
| EME005 | CEO LEAVE, APPOINTMENT OF ACTING OR TEMPORARY CEO | | |
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| **POLICY OWNER:** | Council | | |
| **DEPARTMENT:** | Office of the CEO | | |
| **CREATION DATE:** | 23/08/2022 | **REVIEW SCHEDULE:** | Annually |
| **RELATED PROCEDURES:** | Must be adopted by Absolute Majority | | |
| **RELATED FORMS:** | N/A | | |
| **RELATED DELEGATIONS:** | N/A | | |
| **RELATED POLICIES:** | N/A | | |
| **LEGISLATION:** | s5.39C Local Government Act 1995 | | |
| DOCUMENT CONTROL | | | |
| **DATE REVIEWED:** | **REVIEWED BY:** | **CHANGES (IF ANY):** | **ENDORSED BY COUNCIL:** |
| 23/08/2022 | Council | Nil | FC7/8/22 |
| 28/03/2023 | Council | Nil | FC 5/3/23 |
| 28/11/2023 | Council | Minor – Refer OCM Minutes | OCM 11/11/23 |
| 26/03/2024 | Council | Nil | OCM 07/03/24 |

**EME005 Chief Executive Officer (CEO) Leave and Appointment of Acting or Temporary**

**OBJECTIVES**

To establish the processes for a CEO taking leave, the appointment of an Acting CEO or a Temporary CEO for periods of less than twelve months and to comply with the provisions of s5.39C of the Local Government Act 1995 regarding the appointment of an Acting CEO or Temporary CEO.

The intent of this policy is to ensure that the Deputy Chief Executive Officer (DCEO) or Executive Manager Infrastructure (EMI) can be appointed to act in the role of the CEO for periods of leave, or vacation of the position for up to eight weeks only. This fosters the professional development of the Executives who desire to gain experience in the Acting CEO role.

**POLICY STATEMENT/S**

<u>CEO Taking of Leave</u>

The employment contract of the CEO outlines any leave entitlements. All planned leave applications are to be submitted in writing by the CEO to the Shire President prior to the proposed leave dates.

<u>Acting CEO or Temporary CEO</u>

The CEO has the authority to delegate the appointment of either the DCEO or EMIS, who are eligible under s5.39(1a) of the Local Government Act 1995, as the Acting CEO for up to eight weeks when the CEO is on leave.

An Acting CEO is not required during periods when the CEO is away from the office on local government business, or for short periods of leave (1-5 days) when the CEO is contactable.


If the CEO becomes incapacitated the DCEO will be automatically appointed as the Acting CEO for up to eight weeks. If the DCEO is not available, then the EMIS will be appointed.

Remuneration and Conditions of Acting or Temporary CEO

Acting CEO: Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated a cash component at 80% of the cash component only of the Substantive CEO's total reward package.

Temporary CEO: Appointed by Council absolute majority resolution. The remuneration and benefits to be offered to a Temporary CEO when entering a contract in accordance with the requirements of s5.39(1) and (2)(a) of the Act. Shall be determined by an absolute majority of Council.

Subject to relevant advice, the Council retains the right to terminate or change by absolute majority resolution any Temporary CEO appointment.

**DEFINITIONS**

Acting CEO: Either the DCEO or EMIS who has been appointed by the CEO to perform the role and responsibilities of the CEO for a period of up to 8 weeks.

Temporary CEO: A person who has been appointed by Council resolution to perform the role and responsibilities of the CEO for any period longer than 8 weeks, but not exceeding 1 year.

Incapacitated: No longer able to perform their usual duties due to unplanned emergency, illness or medical episode.

Planned Leave: Annual Leave, Executive Leave, Leave Without Pay, Long Service Leave.