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| POLICY NUMBER | - 2.6 |
| POLICY SUBJECT | - 2.6 Senior Employees and Acting Chief Executive Officer Policy |
| DATE ADOPTED | - 26 March 2019 (Item 10.2.3) |
| RESPONSIBLE OFFICER | - Chief Executive Officer |
| REVIEWED | - 27 February 2023 (CMRef 0736) <u>22 August 2025 (CMRef:XXXX)</u> |

Objective

- To establish a policy and determine the process for appointing an Acting or Temporary CEO for Shire of Dowerin for periods of less than 12 months of planned or unplanned leave or an interim vacancy in the substantive office.
- ~~To designate the employee positions which are determined by the Shire as 'senior employees' for the purposes of Section 5.37 of the *Local Government Act 1995*.~~
- To provide direction in the appointment of an Acting Chief Executive Officer during periods of absence of the Chief Executive Officer, including both short-term (less than 10 working days) and longer-term arrangements, and
- ~~To outline the process, authority, and conditions for Acting CEO appointments of such appointments~~

~~To provide direction in the appointment of an Acting Chief Executive Officer during periods of less than 10 working days absence of the Chief Executive Officer.~~

Policy

Council has designated the following positions to be classified as 'Senior Employees' for the purpose of the Act:

- ~~1. Deputy Chief Executive Officer~~ Manager of Governance and Community Services
2. Manager of Infrastructure and Projects
- ~~3. Manager of Corporate Services~~

Acting Chief Executive Officer

Council has determined that employees that are appointed in one of the above positions are suitably qualified to be appointed as Acting CEO by the CEO, from time to time, when the CEO is on periods of leave subject to the following conditions;

Internal Appointment:

1. The CEO is not an interim CEO or Acting in the position;
- ~~2. Senior Employees will take turns to act as CEO during periods of absence to support their development and ensure continuity of leadership~~
- ~~2.3. The term of appointment is no longer than 10 working days consecutive;~~
- ~~3.4. That the employee's employment conditions are not varied other than the employee is entitled at the CEO's discretion, no greater than the salary equivalent to that of the CEO during the Acting period.~~ The employee's employment conditions will remain unchanged, except that, at the CEO's discretion, the employee may be paid an acting allowance equivalent to 80-100% of the CEO's cash component of the total reward package, limited to the salary component only, for the duration of the Acting CEO period.

External Appointment:

- In the event that none of the designated Senior Employees are, in the opinion of the CEO, suitably qualified, available, or willing to undertake the role, the CEO may appoint an external suitably qualified person as Acting CEO for a period of up to 10 working days, with any longer period subject to Council determination.
- Where the CEO is absent from duty for more than five (5) consecutive working days (excluding public holidays), an Acting CEO shall be formally appointed for the duration of the absence.

Emergency Situations:

- ~~In the event of a sudden or unforeseen absence of the CEO expected to exceed five (5) consecutive working days, Council shall be advised as soon as practicable of the Acting CEO appointment, including the expected duration and reason for the appointment, to ensure transparency and governance compliance.~~
- In the event of a sudden or unforeseen CEO absence, the Shire President will select a suitable Senior Officer to act as CEO and will notify Councillors of the emergency and temporary appointment.
- The temporary Acting CEO may act for up to 10 working days without a separate Council motion.
- Any Acting CEO appointment beyond 10 working days must be formally adopted by Council, who will appoint a temporary Acting CEO for the extended period.

Other Conditions:

- When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in Section 5.41 of the Local Government Act 1995, and other duties as set out in the Act and associated Regulations.
- All Acting CEO appointments must be documented in writing, signed by the CEO (or Council resolution if required), and retained on the relevant personnel file. All Councillors and staff are to be notified of the appointment as soon as practicable.
- Any external Acting CEO must meet statutory eligibility requirements, including (but not limited to) being legally entitled to work in Australia, holding no disqualification under the *Local Government Act 1995*, providing a current National Police Clearance, and disclosing any potential conflicts of interest prior to appointment.
- Minimum competency for external appointments includes either prior experience as a local government CEO or senior executive, or relevant tertiary qualifications in management, administration, or governance.
- Remuneration for internal Acting CEO appointments will be in accordance with clause 3 of this policy. Remuneration for external appointments is to be negotiated by the CEO (or Council if exceeding the CEO's delegated authority) and approved before commencement.

~~In the case of the unavailability of the CEO due to an emergency, the Deputy Chief Executive Officer is automatically appointed as the Acting CEO for up to 10 working days from commencement, and continuation is then subject to determination by the Council.~~

~~All other interim, Acting or CEO appointments to be referred to Council.~~

Roles and Responsibilities

Chief Executive Officer

The Chief Executive Officer is responsible for ensuring this policy is implemented.

Related Documentation

~~Nil~~ [Delegation Register](#)

[CEO Performance Review Policy](#)

Related Legislation/Local Law/Policy/Procedure

Section 5.37 – *Local Government Act 1995*

Section 5.36(2)(A) – *Local Government Act 1995*

[s5.39 Contracts for CEO and senior employees](#)

[s5.39C Policy for temporary employment or appointment of CEO](#)

[s5.40 Principles affecting employment by Local Governments](#)

Related Delegation

Nil

| Document Control | |
|------------------|---|
| Policy Number | 2.6 |
| Policy Version | 4 3 |
| Policy Owners | Chief Executive Officer |
| Creation Date | 26 March 2019 (Item 10.2.3) |
| Last Review Date | 8 March 2022 (Item 12.2 CMRef 0591) 27 February 2023 (CMRef 0736) 22 August 2025 (CMRef:XXXX) |
| Next Review Due | This policy will be reviewed bi-annually or more often where circumstances require. |