Council Policy 4.6

Appointment of Acting Chief Executive Officer

Strategic Plan Objective

To formalise the appointment of an Acting Chief Executive Officer.

Purpose

To guide the arrangements for the appointment of an Acting Chief Executive Officer (Acting CEO) in the absence of the Chief Executive Officer (CEO) due to annual leave, long service leave, extended personal leave or other circumstances.

Scope

This policy applies to the CEO and Chiefs of the Eastern Metropolitan Regional Council (the EMRC).

Legislation and Standards

Local Government Act (1995)

Local Government (Administration) Regulations 1996

Salaries and Allowances Tribunal Act 1975

Policy Statement

The CEO is eligible to annual leave, long service leave and personal leave (including carer's leave, sick leave and compassionate leave) as provided in the contract of employment and EMRC Management Guidelines.

To facilitate those arrangements and to ensure the continuous operations of the EMRC, the following guidelines are provided:

1 For periods of leave less than five days (i.e. less than one week)

1.1 The CEO will provide notification to the ChairChairperson or Deputy Chairperson of planned leave of less than five days one week in advance, or as soon as practicable if the leave is unplanned for approval by the ChairChairperson, and that such approval not be unreasonably withheld.

1.2 In the CEO's absence the appropriate Chief will manage issues relevant to their area of responsibility.

1.3 Where possible, the CEO will monitor communications and be contactable for urgent matters.

2 **For periods of leave of five consecutive days (i.e. one week) and up to four weeks**

2.1 The CEO will liaise with the Chairperson or Deputy Chairperson at least two weeks prior to taking planned leave of five consecutive days and up to four weeks for approval by the Chairperson or Deputy Chairperson, and that such approval will not be unreasonably withheld, and advise the Council as soon as practicable thereafter.

2.2 An Acting CEO will be appointed by the CEO in consultation with the Chairperson.

2.3 Councillors will be informed which Chief has been appointed as soon as practicable thereafter.

3 **For periods of leave more than four weeks**

3.1 The CEO will submit a report to Council for planned leave of more than four weeks for approval at least one month prior to the leave commencing.

3.2 An Acting CEO will be appointed by Council.

4 **Acting Chief Executive Officer (CEO) Arrangements**

4.1 Employees acting in the role of CEO will be delegated the powers and be able to discharge the duties of the CEO, other than the power of delegation, as provided in Section 5.44 of the *Local Government Act 1995* during the period of acting.

4.2 The CEO will provide delegations in writing with any limitations to the Acting CEO.

4.3 Employees acting in the role of CEO will be eligible to be paid higher duties for the period of acting.

4.4 The following employees are eligible to be appointed to the role of Acting CEO:

4.4.1 Chief Operating Officer

4.4.2 Chief Financial Officer; or

4.4.3 Chief Transformation Officer; or

4.4.4 any other employee deemed suitably qualified and experienced by the Council.

4.5 Appointment of the Acting CEO will be on a rotational basis at the discretion of the CEO, dependent on availability and operational requirements and for a defined period and shall be made in writing.

5 If in the event the CEO becomes vacant and whilst a recruitment and selection process is being undertaken the Council may appointment a person into the role of CEO for a term not exceeding 1 year.

Financial Considerations

Remuneration

Unless Council otherwise resolves and the acting CEO agrees, a person acting as CEO shall be remunerated at the following rates:

If acting for periods of less than four weeks, in addition to the Acting Incumbent's base salary, 75% of the difference between the substantive CEO's base salary and the Acting Incumbent's base salary.

If acting for periods of more than four weeks, in addition to the Acting Incumbent's base salary, 80% of the difference between the substantive CEO's base salary and the Acting Incumbent's base salary.

Adopted/Reviewed

March 2021
23 February 2023
25 June 2026

Next Review

June 2027

Responsible Unit

Transformation Team – Human Resources