

## P 3 – Appointment of an Acting CEO

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### 1 Objectives

To ensure compliance with Local Government Act 1995 s5.39C by having a policy regarding the employment of an acting Chief Executive Officer.

### 2 Scope

To provide a framework and guidelines for the employment of an Acting CEO.

### 3 Policy

Sections 5.39C of the Local Government Act requires the adoption of a policy regarding the employment of an acting Chief Executive Officer (CEO).

Council delegates (Delegation A.1) to the CEO, appointment of an executive manager as Acting CEO when the CEO is on periods of annual leave or long service leave of duration of no greater than 25 consecutive working days in length. The delegation also allows the CEO to appoint an executive manager as Acting CEO when the CEO is on sick leave and deems there is a need to appoint an Acting CEO.

Again this delegation limits the duration of the appointment to no greater than 25 consecutive working days in length.

This policy is written in line with the current delegation.

Under this Policy:

- 3.1 The CEO is authorised to appoint an Executive Manager as Acting CEO when the CEO is on periods of annual leave or long service leave of duration no greater than 25 consecutive working days in length. Appointment of an Acting CEO for a period greater than 25 consecutive working days will require a Council decision.
- 3.2 Where the CEO is on sick leave for a period which in the opinion of the CEO requires appointment of a Acting CEO, the CEO is authorised to appoint an Executive Manager as Acting CEO for a period of up to 25 consecutive working days.
- 3.3 The CEO is authorized to pay the Acting CEO “higher duties” remuneration with the amount of higher duties being within the current remuneration levels of the CEO at the time of making the appointment.
- 3.4 The CEO is to advise all councillors of the appointment of the Acting CEO immediately after the appointment is made.
- 3.5 The CEO shall report to Council any proposal to fill an Acting CEO role over 25 consecutive working days with as much advanced notice as possible.
- 3.6 If the CEO position becomes vacant, all acting arrangements are to be determined by the Council.

Note: Section 5.39C of the Local Government Act 1995 prevents the appointment of the Acting CEO for a period of greater than 12 months.

## 4 Applicable Legislation and Documents

<b>Statutory Power</b> <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.5.39C – Policy for temporary employment or appointment of CEO
<b>Shire Policies</b>	N/A
<b>Related Documents</b>	N/A
<b>Related Procedure</b>	N/A

## 5 Administration

<b>Original Adoption Date</b>	25 November 2021 (C.07/1121)
<b>Last Variation Date</b>	
<b>Last Reviewed</b>	28 April 2022 (C.07/0422)
<b>Scheduled Reviewed Date</b>	30 November 2023