

Appointment of Acting Chief Executive Officer

COUNCIL POLICY NO. 133

1. POLICY PURPOSE

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 (Acting CEO) and allows for the approval of the Chief Executive Officer (CEO) personal leave, long service leave, annual leave or other extended absences.

2. POLICY

The requirement for a Council to appoint a natural person to be its CEO is currently prescribed under section 94 of the *Local Government Act 1989*¹.

2.1 Appointment of a person as Acting CEO

Only Council staff in a second tier manager level position will be appointed as Acting CEO under the terms of this policy.

The appointment of a current Council second tier Manager to the role of Acting CEO for a period greater than 28 days must be by Council resolution.

The appointment of a current Council second tier Manager to the role of Acting CEO for a period not exceeding 28 days will be made by the CEO under delegated authority (Instrument of Delegation – Council to CEO) or by Council resolution.

The appointment of a person who is not a current employee of Council as Acting or Interim CEO must be by Council resolution.

2.2 Periods of Leave

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

If the period of leave is more than five days and less than 28 days, then the CEO is expected to liaise with the Mayor prior to making the appointment under delegation.

If the period of leave is to exceed 28 days in a continuous period, then Council should appoint the Acting CEO by resolution. Council may appoint to the position of Acting CEO -

- a Council second tier Manager;
- a suitably experienced and qualified individual as a short term contract during extended periods of absence of the CEO.

¹ This requirement will transition to section 44 of the *Local Government Act 2020* on or before 1 July 2021.

2.3 Chief Executive Officer Leave Approval

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.

3. POLICY REVIEW

Council will review the Appointment of Acting Chief Executive Officer policy as required but always within twelve months after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

4. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna offices or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Manager Governance on (03) 5450 9333.