

## HR5. Appointment of Acting CEO Policy

### Policy Objective

To provide for the employment of a Chief Executive Officer (CEO) for periods of less than one year, and to provide for the appointment of a suitably qualified Acting CEO during limited absences of the CEO, in accordance with the provisions of the *Local Government Act 1995* (LG Act).

This policy has been prepared to comply with legislative requirements regarding the appointment of an Acting CEO or Temporary CEO.

### Policy Statement

When the CEO is on planned or unplanned leave, or the CEO's employment with the Shire has ended, an Acting CEO or Temporary CEO is to be appointed in accordance with this policy to fulfil the functions and perform the duties of CEO under the LG Act or any other written law.

In accordance with legislation, the Council has determined the Deputy Chief Executive Officer, is considered suitably qualified to act in the role of CEO as included within this policy. An employee appointed to temporarily act in the role of the Deputy Chief Executive Officer is not considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO, but Council may determine this as required.

### ***Appointment by the CEO of an employee to act as CEO***

#### **Absence of the CEO for up to one month**

In the absence of the CEO on periods of leave of absence for periods of up to one month, the Deputy Chief Executive Officer, will assume the role of Acting CEO for day-to-day decisions affecting the organisation.

In these circumstances the CEO may, depending on the circumstances, determine to vary the Deputy Chief Executive Officer's salary in recognition of higher duties being performed, and will give consideration to limitations imposed through determinations issued by the Salaries and Allowances Tribunal.

All appointments of an employee, by the CEO, to the role of Acting CEO shall be made in writing, are not to exceed a period of one month and all Council Members must be advised of the appointment as soon as possible after the appointment has been made.

If the Deputy Chief Executive Officer is unable to act in the position of Chief Executive Officer, the matter must be referred to Council.

### ***Appointments by Council of an Acting CEO***

Although the CEO may appoint the Deputy Chief Executive Officer as Acting CEO for up to one month, Council will determine:

- any appointment of a person to act as CEO, not exceeding one year;
- any other appointment of an employee to act as CEO where not appointed by the CEO in accordance with this policy, not exceeding one year.

Appointment of an Acting CEO is to consider the principles and merits provided by legislation as well as determining if the person is 'suitably qualified' to act as CEO for the Shire.

The employment of a person in the position of CEO for a term exceeding one year must be in accordance with legislation and the Standards for CEO Recruitment, Performance and Termination consistent with s5.39A of the LG Act, and determinations issued by the Salaries and Allowances Tribunal.

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### ***Emergency Appointment of Acting CEO:***

In an emergency situation where –

- (1) the office of CEO is vacant, or the CEO is unable or unwilling to perform the functions of the CEO; and
- (2) an Acting CEO has not been appointed or employed under the preceding paragraphs of this Policy,

the Deputy Chief Executive Officer is to be the Acting CEO until the Council appoints or employs an Acting CEO.

### **Amendments to this Policy**

Amendments to this policy require an absolute majority decision of council, and the amended policy is to be published on the Shire's official website.

### **History:**

***Policy adopted: 20 May 2008***

***Policy reviewed: 20 October 2020***

***Policy amended: 16 December 2025***

***Previous Policy: HR5 Acting Chief Executive Officer and Acting in Senior Positions Policy***