
Appointment of Acting Chief Executive Officer

Policy Owner: People and Culture
Contact Person: Manager People and Culture 1
Date of Approval: 8 June 2024 (CE03-06/24)

POLICY STATEMENT

To provide for the employment of an acting Chief Executive Officer (**CEO**) for a period of less than one year.

POLICY OBJECTIVE

Pursuant to Section 5.36 of the *Local Government Act 1995* (the **Act**), it is a requirement that Council employ a person to be CEO to enable the functions of the Local Government and the functions of Council to be performed.

The manner of the recruitment is prescribed in the Act and the Local Government (Administration) Regulations Act 1996. *The Local Government Legislation Amendment Act 2019, section 5.39C* was inserted into the *Local Government Act 1995*, and informs the requirements for this policy.

Compliant with section 5.39C of the Act, this policy sets out the process in relation to the appointment of senior employees (Directors) to act in the position of CEO for a term not exceeding one year.

SCOPE

This policy applies when the CEO is absent, on leave, or otherwise unavailable to carry out official duties.

IMPLICATIONS (Strategic, Financial, Human Resources)

This policy aligns with the City's Strategic Community Plan, Long Term Financial Plan, and Civic Leadership theme within the Corporate Business Plan.

IMPLEMENTATION**a) Appointment of an Acting CEO**

The CEO may appoint an acting CEO for any period that does not exceed three months in any one consecutive period. Appointment shall be at the discretion of the CEO, having consideration for the availability of the acting CEO, their ability to best lead administrative matters during the period of acting, and subject to the senior employee's satisfactory performance.

Only a senior employee (Director), may be appointed as acting CEO, and the appointment shall be in writing on each occasion where it is five (5) days or more.

The CEO shall advise Council Members of the appointment and the period to which the appointment covers.

The CEO will liaise with the Mayor prior to confirming an acting CEO appointment that exceeds three months in any one consecutive period.

b) Unexpected Leave or Vacancy

In the event that no acting CEO has been appointed and the CEO:

1. takes unexpected leave;
2. is otherwise incapacitated; or
3. position is unexpectedly vacant,

the Executive Manager Governance and Legal will appoint a senior employee (consistent with the manner of appointment set out in clause (a) above of this Policy) to the position of acting CEO, until such that Council meets to determine the acting CEO.

ROLES AND RESPONSIBILITIES

The Manager People and Culture is responsible for implementation and compliance with this Policy, and for providing interpretation in the event of the need for clarification or a dispute.

DISPUTE RESOLUTION (If applicable)

All disputes in regard to this policy will be referred to the CEO to resolve in the first instance. In the event that an agreement cannot be reached, or if the CEO is incapacitated or otherwise not available, the matter will be referred to the Executive Manager Governance and Legal for determination.

EVALUATION AND REVIEW PROVISIONS

This policy will be reviewed if changes to legislation may dictate. Any amendment to the policy post adoption must be adopted by Council by absolute majority.

DEFINITIONS

Senior Employee –As per section 5.37 of *the Local Government Act 1995*. Within the City of Wanneroo only Directors are a designated senior employee.

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

As per Delegated Authority Policy and Register

REFERENCES

Local Government Act 1995

Local Government (Administration) Regulations Act 1996

RESPONSIBILITY FOR IMPLEMENTATION

Manager People and Culture

Version	Next Review	Record No:
February 2021	April 2026	21/94500

18 June 2024 (CE03-06/24) 30 September 2024
(extension to review date)