

**CEO Role Template**

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PURPOSE OF THIS TEMPLATE

This document has been prepared by the NSW Office of Sport as a guide for New South Wales State Sporting Organisations (**SSOs**) to assist with an SSO’s governance. IT IS A TEMPLATE ONLY. This document should be read in context with the NSW Office of Sport’s Sports Governance Capability Framework and in particular paragraph 5.5.

INSTRUCTIONS

The document has been designed specifically for sport and seeks to take into account the issues which an SSO might need to consider; for example, Sport must deal with the impact of drugs; Sport is affected by child protection legislation; and Sport operates under a national system where the national body can make rulings and set policy that will flow through the Sport and affect those playing at Club level.

All levels of an SSO and all persons within a Sport should work together for the advancement of the Sport and the SSO through sharing common purposes, structures, policies and procedures. This will hopefully improve the governance and delivery of a Sport and hopefully make it easier to address issues of joint concern, to share information and to maximise the sport’s marketability.

Finally, with the increasing amount of legislation affecting sport, Sports must enact consistent and complementary policies and strategies that address areas of governance and common risk that flow through the organisation.

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# CEO’S ROLE

### As the Board has a clear governance role, the CEO fulfils the management role of the organisation.

### Subject to the Constitution and the policy directives of the Board, the organisation shall be managed by the CEO who may exercise all powers of the organisation which are not, under the Act or the Constitution required to be exercised by the Board or the organisation in general meeting.

### In summary the role of the CEO includes:

#### implementing the strategic plan;

#### managing the office;

#### day to day management and administration of the organisation;

#### employment and human resources matters;

#### preparation of and financial management through the approved budget;

#### business development;

#### development and implementation of the business plan;

#### Government and other stakeholder relations; and

#### In conjunction with the chair spokesperson for the organisation.

### The CEO will prepare all board papers and will provide monthly reports (or more often where the Board directs) which include:

#### accurate financial statements, that comprise:

##### profit and loss statement;

##### balance sheet;

##### cash flow statement;

##### written report regarding material variances from budget;

##### budget versus actual report on a month and year-to-date basis as well as identifying the full-year budget;

##### listing of all major outstanding debtors and creditors;

##### bank reconciliation (including bank account evidence; and

#### performance reporting against the organisation’s strategic objectives.

# CEO LIMITATIONS

## Legal Power to Manage

Subject to the Constitution, the Act or any policy directive of the Board, the CEO has the broad power to perform all such things as appear necessary or are required for the proper management and administration of the organisation. The CEO may exercise all powers of the organisation which are not required to be exercised by the Board or by general meeting. The CEO must exercise his power to administer the sport in New South Wales in accordance with the rules and regulations of the sport, including its Constitution and Regulations.

## Unity of Control

Only decisions of the Board acting as a body under the Constitution are binding on the CEO. These decisions must not contravene or contradict any statutory or legal requirement under any Commonwealth or State legislation.

Decisions or instructions of individual Directors are not binding on the CEO unless the Board has specifically authorised the decisions or instructions in writing.

The CEO can refuse requests from individuals or Committees if the requests, in the CEO’s opinion, require a material amount of staff time or funds or where the request may be disruptive, mischievous, frivolous or not in the best interests of the organisation.

## CEO Accountability

The CEO has the authority and is accountable for the success of the organisation within the policies of the organisation and the direction of the Board and is charged with the efficient management of the organisation.

The Board or any Director must not give instructions to persons who report directly or indirectly to the CEO. The Board must not evaluate (formally or informally) any member of staff other than the CEO.

## Delegation to the CEO

Responsibility for the day to day operation and administration of the organisation is delegated by the Board to the CEO who in turn is accountable to the Board. These details are outlined in the contract between the CEO and the organisation.

The Board will instruct the CEO through written policies that prescribe the end to be achieved and the situations to be avoided, allowing the CEO to use reasonable interpretation of these policies.

Provided that the CEO uses reasonable interpretation of written policies and the strategic plan, the CEO is authorised to establish further procedures, make all decision, take all actions, establish all practices and develop all activities.

## Monitoring of Performance

Systematic and rigorous monitoring of the CEO’s job performance should be against accomplishment of policies, implementation of the strategic plan and other criteria set out in the contract between the CEO and the organisation.

The Board will monitor the CEO and, in doing so, may consider CEO internal reports, external reporting by third party and Board assessment.

## Contractual Responsibilities

The CEO is employed to oversee and manage the day to day operation of the organisation, in accordance with the organisation’s objects and policies and the Board’s directions, and in carrying out this role shall be responsible for:

### overall efficient management and control of the organisation activities and the organisation office;

### supervision of all the organisation’s employees;

### carrying out the secretarial role for the organisation, including the supervision of the preparation of minutes and Board papers;

### financial management of the organisation including budgets, cost control, financial planning, overseeing the acquittal of the organisation budgets, preparation of relevant reports, and compliance with legal accountability requirements;

### ensuring a record of property and assets of the organisation is maintained;

### seeking, securing and servicing grants from government, commercial sponsors and other commercial agreements in the interests of the organisation;

### ensuring the implementation of the strategic plan and making recommendations to the Board on changes that may be required;

### preparing the annual report in conjunction with the Board;

### attending professional development courses and conferences as required;

### attending meetings as required;

### maximising the exposure of the organisation and related activities to the media and acting as the spokesperson to media representatives;

### liaising with members, as appropriate;

### providing regular reports to the Board regarding CEO activities; and

### undertaking all other duties as required to ensure the smooth, efficient and professional operation of the organisation.

## Prohibitions of the CEO

The CEO shall not:

### allow any activity that is unlawful or in violation of commonly accepted business practices or ethics to take place or occur;

### allow staff, volunteers and members to be subject to conditions, procedures or decisions that are unlawful, unsafe, undignified and unnecessarily intrusive or that fail to provide appropriate confidentiality or privacy;

### allow financial planning to deviate materially from policies or place the organisation at financial risk;

### permit the situation to arise where no Directors are familiar with Board issues and processes;

### permit the Board to be uninformed or unsupported in its work;

### allow assets of the organisation to be unprotected, inadequately maintained or unnecessarily risked;

### allow the Board to be unaware of relevant trends, anticipated adverse media coverage or major problems or issues;

### fail to report in a timely manner regarding an actual or anticipated non- compliance with any Board policy or directive;

### fail to record Board resolutions or decisions in a way that they may be understood in the future; or

### use methods of collecting, reviewing or storing information that fails to protect against improper access.

## Legal Responsibilities

The CEO is responsible for:

### establishing and maintaining all relevant records (including the membership register) and minutes concerning all financial transactions, business, meetings and dealings of the organisation;

### ensuring records are kept in accordance with statutory requirements; and

### ensuring that, with respect to employment, compensation or other benefits to employees, consultants or volunteers, the CEO shall not deviate from standard business practices, policies, contractual or legal obligations.

## Financial Responsibilities

The CEO is legally responsible for the financial management of the organisation including the organisation office, bank accounts, investments, debtors/creditors, insurances, payroll, superannuation, workcover, computers etc. The CEO will be required to:

### develop and implement a proper accounting system;

### develop and implement a financial reporting system;

### develop and implement operating budgets for the organisation including the submission of regular financial reports to the Board;

### maintain cost control measures; and

### maintain insurance policies for the organisation including public liability, directors and officers and building and contents.

The CEO shall also authorise the reimbursement of business expenses. Business expenses are costs reasonably incurred by employees and Directors in the course of carrying out their duties (eg. travel, accommodation, entertainment, car parking). Business expenses may be reimbursed if provided for in an appropriate budget and approved by the Board.

Claims for reimbursement of expenses are to be submitted on the approved form (if any). The CEO shall not provide a reimbursement where the details are incomplete or where details of the expense are not adequately supported with documents.

## Asset Protection

The CEO shall:

### not permit any cheque or other payment to be processed with only one signature;

### set and comply with an approval to incur expenditure under delegated authority policy as amended from time to time by the Board;

### ensure that a backup of the computer system is conducted at least weekly; and

### not allow staff access to material amounts of funds.

## Staff

The CEO shall:

### not operate without written personnel policies or office administration systems that clarify the rules and guidelines for the staff;

### provide effective handling of grievances or disputes;

### not discriminate against any staff member; and

### not allow more than a year to pass without formal staff reviews.

## CEO not to be appointed to Board after leaving role

The CEO must not be appointed to the Board for at least 3 years after he/she leaves the role.