as with most new staff, “I allowed Mr Schneider some leeway so that he could adjust and become familiar with the organisation” but alleged Mr Schneider’s performance did not improve.

“As such, I accepted some business as usual, but I did not expect that settling-in period to prevent Mr Schneider from demonstrating leadership, vision, energy, networking and engagement with key stakeholders.”

In line with the affidavits of former [Crs David Owen](#) and [Sue Cassidy](#), which I have published earlier today, Mr Neoh alleges Mr Schneider failed to resource the Warrnambool 2040 plan, despite it being a clear priority.

Staff survey results and community satisfaction survey results were also extremely poor.

“...the staff surveys disclosed that the bullying (being experienced by some staff) and a lack of direction by management were the main issues which concerned the staff.

“Contrary to the assertion by the Mayor (Tony Herbert), these were not restricted to legacy issues, in particular, the concern about the lack of direction”.

As with Ms Cassidy, Mr Neoh said he signed off on Mr Schneider’s pay rise in March, as it was linked to CPI, “rather than performance”.

The evidence also, for the first time, sets out Mr Neoh’s involvement in seeking legal advice on Mr Schneider’s dismissal.

This advice included a series of emails between Mr Neoh and the council’s lawyers, Maddocks, between 12 June and 28 June.

Mr Neoh said he sought advice from Maddocks, following verbal advice from Alison Lyon, General Counsel of the Municipal Association of Victoria.

He then “either forwarded the emails from, or the wording of the resolutions drafted by, Maddocks to Cr Gaston” as she was submitting the draft motions to Mr Schneider to be accepted on the notice paper.

Mr Neoh then discussed that advice with Crs Gaston, Cassidy and Owen in the lead up to the meeting on 13 July 2020.

The evidence also claims Mr Schneider did not meet “expectations” when he failed to report David McMahon’s credit card abuse to the council’s Audit and Risk Committee – of which he and Ms Cassidy were members – although Mr Neoh concedes there was no obligation for a CEO to do so.

The affidavit also reveals that an external audit of the council's credit card policies was never endorsed by the Audit and Risk Committee (and therefore not the council), as it failed to address when Mr Schneider was first told about the credit card abuse.

Mr Neoh tried to raise this with the Ombudsman as part of her investigation into the abuse, but was told by the Ombudsman's office on 28 September that his submission was too late and too close to the council election.

As with former Crs Owen and Cassidy, Mr Neoh denied that his actions in sacking the CEO "have resulted in any damage to Mr Schneider's reputation as alleged or at all".

Former Cr Gaston has, to date, not submitted sworn evidence in the case, which is due to be heard on 1 February next year.

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