



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-270

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	75
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Cc: [REDACTED]
Subject: FOI Request | Recruitment Documentation for CFC CEO
Date: Wednesday, 31 August 2022 2:23:12 PM

Good Afternoon,

RE: FOI REQUEST – RECRUITMENT DOCUMENTATION FOR CFC CEO

I write to request under the *Freedom of Information Act 2016* a copy of any documentation of the recruitment process of the current CEO of the Cultural Facilities Corporation – Mr Gordon Ramsay. I would like my request to include but not be limited to:

- Recruitment process evaluation reports
- Deidentified resumes of all applicants (for clarification, I am not requesting any personal details of the applicants, just the relevant parts of the resumes pertaining to their previous working experience)
- All correspondence to, from and between CMTEDD regarding the recruitment process
- All briefs or other correspondence (letters, text messages) between CMTEDD and members of the ACT Executive, including ministers and their staff, regarding the recruitment process and appointment of the successful candidate

I ask that my request be transferred to other entities that may hold relevant information. Duplicate documents may be excluded.

Should you require any further information or clarification about my request, please contact my office on [REDACTED].

Best,





ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2022-270



FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 31 August 2022.

Specifically, you are seeking: “... a copy of any documentation of the recruitment process of the current CEO of the Cultural Facilities Corporation – Mr Gordon Ramsay. I would like my request to include but not be limited to:

- *Recruitment process evaluation reports;*
- *Deidentified resumes of all applicants;*
- *All correspondence to, from and between CMTEDD regarding the recruitment process;*
- *All briefs or other correspondence between CMTEDD and members of the ACT Executive, including ministers and their staff, regarding the recruitment process and appointment of the successful candidate.”*

Authority

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 21 October 2022 however, following on from extensions and third-party consultations, the due date is now 16 December 2022.

Decision on access

Searches were completed for relevant documents and 36 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for those documents.

I have decided to grant access in full to nine documents and partial access to 15 documents. I have decided to refuse access to 12 documents as I consider them to be:

- contrary to the public interest information under schedule 1; or
- information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

Third party consultation

In determining this access request, I identified that some of the information may reasonably be expected to be of concern to third parties. In accordance with section 38 of the Act, I have undertaken third-party consultation. I have considered the contentions raised by the third parties in making this decision.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the views of the affected third parties;
- the *Information Privacy Act 2014*;
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to the identified documents and components of documents are as follows:

Contrary to the public interest information under schedule 1 of the Act

Document 21 includes information that is considered to be contrary to the public interest under schedule 1 of the Act. It is identified as being within the scope of your request, however, contains information that was prepared for, or would disclose, the deliberations of Cabinet. This information is considered to be contrary to the public interest under section 1.6 of schedule 1 of the Act and therefore has been withheld from release.

Schedule 1 section 1.6 exempts:

Cabinet information

(1) Information—

(a) that has been submitted, or that a Minister proposes to submit, to Cabinet for its consideration and that was brought into existence for that purpose; or

(b) that is an official record of Cabinet; or

(c) that is a copy of, or part of, or contains an extract from, information mentioned in paragraph (a) or (b); or

(d) the disclosure of which would reveal any deliberation of Cabinet (other than through the official publication of a Cabinet decision).

The primary purpose of the 'cabinet exemption' is to maintain the confidentiality of the cabinet process and to uphold the principle of collective ministerial responsibility. This was discussed in *The Commonwealth v Northern Land Council* [1993] HCA 24; (1993) 176 CLR 604 (21 April 1993). Paragraph 6 of the decision, states that:

... it has never been doubted that it is in the public interest that the deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made.

In reviewing this document, I consider that it contains information which has been developed as part of the Cabinet consideration process (s 1.6(1)(a)) or is directly related to the deliberation and considerations of Cabinet (s 1.6(1)(d)). I am satisfied that release of this information would disclose information which has not been 'officially disclosed'. In making this decision, I note the decision of Deputy President Forgie in *Re Toomer and Department of Agriculture, Fisheries and Forestry and Ors* [2003] AATA 1301 who stated: *... deliberations are its thinking processes, be they directed to gathering information, analysing information or discussing strategies. They remain its deliberations whether or not a decision is reached. [Cabinet's] decisions are its conclusions as to the courses of action that it adopts be, they conclusions as to its final strategy on a matter or, its conclusions as to the manner in which a matter is to proceed.*

Accordingly, I have decided to withhold Document 21 from release under Schedule 1 of the Act.

Taking into consideration the remaining information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are

relevant to determine if release of the information contained within the documents is within the 'public interest'.

Factors favouring disclosure in the public interest under Schedule 2, section 2.1:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (i) *promote open discussion of public affairs and enhance the government's accountability;*
 - (ii) *contribute to positive and informed debate on important issues or matters of public interest.*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in these documents may promote open discussion and enhance the government's accountability by allowing you to have a copy of the documents relating to the recruitment and appointment of the CEO of the Cultural Facilities Corporation. I also consider that release of this information may contribute to positive and informed debate on this matter which is of public interest.

I am satisfied that the public interest in increasing transparency and accountability of the Directorate and the interest to the community is substantial. I therefore assign these factors significant weight.

Factors favouring nondisclosure in the public interest under Schedule 2, section 2.2:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (ii) *prejudice the protection of an individual's right to privacy or any other right under the Human rights Act 2004;*
 - (xv) *prejudice the management function of an agency or the conduct of industrial relations by an agency.*

Considering the submissions put to me by the third parties consulted in accordance with section 38 of the Act, and having reviewed the documents, I consider that the protection of an individual's right to privacy, especially during dealings with the ACT Government is a significant factor. Individuals are entitled to expect that personal information they supply as part of a government recruitment process will be dealt with in a manner that protects their privacy. Also publishing details of applicants or their resumes could discourage future applicants from applying for such roles in the future. This, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individuals involved in this matter.

I have therefore weighed the factor for nondisclosure more highly than the factor in favour of release in this instance. I have decided that release of personal information including names, addresses, dates of birth, direct email addresses of individuals, residential addresses, private and mobile phone numbers, qualifications and employment history contained within the documents, could prejudice their rights to privacy under the *Human Rights Act 2004*.

Industrial relations are an integral component of the management function of the agency which relies on staff or potential staff providing information taken into account for a recruitment process not to be shared as it may prejudice their current or future employment elsewhere.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Folios 7, 8, 9, 28-34 and 36 of the identified documents contain information that I consider, on balance, to be contrary to the public interest to disclose under the public interest test set out in section 17 of the Act.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107 (2)(e) of the Act.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day of my decision, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

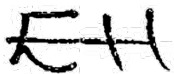
ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be the initials 'EH'.

Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

15 December 2022



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST

Reference NO.

A copy of any documentation of the recruitment process of the current CEO of the Cultural Facilities Corporation – Mr Gordon Ramsay. I would like my request to include but not be limited to: 1) Recruitment process evaluation reports; 2) Deidentified resumes of all applicants; 3) All correspondence to, from and between CMTEDD regarding the recruitment process; 4) All briefs or other correspondence between CMTEDD and members of the ACT Executive, including ministers and their staff, regarding the recruitment process and appointment of the successful candidate.

CMTEDDFOI 2022-270

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-5	Executive Action Request	1 Jun 2021	Full release	N/A	Yes
2	6-19	Email with attachments – CEO job ad, position description	1 Jun 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
3	20	Diary Entry	12 Jul 2021	Full release	Out of scope	Yes
4	21	Diary Entry	27 Jul 2021	Partial release	Sch 2 s2.2 (a)(ii) Out of scope	Yes
5	22	Interview Agenda	27 Jul 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
6	23	CFC CEO Interview Questions	Undated	Full release	N/A	Yes
7	24	Diary entry	10 Aug 2021	Full release	Out of scope	Yes
8	25-26	Memorandum	25 Aug 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
9	27	Email	10 Sep 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
10	28-29	Email	14 Sep 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
11	30	Diary entry	21 Sep 2021	Full release	Out of scope	Yes
12	31	Diary entry	23 Sep 2021	Full release	Out of scope	Yes
13	32	Memorandum	6 Oct 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes

14	33	Memorandum	8 Oct 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
15	34-36	Email	15 Oct 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
16	37	Email	20 Oct 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
17	38	Memorandum	21 Oct 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
18	39-118	Selection Panel Report	8 Nov 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv) Out of scope	Yes
19	119-123	Executive Action Request	8 Nov 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
20	124-131	Email with attachments	9 Nov 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
21	132-139	Email with attachments	9 Nov 2021	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	Yes
22	140	Notifiable Instrument	9 Nov 2021	Full release	N/A	Yes
23	141-145	Talking points	Undated	Full release	N/A	Yes
24	146	Notifiable Instrument	13 Nov 2021	Full release	N/A	Yes
25	Not included	Email with an applicant	2 Aug 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
26	Not included	Email with an applicant	2 Aug 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
27	Not included	Email with an applicant	2 Aug 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
28	Not included	Cabinet Documents	2 Nov 2021	Exempt	Sch 1 s1.6	No
29	Not included	Email with an applicant	5 Oct 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
30	Not included	Email with an applicant	8 Oct 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
31	Not included	Email with an applicant	8 Oct 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
32	Not included	Email with an applicant	11 Nov 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No

33	Not included	Email with an applicant	11 Nov 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
34	Not included	Email with an applicant	12 Nov 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
35	Not included	Email with an applicant	11 Nov 2021	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
36	Not included	Seventeen resumes	Various	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xv)	No
Total No of Docs						
36						

Executive Action Request

Guidelines:

1. This form is completed to request Head of Service approval for Executive contract actions.
2. The form should be completed electronically in MS Word and emailed to [Shared Services HR, Executive Contracts](#) for processing along with Director-General approval (Deputy Director-General approval where these arrangements are authorised within the directorate).
 - a. Director-General approval is necessary for Band 3 Deputy Director-General equivalent executive positions. The Deputy Director-General is able to approve executive actions for Band 1 and Band 2 positions.
3. The total engagement in a long term contract must not exceed five years (PSM Standards).
4. The total engagement in a short term contract must not exceed two years (PSM Standards).
5. Requests should be provided to Shared Services to arrange Head of Service approval at least **two weeks** prior to commencement to allow sufficient time for processing. Urgent requests less than this period can be considered on a case by case basis.
6. Executive contracts should be for a minimum of four weeks, however requests for a period less than four weeks will be considered based on the justification provided as part of the EAR form, on a case-by-case basis.
7. Generally, periods shorter than 4 weeks should be performed as unpaid development opportunities with the functions exercised through an instrument of delegation.
8. Executive vacancies less than nine months, should be advertised via an expression of interest.
9. Executive vacancies over nine months, must be advertised on the Jobs website and the gazette to meet the requirements under the Public Sector Management Act 1994, and may be advertised in other ways, including press and through a recruitment firm.
10. Consultation with Head of Service is essential to discuss the creation of new executive positions prior to submitting this request.
11. A Mercer assessment is required for new executive positions and existing positions that have not previously been assessed by Mercer for a period of time.
12. Shared Services is responsible for ensuring the request meets the ACTPS legislative requirements as well as preparation and disbursement of documentation to the executive.

Request Details	
Directorate/Agency	Cultural Facilities Corporation
Division	Enter Division
Position Title	Chief Executive Officer
Position Number	E255
Classification	Executive Level 2.3 <small>Please see translation table 130 of the PSM Standards 2016</small>
Establishment Action (if applicable)	(Please Select) Enter Cost Code
Position Reports to (attach organisation chart)	Head of Service
Multiple Actions?	No
Action 1	Advertise - Long Term
Action 2 (if applicable)	Select Reason for Request
Action 3 (if applicable)	Select Reason for Request

Position Occupancy	Nominal/Long term occupant	Harriet Elvin	Actual occupant	Harriet Elvin
Status	Existing executive			
Does the person have an existing executive contract?	Yes	If yes, in what position	E255	

Does ICT Access need to be arranged?	NA			
Business Reason <i>Provide supporting information to assist the Head of Service. Attach additional information or evidence if needed.</i> <i>Please note, for short term contracts, include information on where the Long Term occupant (if applicable) will be during the period.</i>	Following Ms Elvin's announcement that she will shortly retire, the Head of Service and Chair of the CFC Board will undertake a national recruitment process.			

Is this executive action backfilling leave or other arrangements? If so, please provide details	No	Provide details
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Legislative Compliance Check for Contract Requests	Merit selection process completed <input type="checkbox"/> Engagements exceeding nine months (mandatory full selection process). Please specify date: Enter Date <input type="checkbox"/> Engagements less than nine months (EOI selection process) date: Enter Date Short Term Contract (PSM Standards) <input type="checkbox"/> Total engagement in this position does not exceed two years Long Term Contract (PSM Standards) <input type="checkbox"/> Total engagement in this position does not exceed five years			
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Ministerial Appointment?	No			
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Directorate Contact	Leanne Power	X75990
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Contract Executive Details				
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Term of Contract	From:			
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Full-time/Part-time	Full-time	If part-time, /please specify the hours	Enter hours per week	
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Title	Select Title			
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Family Name	Enter Family Name			
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Given Name(s)	Enter Given Name			
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Date of Birth	Enter Date of Birth			
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AGS Number (if known)	Enter AGS Number (if known)			
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Phone	Enter Phone No			
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Email	Enter Email Address			
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Nominal/permanent role	Enter the position number of the person's nominal or permanent role	Executive level (if applicable): Select Level Other level (if applicable): Enter level	
Superannuation Scheme	Select Superannuation Scheme		
If this engagement is a result of an external recruitment process, would you like Shared Services to send unsuccessful notification?	Choose an item.		
Enter any special conditions that form part of this contract and attach evidence of approval	Enter any special conditions that form part of this contract.		
Advertising Details (if applicable)			
Vacancy period	Long Term - Five years		
Vacancy period for Short Term Contracts if known	From: Select Start Date To: Select End Date		
How will the vacancy be advertised	Jobs Website	If EOJ, which distribution list?	Select distribution list
Press Required	Nil		
Further Advertising Instructions	Arts ACT to arrange for distribution through relevant sector media		
Closing Date	Other (please provide details in special instructions)		
Full-time/Part-time (including hours)	Full time		
Contact Officer	Kathy Leigh		
Contact Officer Phone	620 50246		
Contact Officer Email	Kathy.Leigh@act.gov.au		
Wording for Advertisement:	As per separate email		
Do you intend on using an Executive Search Firm?	No	If yes, which organisation	Enter name of organisation
Director-General / Deputy Director-General Details			
Name	Enter Name		
Date	Select Date	Approved by email (copy attached) <input type="checkbox"/>	
Shared Services Use Only			
Original Contract Start Date (for extensions only)	Select Start Date		
Advertisement	<input type="checkbox"/> attach advertisement		

Complies with Legislative requirements and guidelines	Please Select
Comments	Enter Comments
Head of Service Decision	
This request is <input checked="" type="checkbox"/> approved <input type="checkbox"/> modified and approved <input type="checkbox"/> not approved	
Reason if modified/not approved:	
Name: Kathy Leigh	
	Date: 1/6/2021

Document requirements

Action Type	Document Requirements
Executive Advertising request	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Sufficient and detailed information should be included in the request so that it can be reviewed by the Head of Service • Organisational Chart • Position Description • Proposed advertisement wording
Job sizing request (new or existing position)	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Organisational Chart • Position Description • Confirmation as to whether consultation with Head of Service has occurred for new/additional executive roles • Position structure including cost code and reporting line
Short Term Contracts request (up to two years)	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Evidence to support the selection process i.e. <ul style="list-style-type: none"> ○ a selection report <ul style="list-style-type: none"> ▪ List of applicants ▪ Comparative Assessment ▪ Individual Assessment ○ email from the panel outlining the assessment method • Organisational chart
Long Term Contracts request (up to five years)	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Approved selection report • Comparative Assessment • Individual Assessments • List of applicants • Referee reports <p>NB: no organisational chart needed if organisational chart is current and was provided as part of the EAR to advertise</p>
Re-engagement request	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Re-engagement appraisal discussion and associated documentation • Organisational chart • Initial advertisement

From: "Power, Leanne" <Leanne.Power@act.gov.au>
Sent: 01/06/2021 7:41 AM
To: "Boller, Courtney" <Courtney.Boller@act.gov.au>
Subject: CEO CFC job ad
Attachments: CEO POSITION DESCRIPTION 2021.doc, CFC - Chief Executive Officer - job ad.docx

OFFICIAL

Hi Courtney
Can you please arrange for the attached ad for the CEO CFC to be placed on the JobsACT website
Happy to discuss
Many thanks
Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service
Phone: 02 620 75990 | Mobile: 041 2 211111 | Email: leanne.power@act.gov.au
Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 5, Canberra Nara Centre, 1 Constitution Avenue Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Cultural Facilities Corporation

Chief Executive Officer

Executive Level 2.3 \$307,053 - \$319,330 depending on current superannuation arrangements, Canberra (PN: E255)

Closing Date:

Weeks to Close: 2

Details: This is an exciting and high profile leadership opportunity, managing major arts and heritage assets in Canberra, the nation's capital. The position offers a unique combination of cultural leadership functions, covering the performing arts, the visual arts, social history and cultural heritage management. You will be joining the organisation at a pivotal time in its existence, when it will be a key contributor to the development of a new 2,000-seat theatre that will be the centrepiece of a civic, arts and cultural precinct in Canberra's city centre.

This rewarding role as a leader in the ACT's arts and cultural life will build on a strong foundation of attracting, supporting and developing world class productions, exhibitions and cultural experiences.

Reporting to the ACT Minister for the Arts and a Board, you will lead a dynamic and passionate team of people dedicated to their role in celebrating Canberra as a thriving community that is home to the most active cultural audiences and participants in the country, and as the nation's capital.

The Cultural Facilities Corporation (CFC), as an ACT Government Statutory Authority is responsible for:

- the Canberra Theatre Centre – the main performing arts centre for the region and a major venue in the national touring circuit;
- the Canberra Museum and Gallery – a major facility that explores the region's visual arts and history and includes the renowned Nolan Collection; and
- three Historic Places that reflect different aspects of Canberra's history and contemporary life : Lanyon, Calthorpes' House and Mugga-Mugga.

You will need demonstrated leadership experience in the cultural sector, preferably in a public administration context, with a passion for the role of arts, culture, and heritage in our community.

You will pursue the CFC's strategic direction, lead a resilient and high performing team, manage the organisation's assets, ensure its financial health, and provide high standards of governance.

Remuneration: The position attracts a remuneration package ranging from \$307,053 - \$319,330 depending on current superannuation arrangements of the successful applicant. This includes a cash component of \$245,543. In addition, a payment in lieu of an executive vehicle at \$24,500 per annum is available.

Contract: The successful applicant will be engaged as a public servant under a performance-based contract and will be appointed as the Chief Executive Officer under the *Financial Management Act 1996* and the *Cultural Facilities Corporation Act 1997* for a period of up to five years. Prospective applicants should be aware that details of long-term engagements are tabled in the ACT Legislative Assembly.

For a full position description and details on how to apply please contact Leanne Power, Executive Branch Manager, Office of the Head of Service, leanne.power@act.gov.au, (02) 6207 5990.

More information on the Cultural Facilities Corporation go to:
<http://www.culturalfacilities.act.gov.au/>.

For more information on living in Canberra go to www.canberra.com.au.

Contact: Kathy Leigh, Head of Service and Director-General, kathy.leigh@act.gov.au, (02) 6205 0246



Application Package | PN E255

Cultural Facilities Corporation

Personal information is collected by Shared Services on behalf of ACTPS agencies and may be supplied to your employing agency. Information collected will only be used for the purpose for which you gave it and will not be disclosed to other persons or organisations without your prior consent unless where required by law.

Position Details:

Position Title: **Chief Executive Officer,
Cultural Facilities Corporation**

Classification: **Executive Level 2.3**

Remuneration: **\$307,053 - \$319,330 depending on current superannuation arrangements**

Details: This is an exciting and high profile leadership opportunity, managing major arts and heritage assets in Canberra, the nation's capital. The position offers a unique combination of cultural leadership functions, covering the performing arts, the visual arts, social history and cultural heritage management. You will be joining the organisation at a pivotal time in its existence, when it will be a key contributor to the development of a new 2,000-seat theatre that will be the centrepiece of a civic, arts and cultural precinct in Canberra's city centre.

This rewarding role as a leader in the ACT's arts and cultural life will build on a strong foundation of attracting, supporting and developing world class productions, exhibitions and cultural experiences.

Reporting to the ACT Minister for the Arts and a Board, you will lead a dynamic and passionate team of people dedicated to their role in celebrating Canberra as a thriving community that is home to the most active cultural audiences and participants in the country, and as the nation's capital.

The Cultural Facilities Corporation (CFC), as an ACT Government Statutory Authority is responsible for:

- the Canberra Theatre Centre – the main performing arts centre for the region and a major venue in the national touring circuit;
- the Canberra Museum and Gallery – a major facility that explores the region's visual arts and history and includes the renowned Nolan Collection; and
- three Historic Places that reflect different aspects of Canberra's history and contemporary life : Lanyon, Calthorpes' House and Mugga-Mugga.

You will need demonstrated leadership experience in the cultural sector, preferably in a public administration context, with a passion for the role of arts, culture, and heritage in our community.

You will pursue the CFC's strategic direction, lead a resilient and high performing team, manage the organisation's assets, ensure its financial health, and provide high standards of governance.

Remuneration: The position attracts a remuneration package ranging from \$307,053 - \$319,330 depending on current superannuation arrangements of the successful applicant. This includes a cash component of \$245,543. In addition, a payment in lieu of an executive vehicle at \$24,500 per annum is available.

Contract: The successful applicant will be engaged as a public servant under a performance-based contract and will be appointed as the Chief Executive Officer under the Financial Management Act 1996 and the Cultural Facilities Corporation Act 1997 for a period of up to five years. Prospective applicants should be aware that details of long-term engagements are tabled in the ACT Legislative Assembly.

For a full position description and details on how to apply please contact Leanne Power, Executive Branch Manager, Office of the Head of Service, leanne.power@act.gov.au, (02) 6207 5990.

All applications should be emailed directly to kathy.leigh@act.gov.au.

More information on the Cultural Facilities Corporation go to <http://www.culturalfacilities.act.gov.au/>.

For more information on living in Canberra go to www.canberra.com.au.

Contact: Kathy Leigh, Head of Service and Director-General, kathy.leigh@act.gov.au, (02) 6205 0246

The ACT Public Service is an Equal Opportunity Employer and is committed to the principles of merit-based selection

Please note: All vacancies close at 11:59pm on the advertised closing date unless otherwise specified.

Personal Details

Family Name: Given Names:
Preferred Name: Title:

Home Phone: Mobile:
Work Phone: Email:

Are you an Australian Citizen? Yes No
If not, do you have permanent residency in Australia? Yes No

Visa Information

Visa Type:
Visa Expiry Date:
To check visa details and conditions please visit:
<https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/conditions-list>

Special Requirements

Do you have any special requirements that need to be considered as part of this application process, e.g. interpreter, disability access? Yes No

If yes, please specify:

If you need any further help with this application please contact the Contact Officer.

Diversity Information

Are you a member of any of the following groups:

- LGBTIQ
- Aboriginal or Torres Strait Islander
- People with disabilities
- People from non-English speaking background
- Former Australian Defence Force (ADF) Member

Employment Status

Are you an excess officer of the ACT Public Service? Yes No

If yes, please:

- enter the classification that you are excess at:
- attach evidence of your excess status

Are you a permanent officer of the ACTPS or APS? Yes (ACTPS) Yes (APS) OR No

If yes, please enter your AGS number: Agency:

Note: If you are a permanent officer of the APS and you are offered this position, please contact Shared Services at HRSharedServices@act.gov.au regarding resignation and the transfer of entitlements from your APS agency.

Are you employed in the ACT Public Service on either a temporary or casual basis? Yes No

Are you currently under investigation for misconduct? Yes No

In the past 5 years, have you been found to have engaged in misconduct? Yes No

Have you ever had your employment terminated on the grounds of misconduct? Yes No

Have you received a voluntary redundancy from the ACTPS in the last two years?
Note: If you have received a voluntary redundancy within the last two years, you are generally ineligible to be re-engaged until after the exclusion period has expired. Yes No

Referees

Name:
Position/Title:
Relationship to applicant:
Phone:
Mobile:
Email:

Name:
Position/Title:
Relationship to applicant:
Phone:
Mobile:
Email:

Name:
Position/Title:
Relationship to applicant:
Phone:
Mobile:
Email:

Declaration

I declare that the information provided on this form and given in my application including my employment history is true and correct. I declare that any academic and/or professional qualifications submitted with my application are genuine. I give permission for the relevant educational/training institution to be contacted for verification of my qualifications. I understand that giving false or misleading information may result in prosecution, fines and/or termination of employment.

Name: _____ Date: _____

Note: Please insert name and date for electronic submission – preferred method of receipt.

	Position Number: E255
	Classification: Executive Level 2.3
Agency: Cultural Facilities Corporation	Location: Canberra City
Position Title: Chief Executive Officer	Last Reviewed: May 2021

PORTFOLIO DIRECTORATE OVERVIEW

The Chief Minister, Treasury and Economic Development Directorate (CMTEDD) leads the ACT public sector and works collaboratively both within government and with the community to achieve positive outcomes.

As a central agency, CMTEDD provides strategic advice and support to the Chief Minister, the Directorate's Ministers and the Cabinet on policy, economic and financial matters, service delivery, whole of government issues and intergovernmental relations. The Directorate facilitates the implementation of government priorities, drives initiatives and leads the strategic direction for the ACT Public Service, to ensure that it is well positioned to perform its role.

AGENCY OVERVIEW

The Cultural Facilities Corporation (CFC) is an ACT Government enterprise established under the *Cultural Facilities Corporation Act 1997* (the CFC Act) to manage a number of the ACT's major cultural entities. It came into operation on 1 November 1997.

The functions of the CFC, as set out in the CFC Act (Section 6) are:

- to manage, develop, present, coordinate and promote cultural activities at designated locations and other places in the ACT;
- to establish and research collections;
- to conserve and exhibit collections in the possession or under the control of the CFC;
- to undertake activities, in cooperation with other people if appropriate, to exercise its other functions; and
- to exercise other functions given to the CFC under this Act or another Territory law.

The CFC Act (Section 7) requires that the CFC, in exercising its functions, must consider:

- any cultural policies or priorities of the Executive known to the CFC; and
- other cultural activities in the ACT.

The CFC is responsible for:

- the Canberra Theatre Centre;
- the Canberra Museum and Gallery, including the Nolan Collection; and
- three Historic Places: Lanyon, Calthorpes' House and Mugga-Mugga.

The CFC's functions therefore include the performing arts, the visual arts, social history and cultural heritage management. The organisation delivers a range of cultural services to the community by providing activities such as theatre presentations, exhibitions, and education and community programs, and through conserving and presenting significant aspects of the ACT's cultural heritage.

The CFC's vision is for Canberra to be a creative capital that values the arts for their intrinsic qualities, their contribution to building a more inclusive and resilient society, their support for making the city an exciting place to live and an attractive destination for business and tourism, and their important role in the economy of the ACT and region. The CFC sees itself as a leader in this creative city, providing high quality cultural experiences based on the arts and heritage resources that it holds in trust for the people of Canberra, and playing a significant role in the region's cultural and economic life.

CFC is governed by a Board appointed by the responsible Minister¹. The Board is comprised of key ACT education stakeholders along with members of the teaching profession and the ACT community².

CFC is subject to the direction of the Minister under section 14 of the CFC Act.

DUTIES / RESPONSIBILITIES

The Chief Executive Officer (CEO) is a member of, and also reports to, the Board of the CFC and, through the Board, to the Minister for the Arts. As a public servant, the CEO is appointed by the Director-General, CMTEDD³. The CEO also has a portfolio reporting line to CMTEDD through the Director-General, CMTEDD (or delegate). Working with the Board⁴ of the CFC and the Minister for the Arts, the key duties of the CEO position are as follows.

1. **Leadership:** position the CFC as a cultural leader in the ACT region and beyond; play a key role in planning and implementing the Canberra Civic Arts and Cultural Precinct Plan, including the new theatre project; provide leadership in cultural planning, administration and management; ensure a high standard of stakeholder engagement.
2. **Strategy:** provide a clear direction for the CFC's future, using the CFC's Strategic Plan as the basis for annual corporate plans, and to guide the work of the Board, advisory committees, staff and volunteers.
3. **Governance:** ensure that the CFC is an accountable and dynamic organisation, and that its governance systems provide a high standard of transparency and accountability.

¹ Under section 10 of the *Cultural Facilities Corporation Act 1997*, the Minister appoints the members of the Governing Board other than the Chief Executive Officer.

² The Governing Board includes the Chief Executive Officer according to section 10 of the *Cultural Facilities Corporation Act 1997*.

³ Under section 11 of the *Cultural Facilities Corporation Act 1997*, the Chief Executive Officer must be a public servant and appointed by the Director-General, Chief Minister, Treasury and Economic Development Directorate. This appointment is made after consulting with the Governing Board and the responsible Minister according to section 80(3) of the *Financial Management Act 1996*.

⁴ The CEO is required to advise the Board immediately about significant events as per section 84(1)(d) of the *Financial Management Act 1996*.

4. **People:** ensure the CFC is a resilient and high performing organisation and an employer of choice; provide leadership to the CFC's staff and volunteers, ensuring the organisation can attract, develop and retain people who are highly skilled and passionate about their work; ensure that CFC workplaces are safe and rewarding⁵.
5. **Finances:** ensure the CFC's long term financial health; maintain high standards of financial management and reporting; maximise both government and own-sourced income, to ensure financial sustainability and support future growth.
6. **Assets:** ensure the CFC's assets support the delivery of high quality cultural experiences; maintain high standards of asset management, to ensure all assets are fit for purpose.

Note: The CEO functions are outlined in section 84 of the *Financial Management Act 1996*. Other requirements which apply to the CEO in the *Financial Management Act 1996* include:

- Section 85: Honesty, care and diligence of governing board members;
- Section 86: Conflicts of interest by governing board members;
- Section 88: Disclosure of interests by governing board members.

⁵ The CEO employs staff of CFC on behalf of the Territory under the *Public Sector Management Act 1994* pursuant to section 12 of the CFC Act.

SEPARATION OF ROLES BETWEEN THE CFC CHAIR AND CEO

The following table, taken from the CFC's Board Charter, sets out further information about the role of the CEO and how this is differentiated from the role of the CFC Chair.

Activity	Chair	CEO
Leadership and vision	<ul style="list-style-type: none"> Ensures the Board provides leadership and vision to the CFC. 	<ul style="list-style-type: none"> Provides leadership to the staff of the CFC, especially in delivery of the organisational vision.
Relationship with Minister	<ul style="list-style-type: none"> Ensures regular engagement e.g. through regular strategic meetings with the Minister and by inviting the Minister to Board meetings at least once a year. Fosters positive relations e.g. through informal discussions at events. Ensures the Minister is kept informed about the operations of the CFC including any significant events. 	<ul style="list-style-type: none"> Supports Chair in ensuring regular engagement and positive relations with the Minister. Ensures regular engagement and positive relations with the Minister's office. Addresses any issues of concern arising from the Minister or the Minister's office, and judges whether they should be referred to the Chair. Invites Minister to visit CFC sites as regularly as possible e.g. to attend personally tailored tours, open exhibitions, attend theatre opening nights, officiate at other events. Supports the Chair in ensuring the Minister is kept informed about the operations of the CFC including any significant events.
Strategic and corporate plans, and performance indicators and targets	<p>With the Board:</p> <ul style="list-style-type: none"> approves the CFC's strategic and corporate plans and the CFC's performance indicators and targets for its annual statement of intent; and monitors performance against these. 	<ul style="list-style-type: none"> With staff, develops the CFC's strategic and corporate plans, and the performance indicators and targets for its annual statement of intent. Oversights and reports on the achievement of the strategic and corporate plans and the performance targets.
Legal and policy framework	<ul style="list-style-type: none"> Ensures a comprehensive policy framework for CFC is set, and that the CFC operates within policy parameters established by government and according to law. 	<ul style="list-style-type: none"> Ensures all actions comply with CFC policies and policy parameters established by government and according to law.
Financial oversight	<ul style="list-style-type: none"> Leads the Board in ensuring appropriate oversight of the organisation's finances. Ensures the Audit Committee of the Board is in place and reports to the Board. 	<ul style="list-style-type: none"> Ensures appropriate financial reporting to the Board. Participates in, and ensures a high level of servicing of, the Audit Committee of the Board.

Activity	Chair	CEO
Operational activities - ongoing management of staff, resources, venues and programs	<ul style="list-style-type: none"> • Considers and advises on any operational issues the CEO believes the Board should be briefed about. 	<ul style="list-style-type: none"> • Identifies to the Chair any operational issues the Board should be briefed about.
Board meetings	<ul style="list-style-type: none"> • Presides over Board meetings and directs Board discussions to use the time available effectively in addressing the critical issues facing the CFC. 	<p>In discussion with the Chair:</p> <ul style="list-style-type: none"> • identifies ongoing and priority topics for discussion at Board meetings; and • drafts and coordinates documentation for Board meetings (agenda, papers, minutes).
Briefing of Board	<ul style="list-style-type: none"> • Makes certain that the Board has the necessary information to fulfil its functions and roles effectively. 	<ul style="list-style-type: none"> • Ensures all necessary information is provided to the Chair/Board to inform effective decision making and actions. • Immediately advises the Board of any significant events.
Relationship between Chair and CEO	<ul style="list-style-type: none"> • Ensures there is a continuing and constructive relationship with the CEO and management. • Provides feedback from the Board on the CEO's ongoing and yearly performance. 	<ul style="list-style-type: none"> • As the major point of contact between the CEO and the Board, keeps the Chair fully informed about matters of interest to Board members. • Provides feedback to the Board, through the Chair, on the Board's performance.
Board effectiveness and development	<ul style="list-style-type: none"> • Guides the continuing effectiveness and development of the Board and individual members. 	<ul style="list-style-type: none"> • Supports the Chair to ensure Board effectiveness and ensures Board members have opportunity to access organisational information if required.
Evaluation of Board performance	<ul style="list-style-type: none"> • Leads process of Board evaluation at least once every two years. 	<ul style="list-style-type: none"> • Supports Chair in undertaking Board evaluation process.
Representation of the organisation	<ul style="list-style-type: none"> • Represents the Board in public fora and in the media on issues appropriate to the Chair role. 	<ul style="list-style-type: none"> • Represents the CFC in public fora and media on issues appropriate to the CEO role.
Other responsibilities	<ul style="list-style-type: none"> • Other responsibilities as outlined in the Board Charter. 	<ul style="list-style-type: none"> • Other responsibilities as delegated by the Board to the CEO.

EXECUTIVE CAPABILITIES

The CEO position is required to meet the following ACT Public Service Executive Capabilities.

Leads and values people

- Motivates and develops people
- Values diversity and respects individuals
- Builds a culture of improving practice

Shapes strategic thinking

- Inspires a sense of purpose and direction
- Encourages innovation and engages with risk
- Thinks broadly and develops solutions

Achieve results with integrity

- Develops organisational capability to deliver results
- Manages resources wisely and with probity
- Progresses evidence-based policies and procedures
- Shows sound judgement, is responsive and ethical

Fosters collaboration

- Listens and communicates with influence
- Engages efficiently across government
- Builds and maintains key relationships

Exemplifies citizen, community and service focus

- Understands, anticipates and evaluates client needs
- Creates partnerships and co-operation
- Works to improve outcomes

JOB-SPECIFIC SELECTION CRITERIA

1. **Leadership:** demonstrated experience as a leader in the cultural sector, preferably in a public administration context, with a passion for the role of arts and heritage in our community and society.
2. **Strategy:** high level strategic and analytical skills, with the ability to lead and manage the CFC in setting its future directions, implementing the Board's decisions, and giving effect to the Government's agenda for the cultural sector.
3. **Governance:** demonstrated understanding of, and experience in, corporate governance issues, preferably in a public administration context, including in working to support a board to achieve high standards of governance.
4. **People:** a commitment to a collaborative leadership style, with the ability to manage staff and volunteers across a wide range of employment categories, and with diverse backgrounds and skills.
5. **Finances:** high level financial management skills, with the ability to lead the organisation in raising substantial levels of non-government revenues and acting in an entrepreneurial manner, while also achieving high standards of accountability and control.
6. **Assets:** demonstrated ability to provide a high standard of asset management and to ensure the CFC's venues are fit for purpose for delivering high quality cultural experiences.

QUALIFICATIONS

Tertiary qualifications in Arts Administration, Cultural Heritage Management, Business Administration or a related discipline are highly desirable.

Power, Leanne

From: Boller, Courtney
Sent: Friday, 4 June 2021 1:53 PM
To: Power, Leanne
Subject: Advertise a Vacancy | E255 has been advertised

Importance: High

OFFICIAL

Hi Leanne

E255, Chief Executive Officer, Cultural Facilities Corporation has been advertised.

Position Title: Chief Executive Officer
Position Number: E255
Classification: Executive Level 2.3

Gazette Date: 04 June 2021
Closing Date: 20 June 2021

[E255 - Careers and Employment \(act.gov.au\)](#)

Please contact me if you have any queries concerning this vacancy.

Kind Regards

Courtney Boller

Supervisor - Advertising and Executive Contracts

Recruitment & Information Services, Shared Services

Commercial Services and Infrastructure, CMTEDD

Phone: +61 2 6205 2649 courtney.boller@act.gov.au www.act.gov.au/sharedservices

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OFFICIAL

Today < > 12 July 2021

Calendar - Leigh, Kathy x → Calendar - Online Archive - Kathy.Leigh@act.gov.au x

Monday
12

Out of scope

8 AM Out of scope

9 AM Out of scope

10 AM Out of scope

11 AM Out of scope

12 PM Lunch

1 PM Out of scope

2 PM Out of scope

3 PM Out of scope

4 PM

5 PM SHORTLISTING: Chief Executive Officer, Cultural Facilities Corporation | Justice Rebhaug, Anne Marie Schwirtlich AM, Kathy Leigh
220 London Circuit, Board Room
Leigh, Kathy

6 PM Out of scope

Calendar - Out of scope@act.gov.au x → Calendar - Online Archive - Kathy.Leigh@act.gov.au x

Tuesday
27

← from 26 Jul Out of scope To 6 Aug →

8 AM

9 AM INTERVIEWS: Chief Executive Office, Cultural Facilities Corporation | Justice Rehsauge, Anne Marie Schwibick AM, Kathy Leigh Out of scope

10 AM

11 AM

12 PM

1 PM

2 PM ← Previous Appointment

3 PM

4 PM

5 PM

Next App. in event

Sch 2.2(a)(ii)

Out of scope

Out of scope

INTERVIEW AGENDA

Chief Executive Officer, Cultural Facilities Corporation

Date: Tuesday 27 July 2021

Location: ACT Government Offices, 220 London Circuit, Civic / WebEx

Panel: Kathy Leigh, Head of Service
Justice Richard Refshauge, Chair Cultural Facilities Corporation Board
Anne Marie Schwirtlich AM, Consultant to ACT Government

Interview Times:

8.45 – 9.00 Panel convenes

9.00 – 9.45 Sch 2.2(a)(ii), Sch 2.2(a)(xv)

9.45 – 10.00 discussion / break

10.00 – 10.45

10.45 – 11.00 discussion / break

11.00 – 11.45 Sch 2.2(a)(ii), Sch 2.2(a)(xv)

11.45 – 12 noon discussion / break

12 noon – 12.45

12.45 – 1.00 discussion / break

1.00 – 1:30 LUNCH

1.30 – 2.15

2.15 – 2.30 discussion / break

2.30 – 3:15 Sch 2.2(a)(ii), Sch 2.2(a)(xv)

3.15 – 3.30 discussion / break

3.30 – 4.15

4.15 – 5.00 Panel discussion

CFC CEO Interview Questions

1. What attracts you to this role? If you were appointed, what would you want to achieve?
2. What challenges do you see over the next 3-5 years for the ACT and the CFC? What would you do to address one of more of these?
3. What have you done that you are really proud of?
4. Tell us about a time when you made a mistake and what you learned from it.
5. Being a CEO can be isolating. Where would you find your professional development and your peers?
6. What course would you steer if your board, your Minister and your stakeholder community all had very clear but very different views of your direction?
7. What are your strengths for this role and where would you need to develop further? [2nd part: how would you go about gaining that further development?]
8. What values shape your relationship with staff, your board, your Minister, your community? How is this reflected in your actions and strategy?
9. Finish this statement. In 24 months I will be disappointed if.....

Today < > 10 August 2021

Day

Calendar - Out of scope @sct.gov.au x → Calendar - Online Archive - Kathy.Lelgh@sct.gov.au x

Tuesday

10

From 9 Aug To 12 Aug →

Both Houses of Parliament Sitting, Parliament House, CANBERRA, ACT 2600

Out of scope

6 AM

9 AM Out of scope

10 AM

11 AM

12 PM Out of scope

1 PM

2 PM Out of scope

3 PM Out of scope

4 PM Out of scope

5 PM Reschedule CEO CFC Panel (on arrival please phone Sarah on Kathy's Office, 220 London Leigh, Kathy)

6 PM

Meetings

SELECTION COMMITTEE FOR CHIEF EXECUTIVE OFFICER
OF THE CULTURAL FACILITIES CORPORATION

MEMORANDUM

From: Richard Refshauge
To: Kathy Leigh, Anne-Marie Schwirtlich
Date: 25 August 2021
Subject: Referee Checks for Applicants Sch 2.2(a)(ii)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Richard Refshauge

Power, Leanne

From: Anne-Marie Schwirtlich [Send ? 2\(a\)\(1\)](#)
Sent: Friday, 10 September 2021 11:48 AM
To: Power, Leanne
Subject: Re: Selection Panel Report CEO CFC (draft)

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning Leanne - many thanks, will do! AM

On 10 Sep 2021, at 11:44 am, Power, Leanne <Leanne.Power@act.gov.au> wrote:

OFFICIAL: Sensitive

Good morning Anne-Marie

I have attached a draft version of the Panel Selection Report for your consideration. You will see that I am still seeking Richard's referee reports for the preferred candidate, however have made it so that I can provide a short summary and attach the write ups.

I would appreciate if you could have a look at the report and track any changes you want to make, I will send a similar email to Richard.

I will provide Kathy with a copy when I have comments back from you and Richard.

I am happy to discuss anything by phone if that is easier for you – my mobile number is below.

Many thanks

Leanne

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

<Selection Panel Report CEO CFC (draft).docx>

Power, Leanne

From: Anne-Marie Schwirtlich Sch 2.2(a)(ii)
Sent: Tuesday, 14 September 2021 5:27 PM
To: Leigh, Kathy; Power, Leanne
Cc: Kalleske, Sarah
Subject: CEO CFC: Referee comments from Sch 2.2(a)(ii)

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Afternoon Kathy and Leanne

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

AM

Today < > 21 September 2021

Day

Calendar - Leigh, Kathy x → Calendar - Online Archive - Kathy.Leigh@act.gov.au x

Tuesday

21

0

Out of scope

8 AM

Out of scope

9 AM

Out of scope

10 AM

Call with Kathy Leigh : Chrome, Taa

11 AM

Out of scope

12 PM

Out of scope

Out of scope

1 PM

2 PM

Out of scope

4 PM

Out of scope

3 PM

View Appointment

Today



23 September 2021

Calendar - Online Archive - Kathy.Leigh@act.gov.au

Calendar - Leigh, Kathy

Thursday

23

D

Out of scope

8 AM

Out of scope

9 AM

Out of scope

10 AM

Phone call with Kathy Leigh; Phone call; Cheyne, Tara

11 AM

12 PM Out of scope

1 PM

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4 PM

5 PM

6 PM

SELECTION COMMITTEE FOR CHIEF EXECUTIVE OFFICER
OF THE CULTURAL FACILITIES CORPORATION

MEMORANDUM

From: Richard Refshauge

To: Kathy Leigh, Anne-Marie Schwirtlich

Date: 6 October 2021

Subject: Referee Checks for Applicants Sch 2.2(a)(ii), Sch 2.2(a)(xv) and Draft Selection Panel
Report

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Richard Refshauge

SELECTION COMMITTEE FOR CHIEF EXECUTIVE OFFICER
OF THE CULTURAL FACILITIES CORPORATION

MEMORANDUM

From: Richard Refshauge
To: Kathy Leigh, Anne-Marie Schwirtlich
Date: 8 October 2021
Subject: Further material for Selection Panel Report

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Richard Refshauge

Power, Leanne

From: Power, Leanne
Sent: Friday, 15 October 2021 9:23 AM
To: Cook, Michael
Subject: Recruitment information
Attachments: CEO CFC one-pager on current recruitment process.pdf

OFFICIAL: Sensitive

Good morning Michael

Attached is the summary information about the CEO CFC recruitment process for your information

Thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service

Phone: 02 620 75990 | Mobile [0413 300 100](tel:0413 300 100) | Email: leanne.power@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 5, 220 London Circuit Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Recruitment Process – Chief Executive Officer, Cultural Facilities Corporation

Cultural Facilities Corporation (CFC)

The CFC is an ACT Government enterprise established under the *Cultural Facilities Corporation Act 1997* (the CFC Act). It came into operation on 1 November 1997. The functions of the CFC are to:

- manage, develop, present, coordinate and promote cultural activities at designated locations and other places in the ACT
- establish and research collections
- conserve and exhibit collections in the possession or under the control of the CFC
- undertake activities, in cooperation with other people if appropriate, to exercise its other functions
- exercise other functions given to the CFC under the CFC Act or another Territory law.

The CFC is responsible for the Canberra Theatre Centre, the Canberra Museum and Gallery (including the Nolan Collection) and three Historic Places (Lanyon, Calthorpes' House and Mugga-Mugga). Its activities include performing arts, visual arts, social history and cultural heritage management.

CFC Board

The CFC is governed by a Board. The CEO is a member of the Board. Other than the CEO, the members of the Board are appointed by the Minister for the Arts (the Minister) under s.10 of the CFC Act.

The CFC is subject to the direction of the Minister under s.14 of the CFC Act.

CEO

Under s.11 of the CFC Act, the CEO is a public servant appointed by the Head of Service. Before making an appointment to the CEO role, the Head of Service is required to consult with the Board and the Minister (s.80(3) of the *Financial Management Act 1996*). The CEO is an Executive Level 2.3 in the ACTPS.

The CEO reports to the Board and, through the Board, to the Minister. The CEO has a portfolio reporting line to CMTEDD through the Head of Service (or delegate).

Working with the Board and the Minister, the key duties of the CEO are to:

1. **Leadership:** position the CFC as a cultural leader in the ACT region and beyond; play a key role in planning and implementing the Canberra Civic Arts and Cultural Precinct Plan, including the new theatre project; provide leadership in cultural planning, administration and management; ensure a high standard of stakeholder engagement.
2. **Strategy:** provide a clear direction for the CFC's future, using the CFC's Strategic Plan as the basis for annual corporate plans, and to guide the work of the Board, advisory committees, staff and volunteers.
3. **Governance:** ensure that the CFC is an accountable and dynamic organisation, and that its governance systems provide a high standard of transparency and accountability.

4. **People:** ensure the CFC is a resilient and high performing organisation and an employer of choice; provide leadership to the CFC's staff and volunteers, ensuring the organisation can attract, develop and retain people who are highly skilled and passionate about their work; ensure that CFC workplaces are safe and rewarding.
5. **Finances:** ensure the CFC's long term financial health; maintain high standards of financial management and reporting; maximise both government and own-sourced income, to ensure financial sustainability and support future growth.
6. **Assets:** ensure the CFC's assets support the delivery of high quality cultural experiences; maintain high standards of asset management, to ensure all assets are fit for purpose.

Current CEO recruitment process

There is a pending vacancy in the CEO role as Harriet Elvin has announced her retirement.

The vacancy was advertised on JobsACT and relevant sector publications on 4 June 2021 and applications closed on 20 June 2021. Twenty-four (24) applications were received.

The Selection Advisory Panel (the Panel) was established comprising Kathy Leigh, Head of Service, Justice Richard Refshauge, Chair Cultural Facilities Corporation Board and Anne-Marie Schwirtlich AM, Former Director-General National Library of Australia.

The panel met on 12 July 2021 and shortlisted seven (7) candidates for interview. Interviews were held on 27 July 2021.

At the conclusion of the interviews the Panel agreed that two candidates demonstrated strong claims for appointment to the position. The Panel agreed to commence the process of seeking comments from referees, however on 2 August 2021, one of the preferred candidates advised the Head of Service that they needed to withdraw from the process due to changes in their personal circumstances.

The Panel sought referee comments the other preferred candidate (Mr Gordon Ramsay). The referee comments supported the Panel's assessment of Mr Ramsay's written application and interview performance.

Following consideration of referee comments, the Panel assessed Mr Gordon Ramsay as highly suitable for appointment.

Power, Leanne

From: Cook, Michael
Sent: Wednesday, 20 October 2021 5:11 PM
To: Power, Leanne
Subject: RE: Recruitment information

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks Leanne – received. Will keep you and Kathy updated.

From: Power, Leanne <Leanne.Power@act.gov.au>
Sent: Friday, 15 October 2021 9:23 AM
To: Cook, Michael <Michael.Cook@act.gov.au>
Subject: Recruitment information

OFFICIAL: Sensitive

Good morning Michael
Attached is the summary information about the CEO CFC recruitment process for your information
Thanks
Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service
Phone: 02 620 75990 | Mobile: [0412 340111](tel:0412340111) | Email: leanne.power@act.gov.au
Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 5, 220 London Circuit Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

SELECTION COMMITTEE FOR CHIEF EXECUTIVE OFFICER
OF THE CULTURAL FACILITIES CORPORATION

MEMORANDUM

Noted.

From: Richard Refshauge
To: Kathy Leigh, Anne-Marie Schwirtlich
Date: 21 October 2021
Subject: Progress of Selection Panel Report

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Richard Refshauge

SENSITIVE

Selection Panel Report

Chief Executive Officer Cultural Facilities Corporation

This position is a pending vacancy as Harriet Elvin has announced her retirement.

The vacancy was advertised on JobsACT and relevant sector publications on 4 June 2021 (a copy of the Candidate Information Package is at [Attachment A](#)). Advertisements closed on 20 June 2021. Three requests for extension were agreed for applicants to submit late applications.

In total, 24 applications were received (see schedule of applicants at [Attachment B](#)).

The Selection Advisory Panel (the Panel) met on 12 July 2021 and seven candidates were shortlisted for interview. Candidates not selected for interview were advised by email on 15 July 2021.

Interviews were held on 27 July 2021. The Panel comprised:

- Ms Kathy Leigh Head of Service and Director-General, Chief Minister, Treasury and Economic Development Directorate, ACT Government (Chair)
- Justice Richard Refshauge Chair, Cultural Facilities Corporation Board
- Ms Anne-Marie Schwirtlich AM Former Director-General, National Library of Australia

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

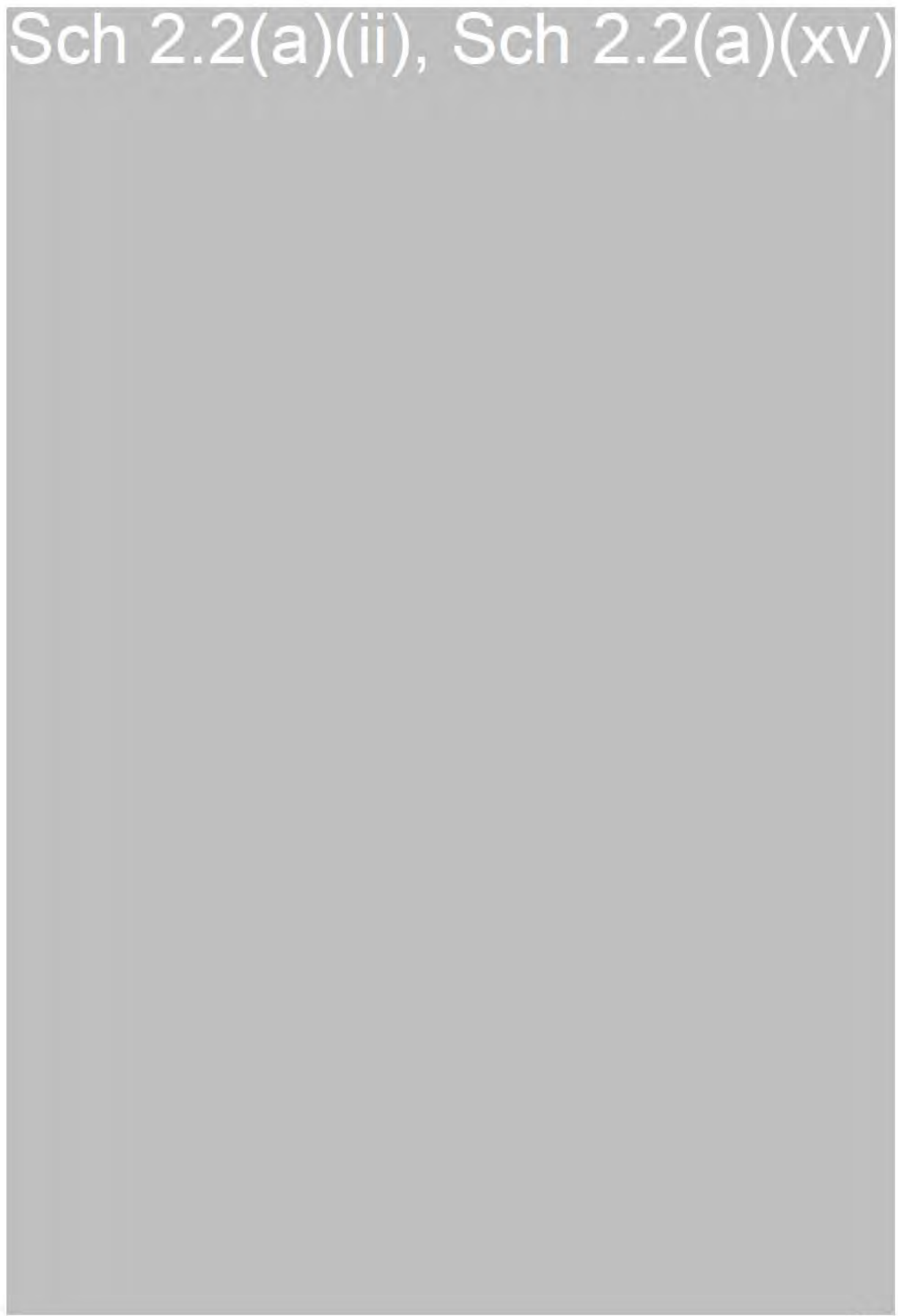
Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

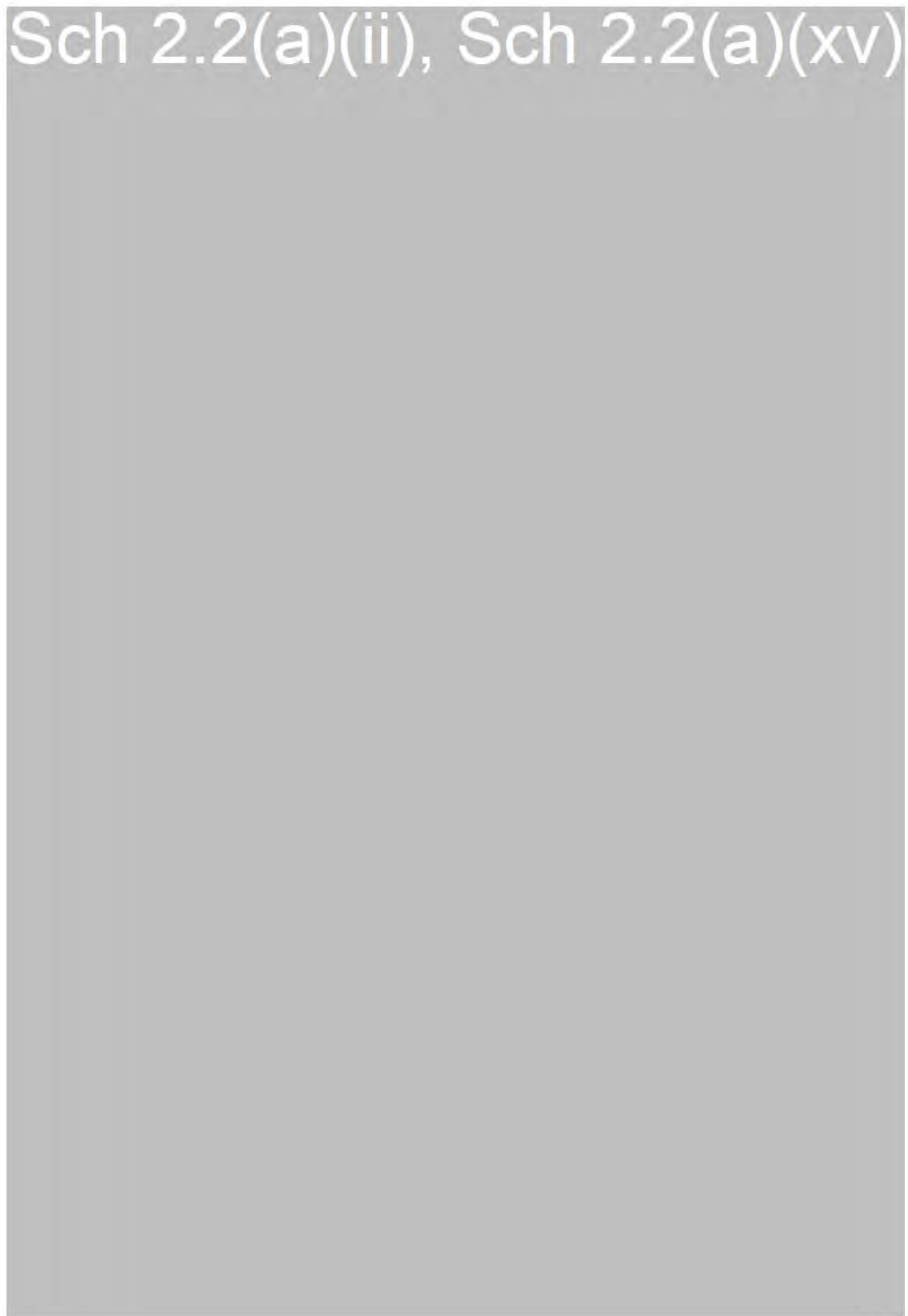
Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



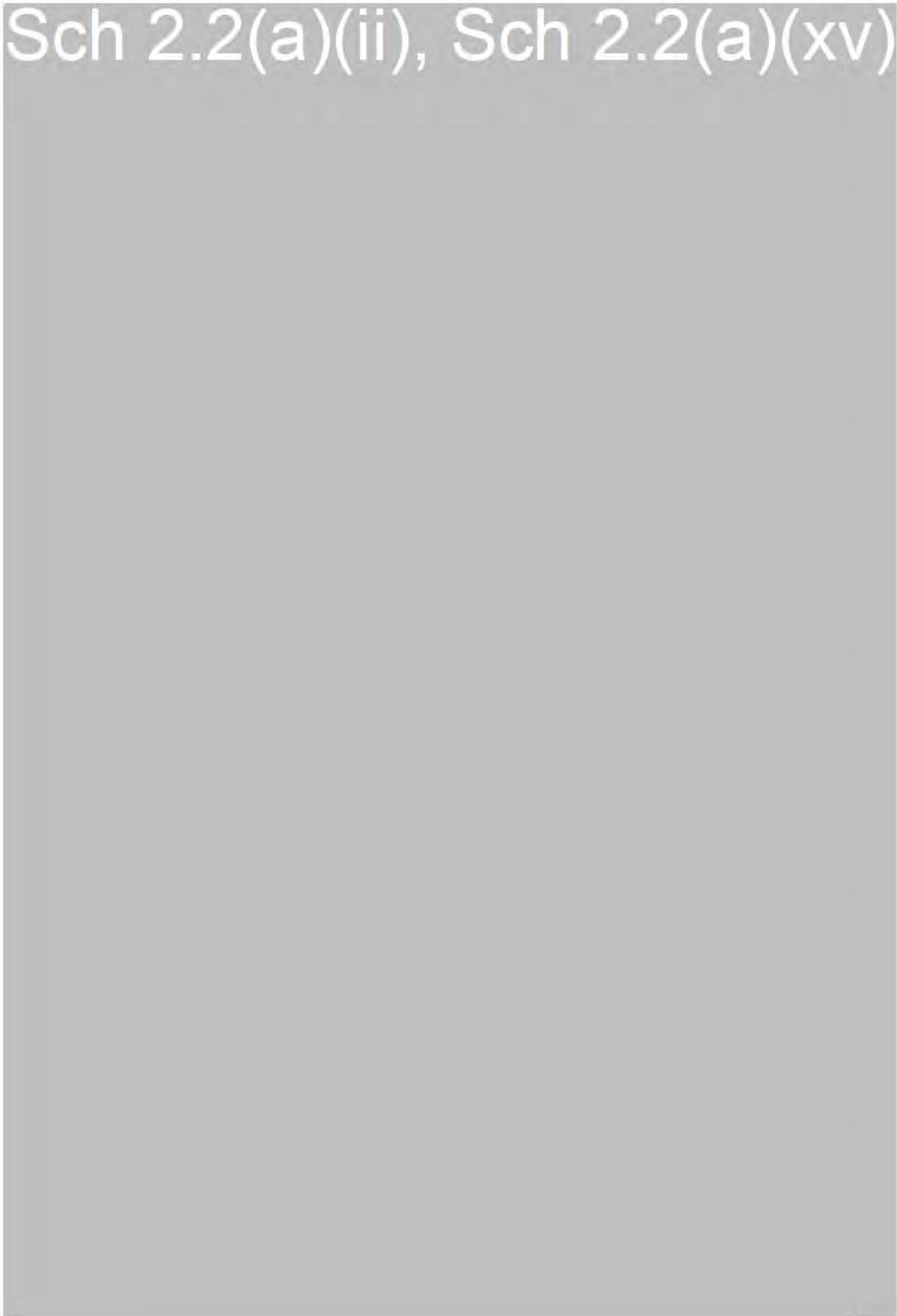
Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Recommendation

While the Panel agreed that there was a very good field of candidates for the role, the Panel was unanimous in its view that **Mr Gordon Ramsay** is the preferred candidate. In reaching this decision they placed weighting on his: proven record of experience and achievement; highly developed conceptual and critical thinking skills; proven record of delivering successful outcomes in very complex environments; demonstrated capacity to drive transformational change; quick and incisive mind and calm and thoughtful demeanour; and impressive interview performance which was complemented by referee support.

It is therefore recommended that **Mr Gordon Ramsay** be appointed as Chief Executive Officer, Cultural Facilities Corporation. The panel consulted with the Minister and the Cultural and Facilities Corporation Board in accordance with legislative requirements and they were supportive.



.....
Kathy Leigh
November 2021

..... **See page 15 for signature**

Justice Richard Refshauge
November 2021

..... **See page 14 for signature**

Anne-Marie Schwirtlich AM
November 2021

Attachments:

- A Candidate Information Document
- B Schedule of Applicants
- C **Out of scope** CVs of shortlisted candidates
- D Interview Questions
- E Referee comments Mr Gordon Ramsay

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

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Kathy Leigh
November 2021

Justice Richard Refshauge
November 2021

Sch 2.2(a)(ii)
Anne-Marie Schwirtlich AM
8 November 2021

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Sch 2.2(a)(ii), Sch 2.2(a)(xv)

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Kathy Leigh
November 2021

Sch 2.2(a)(ii)

Justice Richard Refshauge
9 November 2021

.....
Anne-Marie Schwirtlich AM
November 2021

Attachments:

- A Candidate Information Document
- B Schedule of Applicants
- C Out of scope CVs of shortlisted candidates
- D Interview Questions
- E Referee comments Mr Gordon Ramsay



POSITION DESCRIPTION

	Position Number: E255
	Classification: Executive Level 2.3
Agency: Cultural Facilities Corporation	Location: Canberra City
Position Title: Chief Executive Officer	Last Reviewed: May 2021

PORTFOLIO DIRECTORATE OVERVIEW

The Chief Minister, Treasury and Economic Development Directorate (CMTEDD) leads the ACT public sector and works collaboratively both within government and with the community to achieve positive outcomes.

As a central agency, CMTEDD provides strategic advice and support to the Chief Minister, the Directorate's Ministers and the Cabinet on policy, economic and financial matters, service delivery, whole of government issues and intergovernmental relations. The Directorate facilitates the implementation of government priorities, drives initiatives and leads the strategic direction for the ACT Public Service, to ensure that it is well positioned to perform its role.

AGENCY OVERVIEW

The Cultural Facilities Corporation (CFC) is an ACT Government enterprise established under the *Cultural Facilities Corporation Act 1997* (the CFC Act) to manage a number of the ACT's major cultural entities. It came into operation on 1 November 1997.

The functions of the CFC, as set out in the CFC Act (Section 6) are:

- to manage, develop, present, coordinate and promote cultural activities at designated locations and other places in the ACT;
- to establish and research collections;
- to conserve and exhibit collections in the possession or under the control of the CFC;
- to undertake activities, in cooperation with other people if appropriate, to exercise its other functions; and
- to exercise other functions given to the CFC under this Act or another Territory law.

The CFC Act (Section 7) requires that the CFC, in exercising its functions, must consider:

- any cultural policies or priorities of the Executive known to the CFC; and
- other cultural activities in the ACT.

The CFC is responsible for:

- the Canberra Theatre Centre;
- the Canberra Museum and Gallery, including the Nolan Collection; and
- three Historic Places: Lanyon, Calthorpes' House and Mugga-Mugga.

The CFC's functions therefore include the performing arts, the visual arts, social history and cultural heritage management. The organisation delivers a range of cultural services to the community by providing activities such as theatre presentations, exhibitions, and education and community programs, and through conserving and presenting significant aspects of the ACT's cultural heritage.

The CFC's vision is for Canberra to be a creative capital that values the arts for their intrinsic qualities, their contribution to building a more inclusive and resilient society, their support for making the city an exciting place to live and an attractive destination for business and tourism, and their important role in the economy of the ACT and region. The CFC sees itself as a leader in this creative city, providing high quality cultural experiences based on the arts and heritage resources that it holds in trust for the people of Canberra, and playing a significant role in the region's cultural and economic life.

CFC is governed by a Board appointed by the responsible Minister¹. The Board is comprised of key ACT education stakeholders along with members of the teaching profession and the ACT community².

CFC is subject to the direction of the Minister under section 14 of the CFC Act.

DUTIES / RESPONSIBILITIES

The Chief Executive Officer (CEO) is a member of, and also reports to, the Board of the CFC and, through the Board, to the Minister for the Arts. As a public servant, the CEO is appointed by the Director-General, CMTEDD³. The CEO also has a portfolio reporting line to CMTEDD through the Director-General, CMTEDD (or delegate). Working with the Board⁴ of the CFC and the Minister for the Arts, the key duties of the CEO position are as follows.

1. **Leadership:** position the CFC as a cultural leader in the ACT region and beyond; play a key role in planning and implementing the Canberra Civic Arts and Cultural Precinct Plan, including the new theatre project; provide leadership in cultural planning, administration and management; ensure a high standard of stakeholder engagement.
2. **Strategy:** provide a clear direction for the CFC's future, using the CFC's Strategic Plan as the basis for annual corporate plans, and to guide the work of the Board, advisory committees, staff and volunteers.
3. **Governance:** ensure that the CFC is an accountable and dynamic organisation, and that its governance systems provide a high standard of transparency and accountability.

¹ Under section 10 of the *Cultural Facilities Corporation Act 1997*, the Minister appoints the members of the Governing Board other than the Chief Executive Officer.

² The Governing Board includes the Chief Executive Officer according to section 10 of the *Cultural Facilities Corporation Act 1997*.

³ Under section 11 of the *Cultural Facilities Corporation Act 1997*, the Chief Executive Officer must be a public servant and appointed by the Director-General, Chief Minister, Treasury and Economic Development Directorate. This appointment is made after consulting with the Governing Board and the responsible Minister according to section 80(3) of the *Financial Management Act 1996*.

⁴ The CEO is required to advise the Board immediately about significant events as per section 84(1)(d) of the *Financial Management Act 1996*.

4. **People:** ensure the CFC is a resilient and high performing organisation and an employer of choice; provide leadership to the CFC's staff and volunteers, ensuring the organisation can attract, develop and retain people who are highly skilled and passionate about their work; ensure that CFC workplaces are safe and rewarding⁵.
5. **Finances:** ensure the CFC's long term financial health; maintain high standards of financial management and reporting; maximise both government and own-sourced income, to ensure financial sustainability and support future growth.
6. **Assets:** ensure the CFC's assets support the delivery of high quality cultural experiences; maintain high standards of asset management, to ensure all assets are fit for purpose.

Note: The CEO functions are outlined in section 84 of the *Financial Management Act 1996*. Other requirements which apply to the CEO in the *Financial Management Act 1996* include:

- Section 85: Honesty, care and diligence of governing board members;
- Section 86: Conflicts of interest by governing board members;
- Section 88: Disclosure of interests by governing board members.

⁵ The CEO employs staff of CFC on behalf of the Territory under the *Public Sector Management Act 1994* pursuant to section 12 of the CFC Act.

SEPARATION OF ROLES BETWEEN THE CFC CHAIR AND CEO

The following table, taken from the CFC's Board Charter, sets out further information about the role of the CEO and how this is differentiated from the role of the CFC Chair.

Activity	Chair	CEO
Leadership and vision	<ul style="list-style-type: none"> Ensures the Board provides leadership and vision to the CFC. 	<ul style="list-style-type: none"> Provides leadership to the staff of the CFC, especially in delivery of the organisational vision.
Relationship with Minister	<ul style="list-style-type: none"> Ensures regular engagement e.g. through regular strategic meetings with the Minister and by inviting the Minister to Board meetings at least once a year. Fosters positive relations e.g. through informal discussions at events. Ensures the Minister is kept informed about the operations of the CFC including any significant events. 	<ul style="list-style-type: none"> Supports Chair in ensuring regular engagement and positive relations with the Minister. Ensures regular engagement and positive relations with the Minister's office. Addresses any issues of concern arising from the Minister or the Minister's office, and judges whether they should be referred to the Chair. Invites Minister to visit CFC sites as regularly as possible e.g. to attend personally tailored tours, open exhibitions, attend theatre opening nights, officiate at other events. Supports the Chair in ensuring the Minister is kept informed about the operations of the CFC including any significant events.
Strategic and corporate plans, and performance indicators and targets	<p>With the Board:</p> <ul style="list-style-type: none"> approves the CFC's strategic and corporate plans and the CFC's performance indicators and targets for its annual statement of intent; and monitors performance against these. 	<ul style="list-style-type: none"> With staff, develops the CFC's strategic and corporate plans, and the performance indicators and targets for its annual statement of intent. Oversights and reports on the achievement of the strategic and corporate plans and the performance targets.
Legal and policy framework	<ul style="list-style-type: none"> Ensures a comprehensive policy framework for CFC is set, and that the CFC operates within policy parameters established by government and according to law. 	<ul style="list-style-type: none"> Ensures all actions comply with CFC policies and policy parameters established by government and according to law.
Financial oversight	<ul style="list-style-type: none"> Leads the Board in ensuring appropriate oversight of the organisation's finances. Ensures the Audit Committee of the Board is in place and reports to the Board. 	<ul style="list-style-type: none"> Ensures appropriate financial reporting to the Board. Participates in, and ensures a high level of servicing of, the Audit Committee of the Board.

Activity	Chair	CEO
Operational activities - ongoing management of staff, resources, venues and programs	<ul style="list-style-type: none"> Considers and advises on any operational issues the CEO believes the Board should be briefed about. 	<ul style="list-style-type: none"> Identifies to the Chair any operational issues the Board should be briefed about.
Board meetings	<ul style="list-style-type: none"> Presides over Board meetings and directs Board discussions to use the time available effectively in addressing the critical issues facing the CFC. 	<p>In discussion with the Chair:</p> <ul style="list-style-type: none"> identifies ongoing and priority topics for discussion at Board meetings; and drafts and coordinates documentation for Board meetings (agenda, papers, minutes).
Briefing of Board	<ul style="list-style-type: none"> Makes certain that the Board has the necessary information to fulfil its functions and roles effectively. 	<ul style="list-style-type: none"> Ensures all necessary information is provided to the Chair/Board to inform effective decision making and actions. Immediately advises the Board of any significant events.
Relationship between Chair and CEO	<ul style="list-style-type: none"> Ensures there is a continuing and constructive relationship with the CEO and management. Provides feedback from the Board on the CEO's ongoing and yearly performance. 	<ul style="list-style-type: none"> As the major point of contact between the CEO and the Board, keeps the Chair fully informed about matters of interest to Board members. Provides feedback to the Board, through the Chair, on the Board's performance.
Board effectiveness and development	<ul style="list-style-type: none"> Guides the continuing effectiveness and development of the Board and individual members. 	<ul style="list-style-type: none"> Supports the Chair to ensure Board effectiveness and ensures Board members have opportunity to access organisational information if required.
Evaluation of Board performance	<ul style="list-style-type: none"> Leads process of Board evaluation at least once every two years. 	<ul style="list-style-type: none"> Supports Chair in undertaking Board evaluation process.
Representation of the organisation	<ul style="list-style-type: none"> Represents the Board in public fora and in the media on issues appropriate to the Chair role. 	<ul style="list-style-type: none"> Represents the CFC in public fora and media on issues appropriate to the CEO role.
Other responsibilities	<ul style="list-style-type: none"> Other responsibilities as outlined in the Board Charter. 	<ul style="list-style-type: none"> Other responsibilities as delegated by the Board to the CEO.

EXECUTIVE CAPABILITIES

The CEO position is required to meet the following ACT Public Service Executive Capabilities.

Leads and values people

- Motivates and develops people
- Values diversity and respects individuals
- Builds a culture of improving practice

Shapes strategic thinking

- Inspires a sense of purpose and direction
- Encourages innovation and engages with risk
- Thinks broadly and develops solutions

Achieve results with integrity

- Develops organisational capability to deliver results
- Manages resources wisely and with probity
- Progresses evidence-based policies and procedures
- Shows sound judgement, is responsive and ethical

Fosters collaboration

- Listens and communicates with influence
- Engages efficiently across government
- Builds and maintains key relationships

Exemplifies citizen, community and service focus

- Understands, anticipates and evaluates client needs
- Creates partnerships and co-operation
- Works to improve outcomes

JOB-SPECIFIC SELECTION CRITERIA

1. **Leadership:** demonstrated experience as a leader in the cultural sector, preferably in a public administration context, with a passion for the role of arts and heritage in our community and society.
2. **Strategy:** high level strategic and analytical skills, with the ability to lead and manage the CFC in setting its future directions, implementing the Board's decisions, and giving effect to the Government's agenda for the cultural sector.
3. **Governance:** demonstrated understanding of, and experience in, corporate governance issues, preferably in a public administration context, including in working to support a board to achieve high standards of governance.
4. **People:** a commitment to a collaborative leadership style, with the ability to manage staff and volunteers across a wide range of employment categories, and with diverse backgrounds and skills.
5. **Finances:** high level financial management skills, with the ability to lead the organisation in raising substantial levels of non-government revenues and acting in an entrepreneurial manner, while also achieving high standards of accountability and control.
6. **Assets:** demonstrated ability to provide a high standard of asset management and to ensure the CFC's venues are fit for purpose for delivering high quality cultural experiences.

QUALIFICATIONS

Tertiary qualifications in Arts Administration, Cultural Heritage Management, Business Administration or a related discipline are highly desirable.

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
1	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
2	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
3	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
4	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
5	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y
6	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N
7	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
8	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
9	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
10	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N
11	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
12	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
13	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

**Chief Executive Officer, Cultural Facilities Corporation
Schedule of Applicants**

14	Sch 2.2(a)(ii), Sch 2.2(a)(xv)		N
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SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
15	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

**Chief Executive Officer, Cultural Facilities Corporation
Schedule of Applicants**

16	Sch 2.2(a)(ii), Sch 2.2(a)(xv)		N
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SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
17	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
18	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
19	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
20	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
21	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
22	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						Y

SENSITIVE

Chief Executive Officer, Cultural Facilities Corporation Schedule of Applicants

	NAME	CONTACT	ADDRESS	QUALIFICATIONS	RECENT EMPLOYMENT	COMMENTS	PANEL INTERVIEW Y/N
23	Sch 2.2(a)(ii), Sch 2.2(a)(xv)						N
24							N

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

CFC CEO Interview Questions

1. What attracts you to this role? If you were appointed, what would you want to achieve?
2. What challenges do you see over the next 3-5 years for the ACT and the CFC? What would you do to address one of more of these?
3. What have you done that you are really proud of?
4. Tell us about a time when you made a mistake and what you learned from it.
5. Being a CEO can be isolating. Where would you find your professional development and your peers?
6. What course would you steer if your board, your Minister and your stakeholder community all had very clear but very different views of your direction?
7. What are your strengths for this role and where would you need to develop further? [2nd part: how would you go about gaining that further development?]
8. What values shape your relationship with staff, your board, your Minister, your community? How is this reflected in your actions and strategy?
9. Finish this statement. In 24 months I will be disappointed if.....

SELECTION COMMITTEE FOR CHIEF EXECUTIVE OFFICER
OF THE CULTURAL FACILITIES CORPORATION

MEMORANDUM

From: Richard Refshauge
To: Kathy Leigh, Anne-Marie Schwirtlich
Date: 6 October 2021
Subject: Referee Checks for Applicants Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Richard Refshauge

From: [Anne-Marie Schwirtlich](#)
To: [Leigh, Kathy](#); [Power, Leanne](#)
Cc: [Kalleske, Sarah](#)
Subject: CEO CFC: Referee comments from 
Date: Tuesday, 14 September 2021 5:27:08 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Afternoon Kathy and Leanne

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



AM

SELECTION COMMITTEE FOR CHIEF EXECUTIVE OFFICER
OF THE CULTURAL FACILITIES CORPORATION

MEMORANDUM

From: Richard Refshauge
To: Kathy Leigh, Anne-Marie Schwirtlich
Date: 25 August 2021
Subject: Referee Checks for Applicants Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Sch 2.2(a)(ii), Sch 2.2(a)(xv)



Richard Refshauge

Executive Action Request

Guidelines:

1. This form is completed to request Head of Service approval for Executive contract actions.
2. The form should be completed electronically in MS Word and emailed to [Shared Services HR, Executive Contracts](#) for processing along with Director-General approval (Deputy Director-General approval where these arrangements are authorised within the directorate).
 - a. Director-General approval is necessary for Band 3 Deputy Director-General equivalent executive positions. The Deputy Director-General is able to approve executive actions for Band 1 and Band 2 positions.
3. The total engagement in a long term contract must not exceed five years (PSM Standards).
4. The total engagement in a short term contract must not exceed two years (PSM Standards).
5. Requests should be provided to Shared Services to arrange Head of Service approval at least **two weeks** prior to commencement to allow sufficient time for processing. Urgent requests less than this period can be considered on a case by case basis.
6. Executive contracts should be for a minimum of four weeks, however requests for a period less than four weeks will be considered based on the justification provided as part of the EAR form, on a case-by-case basis.
7. Generally, periods shorter than 4 weeks should be performed as unpaid development opportunities with the functions exercised through an instrument of delegation.
8. Executive vacancies less than nine months, should be advertised via an expression of interest.
9. Executive vacancies over nine months, must be advertised on the Jobs website and the gazette to meet the requirements under the Public Sector Management Act 1994, and may be advertised in other ways, including press and through a recruitment firm.
10. Consultation with Head of Service is essential to discuss the creation of new executive positions prior to submitting this request.
11. A Mercer assessment is required for new executive positions and existing positions that have not previously been assessed by Mercer for a period of time.
12. Shared Services is responsible for ensuring the request meets the ACTPS legislative requirements as well as preparation and disbursement of documentation to the executive.

Request Details	
Directorate/Agency	Cultural Facilities Corporation
Division	Enter Division
Position Title	Chief Executive Officer
Position Number	E255
Classification	Executive Level 2.3 <small>Please see translation table 130 of the PSM Standards 2016</small>
Establishment Action (if applicable)	(Please Select) Enter Cost Code
Position Reports to (attach organisation chart)	Head of Service
Multiple Actions?	No
Action 1	Long Term Contract
Action 2 (if applicable)	Select Reason for Request
Action 3 (if applicable)	Select Reason for Request

Position Occupancy	Nominal/Long term occupant	Harriet Elvin	Actual occupant	Harriet Elvin
Status	New executive			
Does the person have an existing executive contract?	No	If yes, in what position	Enter Position Number	

Does ICT Access need to be arranged?	No - CFC will organise			
Business Reason <i>Provide supporting information to assist the Head of Service. Attach additional information or evidence if needed.</i> <i>Please note, for short term contracts, include information on where the Long Term occupant (if applicable) will be during the period.</i>	Following Ms Elvin's announcement that she will shortly retire, the Head of Service and Chair of the CFC Board have completed a national recruitment process. Mr Gordon Ramsay is the recommended candidate for appointment.			

Is this executive action backfilling leave or other arrangements? If so, please provide details	No	Provide details
---	----	-----------------

Legislative Compliance Check for Contract Requests	Merit selection process completed <input type="checkbox"/> Engagements exceeding nine months (mandatory full selection process). Please specify date: Enter Date <input type="checkbox"/> Engagements less than nine months (EOI selection process) date: Enter Date Short Term Contract (PSM Standards) <input type="checkbox"/> Total engagement in this position does not exceed two years Long Term Contract (PSM Standards) <input checked="" type="checkbox"/> Total engagement in this position does not exceed five years			
--	--	--	--	--

Ministerial Appointment?	No			
--------------------------	----	--	--	--

Directorate Contact	Leanne Power	X75990
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Contract Executive Details				
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Term of Contract	From: 13/12/2021 to 12/12/2026			
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Full-time/Part-time	Full-time	If part-time, /please specify the hours	Enter hours per week	
---------------------	-----------	---	----------------------	--

Title	Mr			
-------	----	--	--	--

Family Name	Ramsay			
-------------	--------	--	--	--

Given Name(s)	Gordon Robert			
---------------	---------------	--	--	--

Date of Birth	Enter Date of Birth			
---------------	---------------------	--	--	--

AGS Number (if known)	Enter AGS Number (if known)			
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Phone	Sch 2.2(a)(ii), Sch 2.2(a)(xv)			
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Email				
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Nominal/permanent role	Enter the position number of the person's nominal or permanent role	Executive level (if applicable): NA Other level (if applicable): NA	
Superannuation Scheme	To be advised.		
If this engagement is a result of an external recruitment process, would you like Shared Services to send unsuccessful notification?	No - Directorate will send unsuccessful notification		
Enter any special conditions that form part of this contract and attach evidence of approval	Enter any special conditions that form part of this contract.		
Advertising Details (if applicable)			
Vacancy period	Select placement period or type your own option.		
Vacancy period for Short Term Contracts if known			
How will the vacancy be advertised		If EOJ, which distribution list?	Select distribution list
Press Required			
Further Advertising Instructions			
Closing Date			
Full-time/Part-time (including hours)			
Contact Officer			
Contact Officer Phone			
Contact Officer Email			
Wording for Advertisement:			
Do you intend on using an Executive Search Firm?			Enter name of organisation
Director-General / Deputy Director-General Details			
Name	Enter Name		
Date	Select Date	Approved by email (copy attached) <input type="checkbox"/>	
Shared Services Use Only			
Original Contract Start Date (for extensions only)	Select Start Date		
Advertisement	<input type="checkbox"/> attach advertisement		

Complies with Legislative requirements and guidelines	Please Select
Comments	Enter Comments
Head of Service Decision	
<p>This request is</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> approved<input type="checkbox"/> modified and approved<input type="checkbox"/> not approved <p>Reason if modified/not approved:</p> <p>Name: Kathy Leigh  Date: 8/11/2021</p>	

Document requirements

Action Type	Document Requirements
Executive Advertising request	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Sufficient and detailed information should be included in the request so that it can be reviewed by the Head of Service • Organisational Chart • Position Description • Proposed advertisement wording
Job sizing request (new or existing position)	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Organisational Chart • Position Description • Confirmation as to whether consultation with Head of Service has occurred for new/additional executive roles • Position structure including cost code and reporting line
Short Term Contracts request (up to two years)	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Evidence to support the selection process i.e. <ul style="list-style-type: none"> ○ a selection report <ul style="list-style-type: none"> ▪ List of applicants ▪ Comparative Assessment ▪ Individual Assessment ○ email from the panel outlining the assessment method • Organisational chart
Long Term Contracts request (up to five years)	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Approved selection report • Comparative Assessment • Individual Assessments • List of applicants • Referee reports <p>NB: no organisational chart needed if organisational chart is current and was provided as part of the EAR to advertise</p>
Re-engagement request	<ul style="list-style-type: none"> • Executive Action request with supporting information • Director-General/Deputy Director-General or equivalent approval (email approval is acceptable) • Re-engagement appraisal discussion and associated documentation • Organisational chart • Initial advertisement

Power, Leanne

From: Power, Leanne
Sent: Tuesday, 9 November 2021 1:32 PM
To: Sch 2.2(a)(ii)
Subject: Contract documents CEO CFC E255
Attachments: Signed Letter of Offer - Gordon Ramsay.pdf; Signed Long Term Contract - Gordon RamsayE255.pdf; Executive Election Form - Gordon Ramsay.docx

OFFICIAL: Sensitive - Personal Privacy

Good afternoon Gordon

As discussed with Head of Service, I attach the contract documents for your appointment as CEO CFC E255:

- Letter of Offer
- Long term contract
- Executive Election form.

If you could please sign the long term contract and executive election form and send back to me, I can get your appointment progressing. Note the executive election form asks for an AGS number – don't worry about putting anything in that section as you won't have a number until you have completed the new appointment paperwork – the link for this is paperwork is provided in the Letter of Offer.

Please feel free to ring me if you have any questions, especially in relation to the engagement paperwork.

Kathy or I will also be in touch to confirm the when the announcement will be made.

Many thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service
Phone: 02 620 75990 | Mobile [0412 220433](tel:0412 220433) | Email: leanne.power@act.gov.au
Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 5, 220 London Circuit Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au



Mr Gordon Ramsay

Sch 2.2(a)(ii)

Dear Mr Ramsay

I am pleased to offer you a long-term executive contract in the position of Chief Executive Officer, Cultural Facilities Corporation (Executive Level 2.3, E255). The executive contract is offered for the period 13 December 2021 to 12 December 2026.

I have attached a contract under section 31 of the *Public Sector Management Act 1994*, which, when completed, will put this arrangement in place.

The total remuneration is set out in Schedule B of the contract including special terms and conditions as set out in Schedule C. Please sign and date the contract as soon as possible.

An election form in respect of your salary arrangements is also attached for you to complete.

As you will be a new engagement to the ACT Public Service (ACTPS), you are required to complete pre-employment paperwork. This paperwork can be downloaded from the Jobs ACT website at <http://www.jobs.act.gov.au/about-the-actps/starting-with-the-actps/pre-employment>.

The contract, declaration of private interests, election form and new starter paperwork should be returned as soon as possible to facilitate your appointment and avoid delays in the payment of your salary. You should be aware that summary information about your contract will be tabled in the ACT Legislative Assembly.

A portal on executive profiles has been developed to capture job experience and skills of our senior executives. You may wish to arrange for your profile to be uploaded onto the portal by speaking with your Executive Officer when you commence. The portal is at http://incmtd/Executive_Profile/SitePages/Home.aspx.

An Executive Induction page is available on the ACTPS Employment Portal at <http://www.cmd.act.gov.au/employment-framework/for-executives/actps-executive-induction>. As an executive within the ACTPS, the portal is a centralised resource that provides easy access to key whole of government documentation, legislation, policies and induction to assist you with information about the ACTPS.

If you have questions about your engagement contract and pre-employment paperwork, please contact the Team Leader, Executive Contract Management on (02) 6205 8633.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Kathy Leigh".

Kathy Leigh
Head of Service
8 November 2021

LONG TERM EXECUTIVE CONTRACT

Gordon Ramsay

Contract – Operation and Application

1. This Contract is a contract in accordance with section 31 of the *Public Sector Management Act 1994* (the Act) and section 54 (2) of the *Public Sector Management Standards 2016* (the Standards).
2. Subject to the Act, this Contract supersedes and replaces all other contracts, understandings or arrangements relevant to the employment of the Senior Executive Service (SES) member prior to the execution of the Contract.
3. The terms and conditions of the SES member's employment are regulated by:-
 - (a) this Contract;
 - (b) the Act;
 - (c) any applicable management standards or other instruments made from time to time pursuant to the Act;
 - (d) the *Remuneration Tribunal Act 1995*; and
 - (e) other applicable laws of the Territory.
4. The SES member acknowledges that no oral understandings or promises have been given by the Engager.
5. The SES member must not, after ceasing employment in the service, disclose any confidential information acquired by the SES member as a consequence of the SES member's employment in the service without the written approval of the head of service.
6. Without limiting Item 5, an SES member must not:
 - (a) take, or seek to take, improper advantage of his or her position in order to obtain a benefit for the SES member or any other person;
 - (b) take, or seek to take, improper advantage, for the benefit (whether or not pecuniary) of the SES member or any other person, of any information acquired, or any document to which the employee had access, as a consequence of his or her employment;
 - (c) disclose, without lawful authority, any information acquired by him or her, whether before or during employment as an SES member:-
 - (i) as a consequence of his or her employment; or
 - (ii) from any document to which he or she has access as a consequence of his or her employment.

Definitions

7. In the Contract the following words have the following meanings, unless a contrary intention appears:-
 - (a) "Act" means the *Public Sector Management Act 1994*, as amended from time to time;

- (b) "Contract" means this Contract, the Schedules attached to it, and the terms and conditions applied by the Act, the Standards and otherwise provided by law;
- (c) "SES member" means the natural person specified in Item 13 of *Schedule A*, being a person performing the duties of the service under this Act;
- (d) "Engager" means the Australian Capital Territory and includes any person authorised to act on behalf of the Australian Capital Territory in relation to any act, approval, or discretion to be done, granted, or exercised by or on behalf of the Australian Capital Territory under the Contract.

Statutory Employment Terms

8. The Statutory Employment Terms are specified in *Schedule A* of this Contract.

Termination

9. The minimum notice period for ending engagement is the shorter of:-

- (a) 8 weeks; or
- (b) a period agreed by the Engager and the SES member,

10. However, there is no minimum notice period as outlined in Item 9 if:-

- (a) the SES member's engagement is ended because the Engager is satisfied on reasonable grounds that the SES member has engaged in serious misconduct; or
- (b) at the written request of the SES member, or at the direction of the Engager, the SES member is paid an amount equal to 8 weeks of the SES member's salary.

Remuneration

11. The SES member is entitled to the Total Remuneration, (being Salary and Entitlements), set out in *Schedule B*. The Salary and Entitlements shall be subject to:

- (a) the terms and conditions of this contract;
- (b) any applicable management standards or other instruments made from time to time pursuant to the Act; and
- (c) all determinations made by the Chief Minister or the Remuneration Tribunal under the *Remuneration Tribunal Act 1995*.

Special Terms and Conditions

12. The special terms and conditions are set out in *Schedule C* apply to the SES member's employment.

Signed:

Gordon Ramsay
SES Member

Date: _____



Kathy Leigh
Head of Service

Date: 8 November 2021

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

SCHEDULE C

Special Terms and Conditions

1. Some details of long-term contracts are required to be tabled in the ACT Legislative Assembly under section 56 of the *Public Sector Management Standards 2016*.



ACT
Government

Executive Contract Election Form

Instructions

1. This form is to be used for all ACTPS executive employees and full-time statutory office holders.
2. Further information on executive employment conditions can be found on the [ACTPS Employment Portal](#) or the [Director-General and Executive Handbook \(incorporating Full-time Holders of Public Office\)](#).
3. Late or incomplete forms will delay processing.

Employee Details	
Surname: Ramsay	Given Names: Gordon
Directorate: Cultural Facilities Corporation	AGS/Employee Number: Enter AGS Number (if known)
Employer Provided Benefits	
Motor Vehicle: (see section 59, PSM Standards 2016)	
<input type="checkbox"/> Use of a government provided vehicle	OR <input type="checkbox"/> Cash in lieu*. Amount: \$24,500
*Fringe Benefits Tax (FBT) payment: An amount of \$7,500 per annum is paid as an allowance to the executive on a fortnightly basis, unless an election is made to use a government vehicle. For further information, please see the applicable Remuneration Tribunal Determination .	
Parking: (see section 61, PSM Standards 2016)	
<input type="checkbox"/> Use of a government provided parking space	OR <input type="checkbox"/> Cash in lieu. Amount: \$2,500
Executive Contract Details	
Classification: Executive Level 2.3	Position Number: E255
Executive Signature:	Date: / /

Power, Leanne

From: Gordon Ramsay [\[Redacted\]](#)
Sent: Tuesday, 9 November 2021 3:24 PM
To: Power, Leanne
Subject: Re: Contract documents CEO CFC E255: Return of Signed documentation
Attachments: CFC CEO Long term Exec Contract and Election form signed.PDF

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Leanne
Thank you again
Please find attached my signed Long Term Contract and Executive Election Form.

As indicated, I will complete the other pre-employment documentation and return to you asap

Thanks again
Gordon

On 9 Nov 2021, at 1:31 pm, Power, Leanne <Leanne.Power@act.gov.au> wrote:

OFFICIAL: Sensitive - Personal Privacy

Good afternoon Gordon

As discussed with Head of Service, I attach the contract documents for your appointment as CEO CFC E255:

- Letter of Offer
- Long term contract
- Executive Election form.

If you could please sign the long term contract and executive election form and send back to me, I can get your appointment progressing. Note the executive election form asks for an AGS number – don't worry about putting anything in that section as you won't have a number until you have completed the new appointment paperwork – the link for this is paperwork is provided in the Letter of Offer.

Please feel free to ring me if you have any questions, especially in relation to the engagement paperwork.

Kathy or I will also be in touch to confirm the when the announcement will be made.

Many thanks
Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service
Phone: 02 620 75990 | Mobile: [\[Redacted\]](#) | Email: leanne.power@act.gov.au

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

<Signed Letter of Offer - Gordon Ramsay.pdf><Signed Long Term Contract - Gordon RamsayE255.pdf><Executive Election Form - Gordon Ramsay.docx>



LONG TERM EXECUTIVE CONTRACT

Gordon Ramsay

Contract – Operation and Application

1. This Contract is a contract in accordance with section 31 of the *Public Sector Management Act 1994* (the Act) and section 54 (2) of the *Public Sector Management Standards 2016* (the Standards).
2. Subject to the Act, this Contract supersedes and replaces all other contracts, understandings or arrangements relevant to the employment of the Senior Executive Service (SES) member prior to the execution of the Contract.
3. The terms and conditions of the SES member's employment are regulated by:-
 - (a) this Contract;
 - (b) the Act;
 - (c) any applicable management standards or other instruments made from time to time pursuant to the Act;
 - (d) the *Remuneration Tribunal Act 1995*; and
 - (e) other applicable laws of the Territory.
4. The SES member acknowledges that no oral understandings or promises have been given by the Engager.
5. The SES member must not, after ceasing employment in the service, disclose any confidential information acquired by the SES member as a consequence of the SES member's employment in the service without the written approval of the head of service.
6. Without limiting Item 5, an SES member must not:
 - (a) take, or seek to take, improper advantage of his or her position in order to obtain a benefit for the SES member or any other person;
 - (b) take, or seek to take, improper advantage, for the benefit (whether or not pecuniary) of the SES member or any other person, of any information acquired, or any document to which the employee had access, as a consequence of his or her employment;
 - (c) disclose, without lawful authority, any information acquired by him or her, whether before or during employment as an SES member:-
 - (i) as a consequence of his or her employment; or
 - (ii) from any document to which he or she has access as a consequence of his or her employment.

Definitions

7. In the Contract the following words have the following meanings, unless a contrary intention appears:-
 - (a) "Act" means the *Public Sector Management Act 1994*, as amended from time to time;

- (b) "Contract" means this Contract, the Schedules attached to it, and the terms and conditions applied by the Act, the Standards and otherwise provided by law;
- (c) "SES member" means the natural person specified in Item 13 of Schedule A, being a person performing the duties of the service under this Act;
- (d) "Engager" means the Australian Capital Territory and includes any person authorised to act on behalf of the Australian Capital Territory in relation to any act, approval, or discretion to be done, granted, or exercised by or on behalf of the Australian Capital Territory under the Contract.

Statutory Employment Terms

8. The Statutory Employment Terms are specified in Schedule A of this Contract.

Termination

9. The minimum notice period for ending engagement is the shorter of:-
- (a) 8 weeks; or
 - (b) a period agreed by the Engager and the SES member.
10. However, there is no minimum notice period as outlined in Item 9 if:-
- (a) the SES member's engagement is ended because the Engager is satisfied on reasonable grounds that the SES member has engaged in serious misconduct; or
 - (b) at the written request of the SES member, or at the direction of the Engager, the SES member is paid an amount equal to 8 weeks of the SES member's salary.

Remuneration

11. The SES member is entitled to the Total Remuneration, (being Salary and Entitlements), set out in Schedule B. The Salary and Entitlements shall be subject to:
- (a) the terms and conditions of this contract;
 - (b) any applicable management standards or other instruments made from time to time pursuant to the Act; and
 - (c) all determinations made by the Chief Minister or the Remuneration Tribunal under the *Remuneration Tribunal Act 1995*.

Special Terms and Conditions

12. The special terms and conditions are set out in Schedule C apply to the SES member's employment.

Signed:

Sch 2.2(a)(ii)

Gordon Ramsay
SES Member

Date: 9 November 2021



Kathy Leigh
Head of Service

Date: 8 November 2021

**SCHEDULE A
(Section 30)**

Statutory Employment Terms (SETs)

13. Name of SES member: Gordon Ramsay
14. Position Number: E255
15. Position Title (clause a): Chief Executive Officer,
16. Directorate (clause b): Cultural Facilities Corporation
17. Classification (clause c): Executive Level 2.3
18. Full-time/Part-time (clause e): Full-time
19. Term of Contract (clause f): Five Years

20. The SES member shall commence to perform the duties on:

13/12/2021;

and shall cease on:

12/12/2026.

21. SES member's Address for Service (work location/address)

GPO BOX 158
CANBERRA ACT 2601

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

SCHEDULE C

Special Terms and Conditions

1. Some details of long-term contracts are required to be tabled in the ACT Legislative Assembly under section 56 of the *Public Sector Management Standards 2016*.



Executive Contract Election Form

Instructions

1. This form is to be used for all ACTPS executive employees and full-time statutory office holders.
2. Further information on executive employment conditions can be found on the [ACTPS Employment Portal](#) or the [Director-General and Executive Handbook \(incorporating Full-time Holders of Public Office\)](#).
3. Late or incomplete forms will delay processing.

Sch 2.2(a)(ii), Sch 2.2(a)(xv)

Australian Capital Territory

Financial Management (Cultural Facilities Corporation Governing Board Chief Executive Officer) Appointment 2021 (No 1)

Notifiable Instrument NI2021-

made under the

Cultural Facilities Corporation, section 11 (Chief executive officer of corporation)

Financial Management Act 1996, section 80(3) (Appointment of CEO of authority with governing board)

1 Appointment of member

I appoint Gordon Ramsay as the Chief Executive Officer of the Cultural Facilities Corporation.

2 Commencement

This instrument is taken to have commenced on 13 December 2021.

3 Term of appointment

This appointment commences on 13 December 2021 and ends on 12 December 2026.



Kathy Leigh
Head of Service and
Director-General
Chief Minister, Treasury and Economic Development Directorate

Date: 9 November 2021

Date: TBC...

SUBJECT: Announcement of Gordon Ramsay as new CEO for the Cultural Facilities Corporation (CFC)

KEY MESSAGES:

1. Gordon Ramsay has been appointed as the new Chief Executive Officer for the Cultural Facilities Corporation following a highly competitive national recruitment process.
2. Mr Ramsay brings with him a wealth of leadership, administrative, financial and governance experience as well as a passion and dedication for the arts in Canberra.
3. As the former ACT Minister for the Arts, Creative Industries and Community Events as well as his experience in leading large and complex organisations, Mr Ramsay is perfectly placed to lead this premier cultural organisation.
4. We thank Harriet Elvin for her 24 years of service and her contribution to making the Cultural Facilities Corporation the organisation it is today.

Talking points

- In May this year, Justice Richard Refshauge, Chair of the CFC Board, announced that Harriet Elvin will be leaving the role of CEO Cultural Facilities Corporation after 24 years.
- Gordon Ramsay has been appointed following a national recruitment process conducted by the Head of Service and the Chair of the CFC Board.
- It was a comprehensive recruitment process and there was significant interest in the role from local and national candidates.
- The CFC is responsible for the Canberra Theatre Centre, the Canberra Museum and Gallery and three Historic Places - Lanyon, Calthorpes' House and Mugga-Mugga.
- Its activities include performing arts, visual arts, social history and cultural heritage management.
- This is an exciting new chapter for the Cultural Facilities Corporation as it looks to the future and to play a role in the development of the new Canberra Theatre and surrounding Civic and Cultural District.
- Under the Minister's Statement of Ambition for the Arts, the CFC can take a leadership role in delivering that ambition for Canberra to be recognised as Australia's arts capital.
- Mr Ramsay brings with him significant experience in organisational governance with strong skills in business, financial, administration and people management.
- He has significant public and community sector leadership experience with over 25 years in leadership roles across a broad range of sectors and organisations in the ACT.

- He builds strong relationships and has a genuine and deep commitment to the arts and culture sectors in Canberra.
- He has a unique depth and breadth of portfolio knowledge across the range of roles and responsibilities of the Corporation.
- Will make a significant and immediate contribution to the work of the Corporation as Chief Executive Officer.
- Clear understanding of and commitment to the role of Chief Executive Officer and its accountability to the Board and the Minister.

Questions and Answers

How many applications were received?

- 24 applications were received from high calibre candidates.

Why was Mr Ramsay selected?

- Mr Ramsay was selected as the preferred candidate due to his significant experience in organisational governance with strong skills in business, financial, administration and people management.
- He has significant public and community sector leadership experience with over 25 years in leadership roles across a broad range of sectors and organisations in the ACT.
- He is a very capable communicator with a high level of drive and energy.

What previous roles has Mr Ramsay held?

- Gordon Ramsay is currently the Chief Executive Officer Alliance for Gambling Reform and Principal, Gordon Ramsay Consulting.
- Between 2016 and 2020 he was an Executive Member of the ACT Legislative Assembly and Member for Ginninderra with portfolio responsibility as Minister for Arts, Creative Industries and Community Events.
- Prior to that role, he was Member and Chair of the Board of Uniting Care (formerly Uniting Care NSW and ACT) (2011-2013) and Executive, Kippax Uniting Church (1997-2016).
- Early in his career Mr Ramsay was a Solicitor with Freehill Hollingdale and Page (1987-1991). He has a Bachelor of Arts from the University of Sydney, a Bachelor of Laws (Hons) from the University of Sydney and a Bachelor of Theology from the Sydney College of Divinity.

When will Mr Ramsay start?

- Mr Ramsay will commence in the role on 13 December 2021.

What was the process for recruitment?

- There was a pending vacancy in the CEO role when Harriet Elvin announced her retirement.
- The vacancy was advertised on JobsACT and relevant sector publications, such as Arts Hub on 4 June 2021 and applications closed on 20 June 2021. Twenty-four (24) applications were received.
- The Selection Advisory Panel was established comprising Kathy Leigh, Head of Service, Justice Richard Refshauge, Chair Cultural Facilities Corporation Board and Anne-Marie Schwirtlich AM, Former Director-General National Library of Australia.
- The panel met on 12 July 2021 and shortlisted seven (7) candidates for interview. Interviews were held on 27 July 2021.

Was the current Minister for the Arts involved in the selection?

- No, the position is appointed by the Head of Service. A selection process was conducted in line with usual public sector recruitment processes.
- Before making an appointment to the CEO role however, the Head of Service is required to consult with the Board and the Minister (s.80(3) of the Financial Management Act 1996).
- The Minister is not involved in the decision-making process.
- The CEO is an Executive Level 2.3 in the ACTPS.

Background

- nil...

Issues (not for distribution)

- nil

Action Officer: Karen Stewart-Moore
Cleared By: *Kathy Leigh*

DRAFT MEDIA STATEMENT

GORDON RAMSAY ANNOUNCED AS NEW CEO, CULTURAL FACILITIES CORPORATION

Gordon Ramsay will take up the position as Chief Executive Officer for the Cultural Facilities Corporation following a highly competitive national recruitment process.

In making the announcement Chair of the Cultural Facilities Corporation Board, Justice Richard Refshauge said, "This is an exciting time for the Corporation as we recover from COVID-19 and look to the future with a great deal of optimism.

"Mr Ramsay brings with him a wealth of leadership, administrative, financial and governance experience as well as a passion for the arts in Canberra.

"Under Mr Ramsay's leadership the CFC will play a key role in the development of the new Canberra Theatre Centre and the surrounding Canberra Civic and Cultural District as well as continue to deliver world-class cultural experiences for Canberrans and our visitors.

"As the former ACT Minister for the Arts, Creative Industries and Community Events as well as his experience in leading large and complex organisations, Mr Ramsay is perfectly placed to lead our premier cultural organisation.

"The CFC has an important leadership role in the sector and develops, presents and promotes cultural activities across the theatre centre, Canberra Museum and Gallery and historic places. The CFC is the custodian of many of our city's treasures and also supports local artists and arts organisations to grow and develop," Justice Refshauge said.

Justice Refshauge also recognised outgoing CEO Harriet Elvin AM for her outstanding service to Canberra's cultural sector.

"Ms Elvin has led the organisation as it has come of age as a premier destination for the arts. I sincerely thank her for her 24 years of service," Justice Refshauge said.

Mr Ramsay's appointment is the culmination of a national recruitment process which more than 20 applications from high calibre, local and national candidates.

Mr Ramsay will take up the role on 13 December 2021.

GORDON RAMSAY - BIOGRAPHY

- Gordon Ramsay is currently the Chief Executive Officer Alliance for Gambling Reform and Principal, Gordon Ramsay Consulting.
- Between 2016 and 2020 he was an Executive Member of the ACT Legislative Assembly and Member for Ginninderra with portfolio responsibility as Minister for Arts, Creative Industries and Community Events.
- Prior to that role, he was Member and Chair of the Board of Uniting Care (formerly Uniting Care NSW and ACT) (2011-2013) and Executive, Kippax Uniting Church (1997-2016).

- Early in his career Mr Ramsay was a Solicitor with Freehill Hollingdale and Page (1987-1991). He has a Bachelor of Arts from the University of Sydney, a Bachelor of Laws (Hons) from the University of Sydney and a Bachelor of Theology from the Sydney College of Divinity.

Australian Capital Territory

Financial Management (Cultural Facilities Corporation Governing Board Chief Executive Officer) Revocation 2021

Notifiable instrument NI2021–

made under the

Cultural Facilities Corporation, section 11 (Chief executive officer of corporation)

Financial Management Act 1996, section 80(3) (Appointment of CEO of authority with governing board)

1 Name of instrument


This instrument is the Financial Management (Cultural Facilities Corporation Governing Board Chief Executive Officer) Revocation 2021.


2 Commencement

This instrument commences on 12 December 2021.

3 Revocation

This instrument revokes the Financial Management (Cultural Facilities Corporation Governing Board Chief Executive Officer) Appointment 2019 (No 1) NI2019–505.


Kathy Leigh
Head of Service and
Director-General
Chief Minister, Treasury and Economic Development Directorate

 23 November 2021