



WCC: does top job reappointment pass the pub test?

Description



Warrnambool City Council Acting CEO Vikki King was due to have her previous contract expire in August, but has now been reappointed for another five years. Photo: WCC.

Carol Altmann – The Terrier

As promised, I am determined to keep unpicking the stories in and around the sacking of the former Warrnambool City Council CEO, Peter Schneider.

One of them is how the acting CEO, Vikki King, kept her other job as a senior council manager.

Let me break it down.

Before becoming acting CEO on 14 July, Ms King was the council's Director of Community Development and had been since 2015.

But that contract was due to expire in the first week of August.

I have since learned that this position was going to be advertised by Mr Schneider and, of course, Ms King would be able to apply.

(This is not unusual in the public service, where there are no guarantees a contract will be renewed, or – if you re-apply – that you will be reappointed.)

As it came to pass, Ms King did not have to reapply for her job because, as we know, by the first week of August, Mr Schneider was gone and Ms King was named as his replacement for up to 12 months.

It was then revealed that Ms King was not only acting CEO, but would also continue on as Director of Community Development.

How?

Well, it turns out her contract was renewed in August for another five years.

How?

Well, as acting CEO, Ms King can't hire herself, but it is legal under the Local Government Act for a CEO to delegate this task off to someone else.

So Ms King was able to keep her old job by – as acting CEO – having someone else in council re-hire her.

Just to reiterate, such delegation is legal under the Local Government Act 2020, but does it pass the proverbial “pub test”?

I have been searching for another example of this very same scenario: where a senior council manager who was due to have their contract expire, is appointed acting CEO, and then delegates off the authority to re-hire themselves.

I couldn't find an example – maybe you will have better luck – but no wonder it feels like Warrnambool has fallen down a rabbit hole and woken up to find a Mad Hatter's tea party in full swing.

There are other questions:

Did the council use an independent consultant to help assess Ms King's performance over the past five years?

This would help reassure all of us that this part of the resigning was completely at arm's length.

Why was the reappointment for another five years and not 12 months or 24 months?

This would have allowed a new CEO to make his or her own decision on the position.

And, lastly, who was the council person delegated to re-hire Ms King?

My understanding is that it was not a senior council manager, as you would perhaps expect, but a part-time staff member.

We shall see if all of the above is made clear in the council's responses.

As it sits, the council can't start looking for a new CEO, because the old CEO – Mr Schneider – is taking action in the Supreme Court to try and get his job back.

That case could take several months to resolve.

In the meantime, Ms King has a new job, plus her old job, and the four councillors who got rid of Mr Schneider are seeking re-election.

Imagine if Mr Schneider is successful and resumes his spot as CEO?

More tea? Cake?

Would you like to see The Terrier keep digging? Please visit the tip jar.

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