8.3 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDED TEMPORARY EMPLOYMENT OR APPOINTMENT OF CEO POLICY

Attachments:

1. **Temporary Employment or Appointment of CEO Policy (clean)**
2. **Temporary Employment or Appointment of CEO Policy (marked up)**
3. **Proposed update to Delegation 2.2.1 Appointment of an Acting CEO**
4. **Summary of Submission: Temporary Employment or Appointment of CEO Policy**

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY:

1. **ADOPTS the amended Temporary Employment or Appointment of CEO Policy at Attachment 1; and**

2. **APPROVES the amendments to Delegation 2.2.1 Appointment of an Acting CEO at Attachment 3.**

PURPOSE OF REPORT:

To present the outcome of community consultation and seek approval of the amended Temporary Employment or Appointment of CEO Policy at **Attachment 1**, and the associated amendments to Delegation 2.2.1 Appointment of an Acting CEO at **Attachment 3**.

DELEGATION:

Section 2.7 of the *Local Government Act 1995* sets out Council's role in determining local government policies. Administration has no delegation to make, review, or repeal policies.

Section 5.93C(2) *Local Government Act 1995* requires a Local government to adopt or amend by Absolute Majority a policy that sets out the process to be followed in relation to the temporary employment or appointment of the position of CEO.

Section 5.42(1) of the *Local Government Act 1995* enables a local government to delegate to the CEO any of its powers or duties, subject to the limitations prescribed by the Act.

Delegation 2.2.1 Appointment of an Acting CEO is currently in place. Proposed amendments to the delegation, aligned with the proposed policy updates, are provided in **Attachment 3**.

Section 5.45(1)(b) of the Act requires any decision to amend a delegation to be made by absolute majority. The policy relies on the amended delegation, so Council is asked to consider both together.

BACKGROUND:

Council at its 18 August 2026 Meeting, approved conducting community consultation of its intention to amend the Temporary Employment or Appointment of CEO Policy.

In accordance with the City's Community and Stakeholder Engagement Policy, the City undertook community consultation between 25 August 2026 and 16 September 2026.

The policy was advertised on the City of Vincent website, social media and through the following public notices:

- The consultation webpage was published on the Imagine Vincent website from 25 August to 16 September 2026.
- News Item on the City's website published on 25 August 2026.
- E-news publication on 31 August and 10 September 2026.
- Notice exhibited on the notice board at the City's Administration Centre and Library and Local History Centre.

Administration received one submission, as summarised at **Attachment 4.**

DETAILS:

Requirement for a documented City position (including community need or legislative requirement):

A documented City position remains necessary under section 5.39C of the *Local Government Act 1995*. This requires local governments to adopt and publish a policy on the temporary employment or appointment of a Chief Executive Officer.

The policy provides the governance framework that applies when:

- the substantive CEO is temporarily absent, and another employee performs the CEO's statutory functions (Acting CEO); or
- the substantive CEO position becomes vacant, and a person is temporarily employed or appointed as CEO (Temporary CEO).

The amended policy maintains clear distinctions between operational decisions the CEO may make and arrangements that require Council determination, while ensuring compliance with legislative requirements and supporting leadership continuity.

Outcome of consultation:

Administration received one submission during the advertising period, a summary and Administration's response is set out at **Attachment 3**.

The submitter opposed the amendments and raised three main points:

1. *Council appoints the permanent CEO, so Council should appoint or approve anyone acting in the role.*

   Under the existing policy and Delegation 2.2.1, the CEO can appoint an Acting CEO. Council would continue to appoint an Acting CEO for more than 12 weeks and any Temporary CEO where the substantive CEO is vacant.

2. *Allowing the CEO to appoint for up to three months, and identifying EMC members as suitable in advance, takes the decision about who is suitable away from Council.*

   In approving the Policy that sets out who the CEO may appoint, council is determining the pool of suitable staff through the policy. The appointment includes conditions and limitations to reflect the experience and responsibilities associated with the position.

3. *Short-notice absences could be covered by an interim arrangement, with Council approving the appointment at the earliest opportunity.*

   Short-term acting arrangements are an administrative measure to maintain operational continuity while the CEO is away. Requiring Council approval for each one would be out of proportion to their temporary nature and could delay operational decision-making.

Examples of current / best practice:

As outlined in the Policy Paper of 29 May 2026, Administration reviewed the approaches adopted by several metropolitan local governments.

The review found that short-term acting arrangements are generally treated as administrative continuity measures within the CEO's authority, with longer arrangements determined by Council. The Town of Victoria Park, City of Rockingham and City of Wanneroo also allow the CEO to appoint an Acting CEO for up to 12 weeks.

The proposed amendments seek to distinguish between short-term operational arrangements and longer-term appointments. Under the proposed policy, Council would continue to determine any Temporary CEO employment arrangement and any Acting CEO appointment exceeding three months. For shorter periods of absence, the policy proposes that the CEO may appoint an Acting CEO from amongst the Executive Management Committee to support continuity of leadership and day-to-day operations.

Administration's view is that the proposed amendments provide an appropriate balance between operational flexibility and Council oversight, while remaining consistent with the principle that Council governs and the CEO manages the administration of the local government.

CONSULTATION/ADVERTISING:

No further consultation is required.

Section 5.39C(4) of the Act requires the CEO to publish an up-to-date version of the policy on the City's website.

LEGAL/POLICY:

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

Section 5.39C of the *Local Government Act 1995* requires local governments to adopt a policy setting out the process to be followed for acting arrangements for the position of CEO.

Section 5.39C(2) requires any amendment to the policy to be made by absolute majority, and section 5.39C(4) requires the CEO to publish an up-to-date version of the policy on the City's website.

Section 5.42(1) of the *Local Government Act 1995* allows Council to delegate its powers and duties to the CEO.

Section 5.45(1)(b) requires any decision to amend or revoke a delegation to be made by absolute majority, and section 5.46(2) requires delegations to be reviewed at least once each financial year.

The City's Corporate Document Development Policy sets out the process for developing and reviewing the City's policy documents.

In accordance with clause 2.3 of the Corporate Document Development Policy:

> *The purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;*

The policy provides guidance regarding the temporary employment or appointment of a person to perform the functions of CEO and establishes clear governance arrangements to support continuity of leadership.

RISK MANAGEMENT IMPLICATIONS

Low: Adopting the proposed policy is low risk as it ensures the City maintains a compliant and transparent framework for Acting CEO and Temporary CEO arrangements. The policy clearly defines decision-making responsibilities, supports continuity of leadership and promotes merit-based employment decisions, reducing the risk of governance uncertainty or non-compliance with legislative requirements.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

Sustainable Vincent Framework
This does not contribute to any specific sustainability outcomes of the Sustainable Vincent Framework.

Enhanced Environment Strategy
This does not contribute to any specific sustainability outcomes of the City's Enhanced Environment Strategy 2025-2030.

This does not contribute to any public health outcomes in the City's Public Health Plan 2026-2031.

FINANCIAL/BUDGET IMPLICATIONS:

The proposed amendments are not expected to create any material financial impacts. The policy establishes governance processes for Acting CEO and Temporary CEO arrangements and does not create any additional budget commitments beyond those that may otherwise arise through normal employment arrangements.

COMMENTS:

The revised policy proposes a more pragmatic approach to the interim arrangements for appointing an Acting CEO reflective of operational requirements. The policy provides Council with certainty as to the approach to managing acting and temporary arrangements and identifies a suitable pool of candidates that can be called upon, reflective of experience and cognisant of the responsibilities of the role.

Temporary Employment or Appointment of CEO Policy

Legislation / local law requirements	*Local Government Act 1995* • s5.36 Local government employees • s5.39 Contracts for CEO and senior employees • s5.39C Policy for temporary employment or appointment of CEO • s5.40 Principles affecting employment by local governments. *Local Government (Administration) Regulations Act 1996*
Relevant delegations	Delegation 2.2.1 - Appointment of an Acting CEO
Related policies, procedures and supporting documentation	Nil

PRELIMINARY

INTRODUCTION

Section 5.36 of the *Local Government Act 1995* (Act) requires Council to employ a person to be the Chief Executive Officer (CEO).

The CEO manages the administration of the Local Government and supports the Council in performing its functions.

The Act and the *Local Government (Administration) Regulations 1996* set out relevant requirements for appointing an Acting CEO or employing a Temporary CEO.

PURPOSE

This policy sets out the process for appointing an Acting CEO or Temporary CEO for a period of less than 12 months. It supports continuity of leadership and fair and merit-based employment decisions.

OBJECTIVE

To establish policy, in accordance with section 5.39C of the Act, for appointing:

- an Acting CEO when the substantive CEO is unavailable on planned or unplanned leave or
- a Temporary CEO when the substantive CEO position becomes vacant.

SCOPE

This policy applies to the statutory position of CEO of the City of Vincent.

DEFINITIONS

Acting CEO means an employee appointed to perform the CEO role while the substantive CEO remains employed but is unavailable, including on planned or unplanned leave.

Temporary CEO means a person employed to perform the CEO role after the substantive CEO's employment ends or where Council decides a temporary employment arrangement is required.

Temporary Employment or Appointment of CEO Policy

Executive Management Committee (EMC) means the City of Vincent's employees who lead and oversee the organisation's strategic and operational work.

EMC member means a person appointed to the EMC. This policy excludes members in an acting position from being appointed by the CEO. Council resolution is required to appoint a member of the EMC who is acting in their position.

Merit means selecting the best person, based on skills and experience, to perform the role's functions. It means comparing candidates' work-related qualities to determine who is best suited based on relative ability. The assessment of merit applies the principles of merit and equity under section 5.40 of the Act to employment decisions.

A merit-based process is a process designed to identify the most suitable person to perform the role's functions. The process must be transparent, meaning information about it is readily available to all potential candidates.

PRINCIPLES

1. The policy's primary objective is to maintain operational continuity and ensure the uninterrupted performance of the CEO's statutory functions.

2. As far as practical, decision-makers use a merit-based process to inform their decisions.

POLICY

3. Acting CEO up to 12 weeks

3.1 Clause 3 applies if the substantive CEO is unavailable for more than 48 hours and less than 12 weeks.

3.2 The City will advise all employees and Council Members of the Acting CEO appointment.

3.3 An appointment under clause 3 must not continue for more than 12 weeks unless Council appoints an Acting CEO under clause 4.

CEO is available to appoint

3.4 Under Council Delegation 2.2.1 – Appointment of an Acting CEO, the CEO may appoint an Acting CEO if:

3.4.1 The appointment is for more than 48 hours and no longer than 12 weeks, and

3.4.2 The employee appointed is an EMC member.

3.5 Before appointing an Acting CEO, the CEO will, as far as practicable, consider each EMC member's suitability for the role, relative merit, the City's operational needs and the availability of members, before deciding who to appoint as Acting CEO.

The CEO is unavailable to appoint an Acting CEO

Temporary Employment or Appointment of CEO Policy

3.6 If the CEO is unavailable or unable to appoint an Acting CEO, the Governance Manager with the agreement of the HR Manager and following consultation with the Mayor, may appoint an Acting CEO for a maximum period of two weeks. They cannot appoint themselves.

3.7 The Governance Manager may rotate the Acting CEO role between EMC members to meet the City's operational needs. Any decision must be based on relative merit, availability and business requirements. Rotation is not automatic.

Other appointments

3.8 If the City cannot appoint an Acting CEO under clauses 3.4 or 3.6, Council may appoint a suitable employee.

3.9 If Council cannot appoint a suitable employee, Council may appoint a Temporary CEO under clause 5.

4. Appoint Acting CEO for periods greater than 12 weeks but less than 12 months.

4.1 Clause 4 applies if the substantive CEO is unavailable for more than 12 weeks and less than 12 months.

4.2 Council appoints the Acting CEO by resolution.

4.3 As far as practicable, Council will first consider available EMC members through a merit-based process.

4.4 If Council cannot appoint a suitable employee under this clause, Council may appoint a Temporary CEO under clause 5.

4.5 The Mayor will work with the CEO, or if the CEO is unavailable, the Governance Manager and HR Manager, to prepare the Council reports and resolutions needed for the Acting CEO appointment.

4.6 Subject to Council's resolution, the Mayor will execute in writing the Acting CEO appointment with administrative support from the Governance Manager and HR Manager.

5. Appoint Temporary CEO – Substantive Vacancy

5.1 Council appoints a Temporary CEO if the substantive CEO's employment with the City of Vincent is ending or has ended. In the meantime, the vacancy in the substantive CEO position is advertised.

5.2 Council will prioritise business continuity and, when practical, support the appointment of the person it considers most suitable as Temporary CEO, whether internal or external to the organisation, using a merit-based process.

5.3 The Temporary CEO fulfils the statutory CEO functions for the period that the substantive CEO position is vacant.

Temporary Employment or Appointment of CEO Policy

5.4 Council appoints a person to be a Temporary CEO only if it considers them suitable for the role. Council appoints the Temporary CEO by resolution.

5.5 Council may appoint either:

5.5.1 an interim Temporary CEO, for the period the CEO position is vacant until Council appoints a Temporary CEO through an external recruitment or secondment process, or

5.5.2 A Temporary CEO, for the period the CEO position is vacant until the new substantive CEO commences.

5.6 The Mayor will liaise with the Governance Manager and HR Manager to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.

5.7 Subject to Council resolution, the Mayor is authorised to execute in writing the appointment of a Temporary CEO in accordance with Council's resolution/s, with administrative assistance from the Governance Manager and HR Manager.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Corporate Strategy and Governance
Initial Council Adoption	17/05/2022
Previous Title	N/A
Reviewed / Amended	XX/XX/2026
Next Review Date	XX/XX/2030

Temporary Employment or Appointment of CEO Policy

Legislation / local law requirements	*Local Government Act 1995* • s5.36 Local government employees • s5.39 Contracts for CEO and senior ~~employee~~employees • s5.39C Policy for temporary employment or appointment of CEO • s5.40 Principles affecting employment by local governments. *Local Government (Administration) Regulations Act 1996*
Relevant delegations	Delegation 2.2.1 - Appointment of an Acting CEO
Related policies, procedures and supporting documentation	Nil~~A~~

PRELIMINARY

INTRODUCTION

~~S~~Pursuant to section 5.36 of the *Local Government Act 1995* (Act) requires ~~, it is a requirement that~~ Council to employ a person to be the Chief Executive Officer (CEO).

The CEO ~~enable the functions~~manages the administration of the Local Government and supports the Council in performing its functions. ~~the functions of Council to be performed.~~

~~The manner of the recruitment is prescribed in~~ The Act and the *Local Government (Administration) Regulations 1996* set out relevant requirements for appointing an Acting CEO or employing a Temporary CEO.

~~Section 5.39C of the Local Government Legislation Amendment Act 2019 was inserted into the Act and informs the requirements for this policy.~~

PURPOSE

This policy sets out the process ~~in relation to the appointment of Senior Employees (Executive Directors)~~ for appointing an Acting CEO or Temporary CEO ~~to act in the position of CEO~~ for a ~~a term not exceeding one year.~~period of less than 12 months. It supports continuity of leadership and fair and merit-based employment decisions.

OBJECTIVE

To establish policy, in accordance with section 5.39C of the Act, ~~that details the City of Vincent's processes~~ for appointing:

- an Acting CEO when the substantive CEO is unavailable on planned or unplanned leave or
- a Temporary CEO when the substantive CEO position becomes vacant.~~for periods of less than 12 months of planned or unplanned leave or an interim vacancy in the substantive office..~~

Temporary Employment or Appointment of CEO Policy

SCOPE

This policy applies to the statutory position of CEO of the City of Vincent.

~~POLICY PROVISIONS~~

DEFINITIONS

Acting CEO means an ~~person~~ employee ~~employed or~~ appointed to ~~fulfil the statutory position of~~perform the CEO role ~~during a period where~~while the substantive CEO remains employed but is unavailable, including on planned or unplanned leave.

Temporary CEO means a person ~~employed or appointed~~employed to perform the~~fulfil the statutory position of~~ CEO role after the ~~for the period between the end of the~~ substantive CEO's employment ends or where Council decides a temporary employment arrangement is required~~and the appointment and commencement of a newly appointed substantive CEO~~.

Executive Management Committee (EMC) means the City of Vincent's employees who lead and oversee the organisation's strategic and operational work.

EMC member means a person appointed to the EMC. This policy excludes members in an acting position from being appointed by the CEO. Council resolution is required to appoint a member of the EMC who is acting in their position.

Merit means selecting the best person, based on skills and experience, to perform the role's functions. It means comparing candidates' work-related qualities to determine who is best suited based on relative ability. The assessment of merit applies the principles of merit and equity under section 5.40 of the Act to employment decisions.

A merit-based process is a process designed to identify the most suitable person to perform the role's functions. The process must be transparent, meaning information about it is readily available to all potential candidates.

~~***Senior Employee*** means a person appointed to the position of Executive Director~~

~~POLICY~~PRINCIPLES

1. The policy's primary objective is to maintain operational continuity and ensure the uninterrupted performance of the CEO's statutory functions.

2. As far as practical, decision-makers use a merit-based process to inform their decisions.

POLICY

3. ~~Appoint~~ Acting CEO ~~– Planned and unplanned leave for periods~~ up to ~~6~~ 12 weeks

3.1 Clause 3 applies if the substantive CEO is unavailable for more than 48 hours and less than 12 weeks.

Temporary Employment or Appointment of CEO Policy

3.2 The City will advise all employees and Council Members of the Acting CEO appointment.

3.3 An appointment under clause 3 must not continue for more than 12 weeks unless Council appoints an Acting CEO under clause 4.

CEO is available to appoint

3.4 Under Council Delegation 2.2.1 – Appointment of an Acting CEO, the CEO may appoint an Acting CEO if:

3.4.1 The appointment is for more than 48 hours and no longer than 12 weeks, and

3.4.2 The employee appointed is an EMC member.

3.5 Before appointing an Acting CEO, the CEO will, as far as practicable, consider each EMC member's suitability for the role, relative merit, the City's operational needs and the availability of members, before deciding who to appoint as Acting CEO.

The CEO is unavailable to appoint an Acting CEO

3.6 If the CEO is unavailable or unable to appoint an Acting CEO, the Governance Manager with the agreement of the HR Manager and following consultation with the Mayor, may appoint an Acting CEO for a maximum period of two weeks. They cannot appoint themselves.

~~1.~~

~~1.1 Consistent with Council Delegation 2.2.1 – Appointment of an Acting CEO, the CEO is authorised to appoint an Acting CEO , subject to the following conditions:The CEO will consider each member's relative suitability for the role, the City's operational needs and the availability of members.~~

~~• the Employee being designated a "Senior Employee", as prescribed by the LGA and determined by Councils Organisational Structure and Designation of "Senior Employees" policy;~~
~~• appointments being no longer than 6 weeks;~~
~~• Council Members to be advised of Acting CEO; and~~
~~• the acting role to be rotated between the Executive Directors of the City where practicable or an external sector Senior Employee through a secondment arrangement.~~

~~2. The CEO must appoint an Acting CEO for any leave periods greater than 48 hours and less than 6 weeks.~~

~~3. If the CEO is unavailable or unable to make the decision to appoint an Acting CEO the Executive Manager Corporate Strategy and Governance will appoint an Acting CEO in accordance with 1.1. above.~~

3.7 The Governance Manager may rotate the Acting CEO role between EMC members to meet the City's operational needs. Any decision must be based on relative merit, availability and

Temporary Employment or Appointment of CEO Policy

business requirements. Rotation is not automatic.~~Council may, by resolution, extend an Acting CEO period under subclause (1.3) beyond 6 weeks if the substantive CEO remains unavailable or unable to perform their functions and duties~~

Other appointments

3.8 If the City cannot appoint an Acting CEO under clauses 3.4 or 3.6, Council may appoint a suitable employee.

~~3.1~~3.9 If Council cannot appoint a suitable employee, Council may appoint a Temporary CEO under clause 5.

4. Appoint Acting CEO for ~~extended leave~~ periods greater than 12~~6~~ weeks but less than 12 months.

4.1 ~~This clause~~Clause 4 applie~~s to~~s if the substantive CEO is unavailable for more than 12 weeks and less than 12 months. ~~, such as due to planned or unplanned leave,otherwise , whether due to leave or other reasons.~~

~~4.1~~4.2 Council appoints the Acting CEO by resolution.

~~• 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.~~

4.3 ~~The Council will, by resolution, appoint an Acting CEO for periods greater than 6 weeks but less than 12 months~~As far as practicable, Council will first consider available EMC members through a merit-based process.

4.4 If Council cannot appoint a suitable employee under this clause, Council may appoint a Temporary CEO under clause 5.

~~4.2 , as follows:~~
~~a. Appoint one Senior Employee, or multiple Senior Employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or~~
~~b. Conduct an external recruitment process in accordance with clause 3.1(c).~~

~~4.3~~4.5 The Mayor will ~~liaise with~~work with the CEO, or ~~in their unplanned absence~~if the CEO is unavailable, ~~the Executive Manager Corporate Strategy and Governance~~Governance Manager and HR Manager, to ~~coordinate~~ prepare the Council reports and resolutions ~~necessary~~ needed ~~to facilitate an~~for the Acting CEO appointment.

~~4.4~~ Subject to Council's resolution, the Mayor will execute in writing the Acting CEO appointment with administrative ~~assistance~~ support from the ~~Executive Manager Corporate Strategy and G~~Governance Manager and HR Manager.

~~4.5~~4.6

Temporary Employment or Appointment of CEO Policy

5. Appoint Temporary CEO – Substantive Vacancy

5.1 Council appoints a Temporary CEO if~~In the event that~~ the substantive CEO's employment with the City of Vincent is ending or has ended~~, the Council when determining to appoint a Temporary CEO~~. In the meantime, the vacancy in the substantive CEO position is advertised.

5.2 Council will prioritise business continuity and, when practical, support the appointment of the person it considers most suitable as Temporary CEO, whether internal or external to the organisation, using a merit-based process.

5.3 The Temporary CEO fulfils the statutory CEO functions for the period that the substantive CEO position is vacant.

5.4 Council appoints a person to be a Temporary CEO only if it considers them suitable for the role. Council appoints the Temporary CEO by resolution.

5.5 Council may appoint either:

5.5.1 an interim Temporary CEO, for the period the CEO position is vacant until Council appoints a Temporary CEO through an external recruitment or secondment process, or

5.5.2 A Temporary CEO, for the period the CEO position is vacant until the new substantive CEO commences.

5.6 The Mayor will liaise with the Governance Manager and HR Manager to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.

5.7 Subject to Council resolution, the Mayor is authorised to execute in writing the appointment of a Temporary CEO in accordance with Council's resolution/s, with administrative assistance from the Governance Manager and HR Manager.

~~5.1~~

~~a. by resolution, appoint a Senior Employee as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the City; or~~

~~b. by resolution, appoint a Senior Employee 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 or secondment process in accordance with the principles of merit and equity prescribed in section 5.40 of the LGA, appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the City.~~

~~3.2 The Mayor will liaise with the Executive Manager Corporate Strategy and Governance to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.~~

Temporary Employment or Appointment of CEO Policy

~~3.3 The Mayor is authorised to execute in writing the appointment of a Temporary CEO in accordance with Council's resolution/s, with administrative assistance from the Executive Manager Corporate Strategy and Governance.~~

OFFICE USE ONLY	
Responsible Officer	Executive Manager Corporate Strategy and Governance
Initial Council Adoption	17/05/2022
Previous Title	N/A
Reviewed / Amended	XX/XX/2026
Next Review Date	~~05/2026~~ XX/XX/2030

CITY OF VINCENT

Delegation of authority

Delegation	**2.2.1 Appointment of an acting CEO [DRAFT]**
Head of power	02 Delegations made under the Local Government Act 1995
Delegator	Local Government
Express power to delegate	Section 5.42 *Local Government Act 1995*
Express power or duty delegated	Power to appoint an Acting Chief Executive Officer under s5.36(1)(a).
Function	Power to appoint an Acting Chief Executive Officer under s5.36(1)(a).
Delegates	CEO
Conditions	~~• The Employee being designated a "Senior Employee", as prescribed by the Local Government Act;~~ • The employee is a substantive (not acting) member of the Executive Management Committee (EMC); • The CEO has considered the relative merit, suitability, availability and operational requirements of available EMC members; • Appointments being no longer than ~~6~~12 weeks; • Council Members to be advised of acting Chief Executive Officer;. ~~• The acting role to be rotated between the Executive Directors of the City where practicable.~~
Express power to subdelegate	*Local Government Act 1995* s.5.44 CEO may delegate ~~some~~ powers and duties to other employees
Subdelegates	Executive Manager Corporate Strategy and Governance
Subdelegate conditions	~~N/A~~ • The CEO is unavailable or otherwise unable to make the appointment; • The appointment is for no more than two weeks; • The appointee is a substantive (not acting) member of the EMC and is not the subdelegate; • The appointment is made in accordance with the Temporary Employment or Appointment of CEO Policy.
Record keeping	Notes: Previously Delegation 1.1 of the City's 2018/19 Register.

Summary of Submissions:

Temporary Employment or Appointment of CEO Policy

The table below summarises the comments received during the advertising period of the proposal, together with the City's response to each comment.

Consultation was undertaken from 25 August 2026 to 16 September 2026. One written submission was received by email.

Comments Received in Objection:	Administration Comment:
Issue: Council oversight of Acting CEO appointments • Council appoints the permanent CEO, so it should also appoint, or at least approve, anyone temporarily performing the role. • An Acting CEO may exercise the full authority of the CEO and make decisions with a significant impact on the City and its ratepayers. • Allowing the CEO to appoint an Acting CEO for up to three months gives the CEO significant authority that should remain with Council.	• Under the current policy and Delegation 2.2.1, the CEO can already appoint an Acting CEO for up to six weeks. The proposed amendments extend this to 12 weeks (approximately three months). • Council would continue to appoint any Acting CEO for more than 12 weeks, and any Temporary CEO where the substantive CEO position is vacant. • The CEO's authority to appoint comes from Council's own delegation. Council decides whether to grant it and on what conditions, can amend or revoke it at any time, and reviews it at least once each financial year. • Council Members are advised of every Acting CEO appointment.
Issue: Suitability of Executive Management Committee members • The submitter questioned identifying EMC members as suitable for Acting CEO arrangements in advance. • While EMC members may have the necessary experience, Council should decide who is suitable, as the Acting CEO exercises the authority of a position Council appoints.	• The policy doesn't treat every EMC member as automatically suitable. Before appointing, the CEO must consider each EMC member's suitability, relative merit and availability, and the City's operational needs. • The policy sets out who the CEO may appoint, so Council determines the pool through the policy itself. Any appointment outside the EMC requires a Council resolution. • Appointments are limited to substantive EMC members. An employee acting in an EMC position can only be appointed by Council resolution. • Where the CEO is unavailable, the Governance Manager may appoint for no more than two weeks, with the HR Manager's agreement and after consulting the Mayor. The Governance Manager cannot appoint themselves.

Comments Received in Objection:	Administration Comment:
Issue: Short-notice appointments and accountability • Short-notice appointments may sometimes be needed, but this doesn't justify removing Council oversight for up to three months. • An interim arrangement could be made when needed, followed by Council consideration and approval at the earliest opportunity. • Allowing the CEO to select their own replacement for an extended period doesn't provide enough accountability or transparency for such an important role.	• For absences longer than 12 weeks, Council appoints the Acting CEO by resolution and will first consider available EMC members through a merit-based process. • Short-term acting arrangements are an administrative measure to maintain operational continuity while the CEO is away. Requiring Council approval for each one would be out of proportion to their temporary nature and could delay operational decision-making. • A 12-week threshold allows extended leave, such as long service leave, to be covered without repeated Council resolutions. The Town of Victoria Park, City of Rockingham and City of Wanneroo also allow the CEO to appoint an Acting CEO for up to 12 weeks.