

1

Employment Principles ** Secondment Policy (NJC Employees)

This section covers:

- Who does this cover?
- What is the policy?
- The aims and objectives of the policy
- Principles of the Policy
- Eligibility
- Types of Secondment
- Duration of Secondment
- Application for Secondment
- Secondment Decision
- Fixed Term and Temporary approved secondments
- Financial Considerations
- Managing the Secondment Relationship
- Redundancy
- Managing the Seconded's return

Who does this Cover?

This policy covers all established and non-established NJC employees including seasonal, casual, fixed term and temporary posts.

What is the Policy?

A Secondment is the temporary transfer or temporary "loan" of an employee to other duties, responsibilities or projects with an agreed end date. When the agreed secondment period comes to an end the employee will resume their substantive post within their original employing department or agree a further period of secondment.

Secondment is not to be confused with temporary movement into a higher band. Nor is it to be confused with an agreement between the manager and individual for that individual to undertake a time limited piece of work or project, which is commensurate with their grade and skills or experience, etc.

There are many benefits arising from secondments opportunities to the Authority and our employees, these include:

- enabling transfer of employees to areas requiring short-term or temporary resource; strengthening a culture of flexibility, e.g. to sustain standards of service provision by covering periods of long term sickness, maternity leave or career break, etc.
- Retention of Staff;
- Directing expertise where it is most needed;
- Supporting "joined up" working and service improvement through cross Authority or partnership work experience of the seconded employees;
- supporting employee development both professionally and personally and flexibility of employment;

1

Employment Principles ** Secondment Policy (NJC Employees)

The Aims and Objectives of the Policy

To provide clear advice, support and guidance to managers and employees regarding their role(s) in managing the secondment approval process and the subsequent management of processes related to the said secondment.

To provide a cost effective, fair and equitable method of providing employees with work experience and development opportunities outside of their normal area of work and/or ensuring that the short to medium term staffing needs for service provision are in place.

Principles of the Policy

Where an application for a secondment has been made in accordance with the recruitment and selection procedure every effort will be made if the employee is successful to grant a request, however, there may be occasions where despite satisfying the criteria, an employee cannot be granted a secondment. In circumstances where a secondment cannot be supported, the line manager should discuss with the employee other opportunities which are available to achieve personal and professional development objectives.

Eligibility

All employees are required to have completed at least six months satisfactory service with the Authority.

A permanent employee who makes an application for a fixed term or temporary post internally will automatically be considered on a secondment basis;

- Secondments should be for a minimum of 3 months and should not in normal circumstances exceed 24 months duration. This timescale will largely depend on the purpose of the secondment. The timescale agreed should reflect and take into account of the service delivery needs of the secondee's employing department and team, and the period of secondment must be clearly defined in the secondment agreement signed by all parties;
- It is essential that all parties are clear about their obligations, expectations and accountabilities **before** the secondment commences.

Please note the Authority's Secondment Policy should be used as guidance in instances where an external parent organisation is seconding an individual to work within the Authority and that organisation does not have their own secondment policy.

1

Employment Principles

** Secondment Policy (NJC Employees)

Types of Secondment

Internal secondments: Sideways moves - this relates to a secondment from an established post to a post on the same grade in the same or a different directorate;

Internal Secondments: Promotions – this relates to a secondment to a higher grade and/or offering an opportunity to develop at a higher level;

External/outgoing secondments: to partner organisations - where the Authority will remain the employer and therefore the secondee will continue to be subject to the Authority's policies and procedures;

External/Incoming secondments: from partner organisations - where the Authority is the host not the employer.

N.B Secondments may be full time or part time and can take place on a job share basis.

Duration of Secondment

A secondment by its nature is temporary.

The maximum period of a secondment is normally twenty four months.

Managers may consider extending the period of secondment provided that there are operational reasons for doing so and to ensure that the organisation continues to best use the skills and experience available to it. Managers should also consider whether it is more appropriate for the post to become a permanent position rather than an extension to the secondment.

If it is agreed that an extension of the secondment is more appropriate this should be agreed between all parties and the secondment agreement updated to reflect the new end date. The manager of the secondee in the host department must discuss the proposed extension of secondment with the manager of the original parent department and seek advice from a HR on the contractual implications of agreeing an extension to a secondment, prior to confirming an extension of the secondment with the employee.

Where the extension is agreed this must be reviewed on a regular basis no more than every three months.

1

Employment Principles

** Secondment Policy (NJC Employees)

Application for Secondment

Employees should discuss and seek permission to apply for a secondment at the earliest opportunity from their line manager before applying for the post.

Approval will be required from the line manager to ensure the employee can be released from their current post on a secondment basis.

Considerations for line managers:

- Has the secondment opportunity been identified as appropriate in the personal development plan for the employee?
- What is the development value to be gained by the employee during the secondment period?
- What are the benefits to our organisation as a result of the secondment?
- What's the feasibility of releasing an employee whose skills, knowledge and experience may not be replicable to cover during a temporary period of absence?
- What will be the consequence of not supporting the secondment?
- Will the employee's substantive post still be available at the end of the secondment?

Line managers should consider if and how the secondee's post will be filled before their secondment is agreed and begins. Advice can be sought from HR, however posts can be filled as follows:

- Recruiting and appointing a temporary employee through the Authority's Recruitment and Selection process;
- An existing employee "acting up" in the post, until the seconded employee returns to work (See below*); or
- The post occupied by the seconded employee will be left vacant. In this instance line managers will have to consider the impact on the workload of the team, how duties can be undertaken in the secondee's absence or whether elements of the work can be left until the secondee returns.

1

Employment Principles

** Secondment Policy (NJC Employees)

** If “acting up” arrangements are considered care must be exercised to determine how individuals are identified to be eligible for this development opportunity. Advice should be sought from the HR Support Team to ensure equality of opportunity. It is good practice to invite expressions of interest from all employees within the relevant division/department, as appropriate.*

Secondment Decision

This policy must be applied consistently to all irrespective of race, colour, nationality, ethnic or national origins, language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental, marital or civil partnership status.

Approved Secondments

Managers should consider a number of factors when agreeing to release a member of staff including:

- Development needs arising out of individual performance reviews and development plans
- Previous requests for secondment
- Exigencies of the Service

When a secondment has been agreed the employee's line manager from the parent department and line manager from the host department/organisation should meet to discuss the management arrangements of the secondee. This will help clarify, e.g. when the employee can be released from their post to commence the secondment, day to day supervision, appraisal, etc.

It is recognised that there may be reluctance by the line manager of the parent department to release the secondee until after the vacated post has been filled; therefore a recommended time period of up to four weeks is given for releasing the employee.

1

Employment Principles ** Secondment Policy (NJC Employees)

Declined Secondments

There may, however, be service or operational requirements which lead to an application for release being declined. Where the line manager turns down a secondment application the employee will be notified in writing by the manager of the reasons for this decision, the employee can request a review of the decision.

This must be undertaken at the earliest opportunity following the decision by the line manager.

The employee should make a written request to review the decision to the appropriate Chief Executive or Director of Delivery.

The employee should set out the grounds for the review within seven calendar days upon receipt of the written notice of the decision.

The Chief Executive or Director of Delivery will carry out a review of the decision within fourteen calendar days of receipt of the request to review from the employee.

The decision of the Chief Executive or Director of Delivery will be final, and should be notified to the employee in writing within seven calendar days of the completion of the review.

Refusals may be made on objective business grounds, e.g;

- Burden of additional cost to the business
- Inability to meet service needs
- Inability to organise work with available staff
- Detrimental impact on quality
- Detrimental impact on performance

1

Employment Principles

** Secondment Policy (NJC Employees)

FIXED TERM OR TEMPORARY EMPLOYEES APPROVED SECONDMENTS

Where a fixed term or temporary employee applies for and is successful in obtaining a secondment opportunity and the fixed-term or temporary contract is due to expire before the end of the secondment, the following applies:

- The line manager from the parent department is responsible for arranging to meet with the employee in advance of the required contractual notice to explain the reasons and commence the process for ending the temporary/fixed term contract;
- The same manager is responsible for discussing the contract status of the employee with the line manager in the host department and is responsible for transferring the secondee into the seconded post for a fixed term period until the end of the agreed secondment period.

Financial Considerations

Financial considerations should be discussed by the line managers of the employee's parent department and host department/organisation in advance as part of the approval process and agreed before the secondment begins, i.e. who is going to fund the salary, on-costs and replacement cover of the employee whilst on secondment?

There are a number of options depending on the type of secondment, the potential benefits to the employee, the parent/host department and/or the Authority.

Host Department Funds

In this case the host department/organisation is the greatest beneficiary from the secondment and is therefore responsible for paying the employee's salary and on-costs. This is likely to occur where there is no likely business benefit to be gained by the department releasing the secondee to the host department/organisation.

Parent and Host Department Part Fund

The parent department will pay an agreed portion of the employee's salary and on-costs. This is likely to be the case where the secondment will benefit both the parent department and the host department/organisation.

1

Employment Principles ** Secondment Policy (NJC Employees)

Additional Financial Considerations

Parent Department Funds

The parent department will continue to pay the employee's salary and on-costs. This is likely to occur in cases where the secondment will be of substantial benefit to the employee and the Authority. Managers are advised to seek advice from the appropriate Group Accountant.

Additional Financial Considerations

If an employee is seconded into a post evaluated at a higher grade s/he will receive the appropriate salary for the duration of the secondment.

Managing the Secondment Relationship

Day to day line management responsibility of the secondee is held with the line manager in the host department/employer.

Where the employee is seconded to an external organisation, the overall management of the seconded employee remains the responsibility of the Authority.

If issues of discipline, capability, sickness absence, behavioural standards or grievance occur during the secondment period then the host department/organisation must ensure that issues of concern are discussed with the employee and the parent department at the earliest opportunity.

It is the responsibility of the line manager from the parent department to instigate the appropriate Authority procedure.

It is important that the line managers from the parent and host department meet with the secondee on a regular basis to review the secondment during the secondment period. This will enable clear communication, the agreement of objectives during the secondment, the support to be offered to the secondee and to ensure any concerns can be addressed at the earliest opportunity so parties benefit from the secondment experience.

Redundancy

1

Employment Principles

** Secondment Policy (NJC Employees)

If a restructure or redundancy situation arises that impacts on the seconded employee's substantive post, it is the responsibility of the line manager from the parent department ensure the employee is communicated and consulted on the implications in line with the Authority's Redundancy Policy, as appropriate. The secondee's substantive post shall be kept open. If it is not possible to keep the secondee's substantive post open alternative employment of an equivalent grade, type and status will be sought at the end of the secondment, firstly within the same directorate before looking organisation wide.

If an extension to the secondment is sought, the issue of the secondee's substantive post being kept open on their return should be an integral part of the decision to extend. If it is not possible to keep the post open beyond the duration of the current secondment the employee should be given the opportunity to return to their substantive post at that time.

Managing the Secondee's Return

A secondment may be terminated early by the agreement of all parties.

1

Employment Principles ** Secondment Policy (NJC Employees)

The secondment will terminate at the end of the agreed period and the employee will then return to their substantive post or, to a post on a grade and salary commensurate with his/her original post.

It is the responsibility of the line manager from the parent department to plan for the reorientation of the secondee when s/he returns to their substantive post. It is recommended that a ***** appraisal meeting is arranged to evaluate the learning experience gained during the secondment and explore how any new skills and experience can be best utilised in his/her substantive role.

Line managers should consider the following:

- Ensure an appropriate reinduction is carried out to cover any changes in policies and procedures;
- Review the employee's role profile to ensure it accurately reflects the requirements on return from secondment, e.g. changes in working practices;
- Explain changes to individual and team work priorities and projects;
- Ensure the appropriate transfer forms are completed so the appropriate salary is paid to the employee on return to the parent department.

If there is a business case for the post that the secondee occupies to be appointed to on a

1

Employment Principles

** Secondment Policy (NJC Employees)

Appointment of the Seconded to the Post on a Permanent Basis

permanent basis the appointment should normally be managed through the Authority's Recruitment and Selection procedure, ensuring the post is advertised, applicants shortlisted and interviewed if they meet the criteria for the post.

If the secondee applies and is successfully appointed to the post, the secondee will be required to give notice to his/her substantive post as detailed in the terms and conditions of employment. If the secondee is not successful then the host Department is required to give notice to the secondee who will return to their substantive post within the Authority.

There may however be exceptional instances when a post which has been advertised as a secondment opportunity may for operational reasons need to become a permanent position. In such circumstances the Authority reserves the right, having regard to the necessary skills and experience for the role, to appoint the seconded employee to the post without a further recruitment process being undertaken and following agreement with the Chief Executive.

1

Employment Principles

** Secondment Policy (NJC Employees)

Terms and Conditions During Secondment

All secondment arrangements will require a variation to the contract of the secondee. HR will issue the variation once the secondment has been agreed and the team have been notified of the transfer.

The line manager in the host department/organisation is responsible for authorising annual leave in secondment arrangements but subject to annual leave entitlement laid down in the employee's terms and conditions of employment.

It should be made clear to the employee that at the end of the agreed secondment s/he will have the right to return to their substantive post.

Hours of work will be as stated in the employee contract of employment.

The employee continues to be paid through the Authority payroll and pension contributions deducted, as appropriate.

The employment policies of the Authority continue to apply to an employee when on secondment with an external organisation, including the Sickness Absence Policy, Disciplinary Policy, and Grievance Policy.

Continuous service will continue to accrue during the secondment period.

The employee, parent department and/or host department/organisation can terminate the secondment. A notice period of one four weeks is to be given to all parties. This notice must be given in writing.

Any breaches of terms and conditions of the secondment policy by an employee may invoke disciplinary procedures or may lead to termination of the secondment.

1

Employment Principles

**** Secondment Policy (NJC Employees)**