POLICY 5.1 – Acting Chief Executive Officer or Temporary Employment of CEO

Relevant Delegation
N/A

Objective

To establish a policy in accordance with Section 5.39C of the Local Government Act 1995 relating to the appointment of an Acting or Temporary Chief Executive Officer for periods up to one year of planned or unplanned leave or an interim vacancy in the substantive office of Chief Executive Officer.

Policy Statement

When the CEO is on planned or unplanned leave, or the CEO's employment with the local government has ended, an Acting or temporary CEO is to be appointed in accordance with this policy to fulfil the functions of the CEO as detailed in Section 5.41 of the Local Government Act 1995 and other duties as set down in the Act and associated Regulations.

Through this policy and in accordance with Section 5.36(2)(a) of the Local Government Act 1995, the Council determines that the employee appointed to the substantive position of:

Deputy Chief Executive Officer

is considered suitably qualified to perform the role of Acting or Temporary Chief Executive Officer.

An employee appointed to temporarily act in the Deputy Chief Executive Officer position is not considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO.

Appointment of Acting CEO – Planned and unplanned leave for periods up to five weeks

The Chief Executive Officer is delegated to appoint the Deputy Chief Executive Officer in writing as Acting Chief Executive Officer where the Chief Executive Officer is on planned or unplanned leave for periods not exceeding five weeks.

The Chief Executive Officer must appoint an Acting Chief Executive Officer for any leave period up to five weeks. The Chief Executive Officer must immediately advise all Councillors when and for what period of time the authorised officer is appointed as Acting Chief Executive Officer.

If the Deputy Chief Executive Officer is unable or unwilling to act in the position of Chief Executive Officer or if the CEO is unable to make an appointment of Acting Chief Executive Officer, the matter must be referred to the Council.

The Council may, by resolution, extend an Acting Chief Executive Officer's period of appointment beyond five weeks if the substantive Chief Executive Officer remains unavailable or unable to perform their functions and duties.

Appointment of Acting Chief Executive Officer – Substantive Vacancy

If the substantive Chief Executive Officer's employment ends, the Council, when determining to appoint a Temporary Chief Executive Officer may either:

by resolution appoint the Deputy Chief Executive Officer as the temporary Chief Executive Officer for the period until the substantive Chief Executive Officer has been recruited and commences their employment or

by resolution, appoint the Deputy Chief Executive Officer as the interim temporary Chief Executive Officer for the period of time until an external recruitment process for a temporary Chief Executive Officer can be completed or following an external recruitment in accordance with the principles of merit and equity prescribed in Section 5.40 of the Local Government Act 1995, appoint a temporary Chief Executive Officer for the period of time until the substantive Chief Executive Officer has been recruited and commences employment.

– *End of Policy*

ADOPTED BY ABSOLUTE MAJORITY: 25 MAY 2023
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