

### **3. Appointing a CEO**

#### **1. Objectives**

- (1) To guide the council in appointing a high quality and appropriately skilled CEO;
- (2) To ensure the ongoing viability of the Council by appointing a CEO with financial management experience; and
- (3) To maintain the integrity of the Council by ensuring that the council is aware of any conflicts of interest that the CEO might have.

#### **2. Background to Guidelines**

- (1) Section 100(4) of the *Local Government Act 2008* provides that, “*Appointments to the office of CEO are to be made, as occasion requires, by the council in accordance with the relevant Ministerial guidelines.*”
- (2) The CEO is responsible, among other things, for: the implementation of council policy; the day-to-day management of the Council, which includes the appointment and management of Council staff; providing advice and information to the council to facilitate council decision-making; communication between the council and its constituency; management and maintenance of council assets and resources and ensuring the proper financial management of the council. (See s101 of the *Local Government Act 2008* for the full outline of these responsibilities).
- (3) Selecting and appointing a CEO is one of the most important tasks elected members may undertake during their term of office. In light of this, it is essential that the recruitment process ensures that only appropriately qualified and suitable persons are appointed to the position of CEO as this will facilitate the smooth and efficient running of council. Choosing the right CEO is paramount in ensuring that the council is both functional and progressive.

#### **3. Recruitment Agency**

- (1) Councils are strongly encouraged to seek advice on current best practice in relation to recruitment processes from both LGANT and Local Government Managers Australia (LGMA) before starting the process of recruitment of a CEO.
- (2) Having considered such advice, councils are strongly encouraged to use a professional recruitment agency when appointing a CEO.

#### **4. Considerations**

(1) When appointing a CEO, as well as following the requirements of the *Local Government Act 2008* in relation to human resource management and any council employment policies, the council or recruitment agency must also consider the following:

(a) CEO Skills and Attributes. The CEO must have:

(i) A tertiary qualification in a related field, such as: law, management, human resources, business or finance, community development, or commensurate work experience which demonstrates both capacity at an equivalent level and capability of recognised prior learning by an educational institution;

(ii) Proven high level leadership and management capabilities;

(iii) High level financial governance experience.

(b) Any relevant criminal history

(i) The council must take into account the criminal history of the applicant to avoid the recruitment of an inappropriate person. However, councils must not discriminate on the basis of an irrelevant criminal record (*Anti-Discrimination Act 2007 (NT)*).

(ii) The definition of 'relevant criminal history' may be based on council policy but should at least include offences of dishonesty and fraud and/or forgery related offences.

#### **5. Conflicts of Interest**

All conflicts of interest, whether perceived, potential or actual, must be identified and given due consideration.

#### **6. Advertisement**

Advertisements for the CEO position should contain, amongst other relevant information, the following advice:

(1) Applicants must disclose any foreseeable conflicts of interest.

(2) Applicants must consent to a criminal history check.