



## CP4 – APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

MANAGEMENT PRACTICE: N/A

DELEGATION: N/A

### OBJECTIVE

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

### SCOPE

To provide a framework and guidelines for the employment of an Acting Chief Executive Officer in the absence of the Chief Executive Officer due to annual, long service or extended sick leave.

### DEFINITIONS

**“Annual Leave”** means annual leave in excess of 5 working days;

**“Long Service Leave”** means long service leave in excess of 5 days;

**“Extended Sick Leave”** means sick leave in excess of 5 working days;

**“Council”** means the Council of the Shire of Jerramungup;

**“Local Government”** means the Shire of Jerramungup; and

**“Senior Employee”** means an employee or a person belonging to a class of employee designated as ‘senior employee’ by the local government within the terms of s 5.37 of the *Local Government Act 1995*.

### POLICY

Section 5.39C of the *Local Government Act 1995* requires the adoption of a policy regarding the employment of an Acting Chief Executive Officer.

Council delegates to the Chief Executive Officer, appointment of an internal employee higher duties Acting Chief Executive Officer subject to the following conditions:

1. The appointment is to be for a period of no more than 30 days; and
2. The person appointed is to be suitably qualified, experienced and knowledgeable for the Acting Chief Executive Officer role; and
3. The appointment not being due to a vacancy of the Chief Executive Officer’s position.

The Chief Executive Officer must inform the Elected Members of all proposed Acting Chief Executive Officer arrangements.

In the case of the unavailability of the Chief Executive Officer due to an emergency, the Deputy Chief Executive Officer is automatically appointed as the Acting Chief Executive Officer for up to 30 days from commencement, and continuation is then subject to determination by the Council.

For Chief Executive Officer vacancy periods over 30 days the appointment of the Acting Chief Executive Officer shall be determined by Council.

The Chief Executive Officer shall report to Council any proposal to fill an Acting Chief Executive Officer role over 30 days with as much advanced notice as possible. In this case the Chief Executive Officer may recommend a suitable internal candidate for higher duties and must also provide an alternative recommendation to Council, to convene a Chief Executive Officer Recruitment and Selection Committee to progress the Acting Chief Executive Officer recruitment.

If the Chief Executive Officer's position becomes vacant, all acting arrangements are to be determined by the Council.

**Note:**

The Chief Executive Officer is a designated senior employee under the *Local Government Act 1995*. There is no requirement to have designated employees other than for the purpose of automatic appointment as Acting Chief Executive Officer. Most requirements placed on designated employees are already covered by s.5.74 – to declare gifts and to make primary/annual declarations if making direct report to Council or exercising delegated authority.

<b>Relevant Legislation:</b>	<i>Local Government Act 1995</i> <i>Local Government (Administration) Amendment Regulations 2021</i>
<b>Related Documents:</b>	N/A
<b>Related Local Law:</b>	N/A
<b>Related Policies:</b>	N/A
<b>Adopted:</b>	24 March 2021
<b>Last Reviewed:</b>	N/A
<b>Next Review Date:</b>	2022