

# Acting Chief Executive Officer Appointment Policy

## Policy – CP098

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration	Executive Leadership Team	Council	25 September 2019	2019/0194
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<b>Document Owner:</b> Manager Corporate Administration		<b>Review Frequency: Three years</b>		

### 1. The purpose of this policy is

To provide clear guidance on the provisions that apply to the appointment of a person as Acting Chief Executive Officer (A/CEO) and allows for the approval of the Chief Executive Officer (CEO) on sick leave, long service leave, annual leave or other extended absences.

### 2. Policy Statement

This policy represents the formal policy and expected standards of the Mildura Rural City Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected members and employees are reminded of their obligations under the Council's Code of Conduct to give full effect to the lawful policies, decisions and practices of the Council.

### 3. Principles

Section 94 of *the Local Government Act 1989* (the Act) requires Council to appoint a natural person to be its Chief Executive Officer.

#### 3.1 Appointment of a person as Acting CEO

Only Senior Officers as defined in the Act will be appointed to the position of A/CEO under the terms of this policy.

Whilst not explicit within the Act, it's considered the provisions under section 94 of the Act also apply to the appointment an A/CEO.

The appointment of a person who is not an existing employee of Council as acting or interim CEO must be by resolution of the Council.

If the appointment of a current senior officer as A/CEO is for a continuous period not exceeding four weeks, this can be made by the CEO under the S5 Instrument of Delegation to the Chief Executive Officer.

If the appointment of a current senior officer as A/CEO is proposed to exceed four weeks, this must be made by resolution of the Council.

### **3.2 Periods of Leave**

If the period of leave is five days or less, then the CEO is authorised to make the appointment under delegation.

If the period of leave is more than five days and less than four weeks, the CEO is expected to liaise with the Mayor prior to making the appointment under delegation.

If the period of leave is to exceed four weeks in a continuous period, then Council should appoint the A/CEO by resolution. Council could appoint either to the position of Acting CEO: -

- One of the General Managers of Council;
- Or offer the position to a suitably qualified individual as a short term contract during extended periods of absence of the CEO.

### **3.3 Leave approval Chief Executive Officer**

An application for annual leave, long service leave, personal leave or an extended absence is to be approved by the Mayor on behalf of Council.

## **4. Who is responsible for implementing this policy?**

Manager Corporate Administration.

## **5. Definitions**

Nil

## **6. Legislation and other references**

### **6.1 Legislation**

For further information related to this policy see:

- *Local Government Act 1989*

## 6.2 Documents

This Policy is implemented in conjunction with the following documents:

- S5 Instrument of Delegation to the Chief Executive Officer

## 6.3 Risk Assessment Reference

*Please tick the corporate risk(s) that this policy is addressing.*

<b>Risk Category</b>	<input checked="" type="checkbox"/>	<b>Risk Category</b>	<input checked="" type="checkbox"/>
Asset Management		Financial Sustainability	
Committees		Human Resource Management	
Compliance – Legal & Regulatory	<input checked="" type="checkbox"/>	Leadership & Organisational Culture	<input checked="" type="checkbox"/>
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	<input checked="" type="checkbox"/>	Project Management	
Environmental Sustainability		Public Image and Reputation	<input checked="" type="checkbox"/>