

# Acting CEO or Temporary Employment of CEO Policy

## CCS



24 June 2026

*This policy was adopted by Council to set governing principles in place that align with the Strategic Community Plan 2025-35: Focus Area Performance: How we work Outcome Statement W4: We demonstrate ethical leadership at all levels in our organisation, making decisions in an open, transparent and accountable way.*

## Objectives

To establish a policy in accordance with section 5.39C *Local Government Act 1995* (LG Act), which details the Shire of Augusta Margaret River's (Shire's) processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or an interim vacancy in the substantive office of the CEO.

## Application

This policy applies to the position of the CEO of the Shire of Augusta Margaret River.

## Definitions

**Acting CEO** means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed, but is on planned or unplanned leave.

**Temporary CEO** means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

## Policy

### 1. Acting and Temporary CEO requirements and qualification

- 1.1 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 LG Act, and other duties as set out in the LG Act and associated Regulations.
- 1.2 Through this policy and in accordance with section 5.36(2)(a) LG Act, the Council determines that employees appointed to the substantive position(s) of:
  - a) Director Corporate and Customer Services (DCCS);
  - b) Director Development and Infrastructure (DDI);
  - c) Director Communities and Economic Development (DCED);
  - d) Manager Legal and Governance (MLG).

are considered suitably qualified to perform the role of Acting or Temporary CEO.

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## **2. Appoint Acting CEO – Planned and unplanned leave for periods up to six weeks**

- 2.1 The CEO is authorised to appoint the DCCS, DDI, DCED or MLG in writing as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 6 weeks, subject to the CEO's consideration of the DCCS, DDI, DCED and MLG's performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.
- 2.2 The CEO must appoint an Acting CEO for any leave periods greater than 48 hours and less than 6 weeks. The CEO is to immediately advise all Councillors when and for what period of time the DCCS, DDI, DCED or MLG is appointed as Acting CEO.
- 2.3 If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (2.2), then the following line of succession shall apply:
  - a) The DCCS will be appointed as Acting CEO; or
  - b) If the DCCS is unable to act, the DDI will be appointed as Acting CEO; or
  - c) If the DDI is unable to act, the DCED will be appointed as Acting CEO; or
  - d) If the DCED is unable to act, the MLG will be appointed as Acting CEO.
- 2.4 Council may, by resolution, extend an Acting CEO period under subclause (2.3) beyond 6 weeks if the substantive CEO remains unavailable or unable to perform their functions and duties.

## **3. Appoint Acting CEO for extended leave periods greater than six weeks but less than 12 months**

- 3.1 This clause applies to the following periods of extended leave:
  - Substantive CEO's extended planned leave which may include accumulated annual leave, long service leave or personal leave; and
  - Substantive CEO's extended unplanned leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
- 3.2 The Council will, by resolution, appoint an Acting CEO for periods greater than 6 weeks but less than 12 months, as follows:
  - Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
  - following an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the LG Act, appoint an Acting CEO for the extended leave period.
- 3.3 The Shire President will liaise with the CEO, or in their unplanned absence the Manager People, Culture and Safety to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.
- 3.4 Subject to Council's resolution, the Shire President will execute in writing the Acting CEO appointment with administrative assistance from the CEO or in their absence, the Manager People, Culture and Safety.

## 4. Appoint Temporary CEO – Substantive Vacancy

- 4.1 In the event that the substantive CEO's employment with the Shire is ending, the Council when determining to appoint a Temporary CEO may either:
- a) by resolution, appoint DCCS, DDI, DCED, or MLG as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
  - b) by resolution, appoint DCCS, DDI, DCED, or MLG as the interim Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or
  - c) following an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.
- 4.2 The Shire President will liaise with the Manager People, Culture and Safety to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.
- 4.3 The Shire President is authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the Manager People, Culture and Safety.

## 5. Remuneration and conditions of Acting or Temporary CEO

- 5.1 An employee appointed as Acting CEO shall receive a weekly pro-rata allowance, paid as an hourly rate to a maximum of 76 hours per rostered fortnight for the period in which the employee is acting, as per the Shire's Higher Duties Procedure.
- 5.2 Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the LG Act.
- 5.3 Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

### Relevant legislation

Section 5.39C *Local Government Act 1995*: Policy for temporary employment or appointment of CEO.

Salary and Allowances Tribunal (SAT) Determination under Section 7A of the *Salaries and Allowances Act 1975*.

*\* Adoption by absolute majority is required.*

### Related documents

Higher Duties Procedure

## Document and version control table

<b>Responsible Directorate</b>	Corporate and Customer Services		
<b>Contact officer</b>	Senior Governance and Risk Officer		
<b>Adopted / approved by:</b>	Council		
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1.0	23/1/2013	OM1301/6	Full review
2.0	24/5/2017	OM201718	Full review
3.0	11/05/2022	OM2022/22	Full review
4.0	24/06/2026	OM2026/82	Addition of DCED, update of position titles