

1.71 Appointment of Acting Chief Executive Officer

Policy Owner	Chief Executive Officer
Responsible Officer	Manager Governance & Risk
Date of Approval	25/03/2025 (OCM Resolution AR167)
Amended/Revised	14/05/2025

Objective

To comply with Section 5.39C of the Local Government Act 1995, which requires the City of Albany (the City) to adopt a policy outlining the process for:

- Employing a person as CEO for a term not exceeding one year.
- Appointing an employee to act as CEO for a term not exceeding one year.

Scope

The appointment of an Acting CEO for less than twelve months is limited to designated 'senior employees' and does not extend to staff acting in those positions.

Local Government Act 1995:

- **Section 5.36 of the Act** requires the local government to employ a CEO and other necessary persons. The Council must believe the person is suitably qualified and satisfied with the employment contract.
- **Section 5.36 of the Act** also requires that no person be employed in any other position unless the CEO believes they are suitably qualified and satisfied with the employment arrangements.

Policy Statement

Appointment of Employee to Act as CEO for Term not Exceeding One Year:

- For CEO absences not exceeding eight consecutive weeks, Executive Directors will act on a rotational basis, subject to availability and operational requirements.
- For CEO absences exceeding eight consecutive weeks but not exceeding one year, the Council, on the CEO's advice, will determine which Executive Director to appoint as Acting CEO.
- All Elected Members must be informed in writing of the appointment and its duration. For pre-arranged leave, the CEO must inform all Elected Members of the Acting CEO arrangements as soon as possible.
- Any entitlement to 'higher duties' or other allowances must comply with SAT provisions and directives.

Legislative Context

- **Local Government Act 1995:** Section 5.39C – Policy for temporary employment or CEO appointment.
- **Salaries and Allowances Act 1975:** Sections 7A and 8.

Review Position and Date

This policy is to be reviewed every two years.

Associated Documents

Documents that have a bearing on this policy and that may be useful reference material for users of this policy, follows:

- *Local Government Act 1995*
- *Salaries and Allowances Act 1975*