

Appointment of Acting Chief Executive Officer Policy

Council Policy: POL/103	Appointment of Acting Chief Executive Officer		
Reference	<i>Strategic Community Plan 2013- 2023</i> Priority Area: 6 Major Strategy: 6.2	<i>Corporate Business Plan 2020-2024</i> Priority Area: 6 Actions:	
Responsible Officer	Chief Executive Officer		
Policy Area	Executive Services		
Council Adoption Date	28 April 2020	Version Number	1
Amendment Dates		Next Review Date	

This Policy replaces all previous policies related to this topic.

1. Policy Purpose

- 1.1. To establish guidelines for filling the position of Acting Chief Executive Officer when the Chief Executive Officer is on leave or during periods of unforeseen prolonged absence.

2. Policy Scope

- 2.1. This Policy applies during in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than one week, but no longer than four weeks.
- 2.2. In accordance with Section 5.36(2)(b) of the *Local Government Act 1995*, all Executive Managers employed by the Town are considered to be suitably qualified to act in the position of Chief Executive Officer.
- 2.3. This Policy satisfies the requirements of the *Local Government Legislation Amendment Act 2019* and is to be published on the Town’s website.

3. Policy Requirements

- 3.1. The Council is required to appoint an Acting Chief Executive Officer to fulfil the duties and exercise the powers of the Chief Executive Officer in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than four weeks.
- 3.2. The Chief Executive Officer has the legislative power to appoint an Acting Chief Executive Officer under section 5.44 of the Local Government Act 1995, and this is required to be exercised for periods greater than one week but no more than four weeks.
- 3.3. In accordance with 3.2 above the Chief Executive Officer may appoint any of the three Executive Managers to the position of Acting Chief Executive Officer after being satisfied that the person has the required skills and knowledge to fulfil the role.
- 3.4. Should the Chief Executive Officer not be satisfied that any Executive Manager has the required skills and knowledge to fulfil the role of Acting Chief Executive Officer an external appointment of an Acting Chief Executive Officer may be made in consultation with the Mayor.
- 3.5. The Acting Chief Executive officer is to be remunerated at a rate of 75% of the salary of the Chief Executive Officer or at the normal salary of the Executive Manager, whichever is the higher.
- 3.6. Where the Chief Executive Officer appoints an Executive Manager to the position of Acting Chief Executive Officer, the Chief Executive Officer is to advise all Elected Members in writing of the appointment and the period to which the appointment covers.

4. Definitions

- 4.1. There are no definitions relevant to this policy

5. Legislation

- 5.1. *Local Government Act 1995* – Section 5.36 - a local government is to employ a person to be the Chief Executive Officer of the local government.
- 5.2. *Local Government Act 1995* – Section 5.44 – Chief Executive Officer may delegate power and duties to other employees

6. Other Relevant Procedures/Key Documents

- 6.1. There are no other procedures or key documents relevant to this Policy.