

POL-C-183 Temporary Employment or Appointment of Acting CEO

1. Purpose

To satisfy the requirements of Section 5.39C of the **Local Government Act 1995** (the Act) where it is a requirement that the City prepares and adopts a policy that sets out the process to be followed in relation to the following:

- a) Employment of a person in the position of CEO for a term not exceeding one year; and
- b) Appointment of an employee to act in the position of CEO for a term not exceeding one year.

2. Scope

Appointment of an employee to the position of Acting CEO for a period less than twelve months will be limited to those positions designated 'senior employees' and does not extend to staff acting in those positions.

Section 5.36 of the Act requires a local government to employ a CEO and such other persons as the Council believes are necessary to enable the functions of the local government and the functions of the Council to be performed.

Section 5.36 of the Act also requires that a person is not to be employed in the position of CEO unless the Council believes that the person is suitably qualified for the position, and is also satisfied with the provisions of the proposed employment contract. That section of the Act also requires that a person is not to be employed by the local government in any other position unless the CEO believes that the person is suitably qualified for the position, and is satisfied with the proposed arrangements relating to the person's employment.

3. Policy Statement

3.1 Employment of Person for Term not Exceeding One Year

3.1.1 Where a CEO is to be externally recruited for temporary employment for periods of less than one year, Council shall approve the following:

- a) Selection criteria and job requirements,
- b) Advertising requirements, in addition to those specified in the LG Act,
- c) Establishment of selection panel,
- d) Recruitment process,
- e) Appointment of recommended candidate,
- f) CEO's salary (or total reward package) within the parameters set by the Salaries and Allowances Tribunal (SAT) who is responsible for determining and recommending rates of remuneration for local government CEO's. The SAT has classified the City of Swan as a Band 1 local government.

3.2 Appointment of Employee to act in Position of CEO for Term not Exceeding One Year

3.2.1 Where an employee is to be appointed to act in the position of CEO for a term not exceeding one year, the CEO is authorised to approve the following:

- a) CEO absence not exceeding eight consecutive weeks, Executive Directors act on a rotational basis subject to availability and operational requirements;

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- b) CEO absence exceeding eight consecutive weeks but not exceeding 1 year, the Council, on advice from the CEO, shall determine which Executive Director it wishes to appoint to act in the position of CEO.
- c) All Elected Members are to be advised in writing of the appointment and the period to which the appointment relates. For periods of pre-arranged leave, the CEO must inform all Elected Members of the arrangements for Acting CEO as soon as practically possible.
- d) Entitlement of any 'higher duties' or other form of allowance, within the confines of all the SAT provisions and directives.

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| Industry: | | | |
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| Strategic Community Plan: | G1.1 – Provide accountable and transparent leadership | | |