

TEMPORARY EMPLOYMENT OR APPOINTMENT OF CEO POLICY

PURPOSE

To ensure compliance with the Local Government Act 1995 s5.39C by having a policy regarding the employment of an Acting Chief Executive Officer.

OBJECTIVE

The Policy objective is to outline the process to be followed by the Shire of Quairading in relation to when the Council employs a person to be in the position of Chief Executive Officer (CEO) for a term not exceeding one year and the appointment of an employee to act in the position of CEO for a term not exceeding one year.

POLICY

1. Employment of a person in the position of CEO for a term not exceeding one year

- (a) Appointment for any term less than one-year Council must approve, by Council resolution, of any person that is not already a designated Senior Employee identified in section 3 of the Policy, to be appointed in the position of CEO for a term not exceeding one year.

In accordance with section 5.36(2)(b) and 5.41 of the *Local Government Act 1995*, Council must believe the person is suitably qualified for the position and can carry out the functions of a CEO and is satisfied with the provision of the proposed employment contract*.

*Absolute Majority required.

2. Appointment of an employee to act in the position of CEO for a term not exceeding one year

- (a) Appointment for 4 weeks and less: -

The CEO will appoint, in writing, the Executive Manager of Corporate Services (EMCS) to act in the position of Acting CEO for a term of a maximum of 4 weeks. Should the position of EMCS not be filled or the incumbent unavailable, the CEO will appoint another Designated Senior Employee to be Acting CEO.

The CEO will notify Council of the period and the Senior Employee that is acting in the position.

- (b) Appointment for greater than 4 weeks

The CEO will prepare a report for consideration by Council at the next Council Meeting to appoint a designated Senior Employee or an experienced Local Government Practitioner to act in the position of CEO for a term not exceeding one year.

(c) Appointment in Urgent and Exceptional Circumstances for 4 Weeks and less.

If the Chief Executive Officer cannot appoint the EMCS or another Senior Employee due to unforeseen circumstances, the Executive Manager of Corporate Services will be appointed as the Acting CEO:

- (i) If the term will be 4 weeks or less, for the term required.
- (ii) If the term is expected to be greater than 4 weeks or greater, the term will be up until the day of the next Council meeting. The Acting CEO will prepare a report for the upcoming Council meeting for Council to appoint the Acting CEO for the period required.
- (iii) If the CEO cannot confirm the appointment in writing due to unforeseen circumstances, the Shire President, will provide in writing the appointment, in accordance with this Policy.

In the event that the CEO is unable to appoint the Acting CEO and the Executive Manager of Corporate Services position is vacant or the Officer is not available to act, the Shire President is to convene a Special Meeting of the Council to determine the appointment of the Acting CEO.

Remuneration: 100% of the approved CEO's base salary will be paid for the term of the appointment. All other conditions remain in accordance with the Senior Employee's contract.

3. Approved Senior Employees to act in the position of CEO

The employees of the Shire of Quairading that are suitably qualified to perform the role of Acting Chief Executive Officer are the following designated Senior Employees in accordance with section 5.36 of the *Local Government Act 1995*:

- (a) Executive Manager of Corporate Services
- (b) Executive Manager of Works & Services
- (c) Executive Manager of Community, Projects and Strategy

GUIDELINES

Section 5.39C of the *Local Government Act 1995*

STATUTORY ENVIRONMENT

Local Government Act (1995)

Record of Policy Review					
Version	Author	Council Adoption	Resolution	Reason for Review	Review Date
01	CEO Graeme Fardon	29 April 2021	166-20/21	New legislation	