

Secondments (Internal and External) incorporating “Acting Up” arrangements Policy and Procedure

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Part 1: Introduction – All Secondments

Purpose (Back to top)

The purpose of this policy and procedure is to support managers in adopting a thorough and fair approach when considering requests and managing arrangements connected with secondments, which may be either:

- secondments of existing Council employees internally within the Council to another job; or
- secondments of Council employees to external organisations.

It aims to set out best practice taking account of relevant legislation and the Council's commitment to equality and diversity. This policy and procedure is not intended to cover all the nuances of individual secondment arrangements, but to provide general guidance.

Secondment is the temporary loan of an employee to another organisation – or to a different part of the same organisation (either within the same department or to a different department) – for a specific purpose and/or for a defined length of time and for the mutual benefit of the organisation(s) and the employee.

For the purposes of this policy and procedure, the term “secondment” will be used to cover both secondment and “acting up” arrangements where the full duties of a post are covered. If only partial duties of a post are undertaken it may be appropriate to award an honorarium payment commensurate with the level and percentage of work being undertaken. Managers are advised to consult HR for advice.

Principles – all secondments (Back to top)

- The Council's commitment to equality of opportunity will be observed at all times during the operation of this guidance. This will ensure that employees are treated fairly and without discrimination on the grounds of race, nationality, ethnic or national origins, gender, marital status, disability, age, sexual orientation, trade union membership or activity, political or religious belief and unrelated criminal conviction.
- No secondment agreement will be arranged without prior discussion and agreement between the substantive manager, the host manager, and the employee, making sure that the arrangements being proposed are clear and fully understood.

IMPORTANT NOTE:

The host manager is the manager who is recruiting to the secondment position.

The substantive manager is the manager in whose team the employee normally works and who will give permission to the employee to undertake the secondment.

- Any employee may apply for a secondment but there is no automatic right of approval. Each case will be considered on merit taking account of the employee's development needs, the benefits the secondment may bring to the Council and any adverse impacts on service delivery and operational priorities.
- There is no automatic right to be released to undertake a secondment opportunity. However, if permission is granted, the substantive post must be held open for the employee to return to unless it subsequently falls subject to an action plan under the Council's Organisational Change Policy. Where that is the case managers should refer to the section below

on secondments and organisation change. Permanent employees should therefore not resign from their substantive post if granted permission to take up a fixed-term secondment.

- The substantive manager is responsible for managing the employee’s return to their substantive post and workplace and ensuring an evaluation of the experience is conducted. The manager must also be mindful of the costs, time and other associated implications of training/refresher training for employees resuming their substantive post, particularly where the time spent away has been significant.

Part 2: Internal Secondments within the Council

This part provides the procedural framework for managers and existing employees in relation to internal secondments within the Council.

Depending on the circumstances of the secondment, either a secondment agreement or letter of secondment confirming the temporary variation to the employee’s contract, should be issued to the employee(s) concerned. The recruiting manager should submit the appropriate e-form to the Employee Service Centre (ESC) to request the contractual change and associated changes to organisational and payroll records.

Scope – Internal Secondments (Back to top)

The provisions below apply to employees who wish to apply for fixed-term positions on a secondment basis within the Council who are employed under the following conditions of service:

- National Joint Council for Local Government Services;
- School Teachers’ Pay and Conditions (centrally employed teachers).

They are not applicable to employees based in schools/colleges with delegated budgets.

Roles and responsibilities - Internal Secondments (Back to top)

<p>Line managers</p>	<p><u>Recruiting (or host) manager</u> – is the manager in whose team the secondment opportunity has arisen. Follows normal recruitment procedures and considers secondment applications in line with this policy and procedure. Consults on, drafts and implements the secondment Agreement.</p> <p><u>Substantive manager</u> - is the manager of the post the employee who is requesting the secondment is normally employed in. Approves/declines formal request for</p>
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	secondment. Where approval given, holds substantive post open for seconded employee to return to. Follows Vacancy Management Control procedure for permission to recruit temporary cover (if required). Where approval is not given, forwards the Prior Permission Pro Forma to the ESC for the employee's personal file.
Employee	Submits Prior Permission Pro Forma and, if approved, submits formal internal application form for advertised post. Returns to substantive post at end of secondment period.
HR Services	Provides advice and guidance on more complex issues relating to internal secondments.
Trade Union or other representative	All employees have the right to be accompanied at formal meetings. The employee(s) may be accompanied by either a trade union representative or work colleague.
Employee Service Centre	Is first point of contact for advice to managers and employees on internal secondments.

Procedure – Internal Secondments (Back to top)

The Council is committed to promoting development opportunities for employees and retaining valuable skills and has adopted an overarching recruitment policy of advertising all posts internally before advertising externally whether permanent or fixed-term, full-time or part-time. Fixed-term positions represent potential secondment opportunities for existing employees who wish to broaden their knowledge, experience and skills.

Such fixed-term vacancies may occur in the same team, a different team, a different section of the same department or in another department.

In the interests of fairness and equity, all such posts or projects of more than 3 months' duration will normally be advertised in the Council's internal vacancy bulletin on CIS.

Employees should note that secondments do not apply to posts advertised as permanent. Existing employees who are successful at interview for posts advertised as permanent will have to resign from their current post to enable them to take up the new appointment on the terms and conditions applicable to the new permanent post. In this situation employees would usually be expected to give notice of their resignation in line with their contract of employment in their original post. Their employment in that original post will end on the expiry of that notice. That post will not be held open and the employee will have no right to return to it.

Before advertising posts as permanent, recruiting managers are encouraged to consider carefully the potential benefits of advertising a post as a fixed-term secondment opportunity to enable existing employees to broaden their knowledge, experience and skills and to promote the cross-fertilisation of ideas and good practice across teams and departments.

IMPORTANT NOTE In certain circumstances, Departmental Management Teams (DMTs) may deem it necessary to ring-fence a vacancy for business reasons where the assignment is either short-term (normally less than 3 months but in any event no more than 6 months), urgent and/or where specialist skills, knowledge or experience are required which will not be realised through wider internal advertising (see Specialist Secondments, Short-term or Urgent Temporary Assignments below). The proposed scope of the ring-fence will be specified in the Vacancy Management Control pro forma for endorsement by the DMT.

Permission to recruit to a fixed-term vacancy

Managers must obtain DMT approval to advertise the post using the Vacancy Management Control process. Normal advertising and recruitment and selection procedures will apply as set out in the Council's Recruitment Guide [including pre-advertising posts on the redeployment vacancy list].

Internal Applicants – permission to apply for secondment

Prospective internal applicants must obtain the permission of their current (i.e. substantive) manager on a Secondment Prior Permission Pro Forma before formally applying for a fixed-term post on a secondment basis. Failure to gain such approval may mean that the secondment will not be authorised and if the employee wishes to move into that post they would need to resign from their substantive post.

Once approved, the Secondment Prior Permission Pro Forma must be submitted with their completed internal application form to confirm to the recruiting manager that proper discussion and approval has taken place and that the employee can be released from their substantive post for the advertised period of the secondment. Recruiting managers should not consider any applications that are not accompanied by the Secondment Prior Permission Pro Forma.

There is no automatic right to be released to undertake a secondment opportunity, whether this is in the same or a different department. If permission is granted, the substantive post must be held open for the employee to return to unless it subsequently becomes subject to an action plan under the Council's [Organisational Change Policy](#). Permanent employees should therefore not resign from their substantive post if granted permission to take up a secondment.

Substantive managers – considering a request for secondment

Before agreeing to a secondment request, the substantive manager will need to consider the implications of releasing the employee for the period of time in question, for example:

- whether permission to recruit to the vacated post on a fixed-term basis is likely to be granted by the DMT. If permission is not granted, this may inform the substantive manager's decision as to whether to approve the secondment or not;

- additional work that may fall to colleagues if the employee cannot be replaced;
- impact on the service and customers;
- peaks and troughs in work activities and whether these coincide favourably or unfavourably with the timescale of the secondment;
- mutual benefits for the employee and the service in terms of skills, knowledge and experience gained while on the secondment;
- if there is insufficient work in the vacated substantive post for a prolonged period and no replacement is needed, whether the continued need for the substantive post should be considered under the Council's efficiency savings programme;
- the need to hold open the post for the substantive postholder to return to.

Recruiting managers - selection procedure

Recruiting managers must not consider any applications for secondments that are not accompanied by the Secondment Prior Permission Pro Forma.

All internal applicants for a fixed-term post will be subject to normal recruitment and selection procedures in terms of applications, shortlisting, interviews, selection testing, references and other required checks, e.g. CRB Disclosure.

Redeployees whose jobs are subject to a [restructure/redundancy](#) and who closely match the essential criteria in the job profile must be given preferential consideration over other internal applicants in accordance with the Council's Redeployment Policy and Procedure.

Recruiting managers should notify the ESC of the successful candidate using the Selection Outcome e-form.

Salary and terms and conditions

The salary, grade and terms and conditions of employment of the seconded employee will be those applicable to the advertised fixed-term post, whether this is at a higher or lower level than the employee's substantive post. The grade of the post must be determined under the Council's job evaluation scheme.

Normal incremental progression and any annual pay awards that are made will apply to the seconded post. Upon the employee's return to their substantive post, their salary should reflect any incremental changes and annual pay awards that have taken place during the period of secondment.

As the employee is voluntarily applying for an alternative position in the full knowledge and acceptance of the terms and conditions pertaining to it, there is no entitlement to pay protection or disturbance allowance when they take up the secondment.

The provisions of the Council's Travel, Subsistence and Related Allowances Guide including I-Expenses will apply. The car user status applicable to the seconded post will be enforced. Where casual user status applies to the

seconded post, substantive essential users will incur a temporary suspension of their essential car user status for the period of the secondment. Equally, where essential user status applies to the seconded post, substantive casual users will be entitled to the essential user allowance for the duration of the secondment. Lease car holders may retain their lease car until the end of the lease in force at the time, but if the lease expires during the secondment and the seconded post does not attract essential car user status, no further lease agreement will be permitted until the employee returns to their substantive post. The Council's business travel provisions in force at any time during the secondment will prevail.

Extension of secondment

Any proposed extension to the original secondment arrangement must be discussed and agreed between the host manager and the substantive manager in the first instance. Prior to being discussed and offered to the employee, the host manager should:

- submit a fresh application to DMT under the Vacancy Management Control procedure for permission for the post/project to continue; and
- obtain the written agreement of the substantive manager for the continued release of the seconded employee for the extended period.

The host manager should then submit the Variation to Contract e-form to the ESC so that the agreed arrangements can be confirmed in writing to the employee.

Where agreement cannot be reached as to an extension the secondment will come to an end in accordance with the letter of secondment.

Termination of secondment

Secondment is subject to a formal contractual arrangement between the Council and the employee. Employees will normally be subject to the contractual notice period attached to the seconded post for termination of the secondment whether giving or being served notice of termination; details will be set out in the letter of secondment to the employee. It is important that all parties to the secondment are aware of the termination conditions that apply including provision within the letter of secondment to terminate the arrangement at [short notice](#) if necessary. The host and substantive managers should liaise about the termination of the secondment, particularly where an early termination is required, and advise the employee at the earliest opportunity.

A [template letter](#) is available for managers to use for giving notice of the termination of a secondment.

Secondment positions which become available on a permanent basis

Employees have no right to remain in a seconded post and will return to their substantive post at the end of the period of secondment. If the seconded post becomes available on a permanent basis, the position should be advertised in open competition and normal recruitment and selection procedures will apply.

Termination of secondment – by the employee

Employees who wish to terminate their secondment earlier than the date specified in their secondment contract should discuss this with both their host (secondment) manager and their substantive manager so that any specific issues can be addressed and rectified if possible and appropriate. If agreement on early termination can be reached the secondment will need to be terminated in accordance with the letter of secondment.

The employee should give the contractual notice period stipulated in their letter to terminate of the secondment. Where arrangements are in place to cover the seconded employee's substantive post, and the replacement employee in turn requires due notice of the termination of their temporary employment, or where the return date would seriously affect the service for other significant business reasons, the substantive manager has the right to defer the return date requested by the employee.

Termination on short notice

The substantive manager reserves the right to recall a seconded employee to their substantive post and will normally endeavour to serve the contractual notice period attached to the seconded post. However, in exceptional circumstances it may be necessary to recall the employee at short notice and terminate the secondment arrangement. Prior discussion should take place between the substantive manager and host manager before notifying the seconded employee. The employee's contract of secondment should make provision for such early termination.

Secondments and organisational change

- **If the employee's substantive post becomes subject to organisational change during the secondment**

The employee must be included in all relevant consultation taking place under the Council's Organisational Change Policy and kept informed of developments by their substantive manager. If the employee's substantive post subsequently becomes redundant as the result of an action plan, the secondment must also be brought to an end at the same time as the redundancy takes effect. The employee cannot continue in the seconded position for the remaining balance of time attached to it i.e. they cannot be 'seconded' from their substantive position which has ceased to exist. The redundancy payment will be the responsibility of the substantive department and will be made at the time the employee leaves the service of the Council.

If there is a need for the work of the seconded position to continue, it should be advertised as a fixed term position, subject to the requirements of the Vacancy Management Control provisions within the Council's Recruitment Guide. The employee who has been undertaking the secondment and who is 'at risk' is at liberty to apply for the advertised fixed term post during their notice period with any attendant preferential consideration as appropriate under the Redeployment Policy. However, acceptance of the advertised fixed term position changes their employment status and may adversely affect their entitlement to a redundancy payment from their original substantive post.

The advice of HR Services should be sought in these situations.

- **If the need for the secondment post comes to an end earlier than expected**

The employee will be given notice of the termination of the secondment and their return to their substantive post in accordance with the letter of secondment. Because the employee has a substantive post to return to, they are not redundant and therefore not entitled to receive a redundancy payment, irrespective of the length of time that they have been on secondment (see [Termination of Secondment](#) below).

- **If the secondment post becomes subject to organisational change**

The seconded employee will be given notice to return to their substantive post, irrespective of the length of time that they have been on secondment.

Specialist secondments, short-term or urgent temporary assignments

Where a post, project or additional work becomes available for a period of less than 6 months or is considered highly specialist and/or urgent, the Council reserves the right to operate a more flexible approach in order to respond appropriately to the need and optimise the use of staffing resources for the benefit of the service.

In this situation managers must still follow the Vacancy Management Control process to obtain approval from their DMT to fill the post. The manager's case should also identify whether there are existing staff within the team, section or department that may be able to fulfil the duties.

Such posts may not always be advertised and, with DMT permission, may be ring-fenced to existing internal employee(s), but only as the identified circumstances dictate. Such arrangements should be agreed with either a DMT member or the HR Business Partner. The line manager is then responsible for notifying the vacancy to the employee(s) identified.

Fair and transparent application and selection procedures must still be followed, although these may be less formal than those used for longer term appointments. For example, the manager might perhaps only require a brief résumé of the employees' relevant skills and experience and might conduct less rigorous interview and/or testing and selection processes. However, formal records must still be kept as to how the appointment decision was reached.

The successful candidate will be deemed to be seconded to the temporary post. All the other provisions relating to internal secondment outlined in this policy and procedure, including notification and termination provisions, will apply.

Part 3: External Secondments from the Council to another organisation

This part provides the procedural framework for managers and existing employees in relation to external secondments and secondments that have arisen due to partnership working – which may arise within the public, private or voluntary sector.

For any external secondment a formal, written secondment agreement must be prepared and signed by all parties, including the employee, prior to the secondment commencing. The advice of Legal Services must be sought regarding all external secondment agreements.

Scope – External Secondments (Back to top)

The provisions below apply to all employees who are employed under the following conditions of service:

- National Joint Council for Local Government Services;
- School Teachers’ Pay and Conditions (centrally employed teachers).

They are not applicable to:

- employees based in schools/colleges with delegated budgets;
- employees requesting internal secondments (See Part 1 above);
- transfers taking place under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).

Roles and responsibilities - External Secondments (Back to top)

Substantive (i.e. LCC) line manager	Manager of the post within the County Council normally occupied by the employee requesting/on secondment to an external organisation. Seeks advice from Legal Services on the proposed secondment agreement. Consults with the employee(s) concerned and participating organisation(s). Responsible for ensuring all necessary administrative arrangements for the secondment are in place.
Host Manager	The manager of the post in the external (i.e. host) organisation to which the employee(s) requests secondment. Provides draft secondment agreement for consultation and agreement with the substantive manager and the Council’s Legal Services. Responsible for ensuring all necessary administrative arrangements for the secondment are in place.
Employee	Adheres to all agreed terms and conditions of the secondment agreement. For individual secondments, submits Prior Permission Pro Forma before applying for an external post. Returns to substantive post at end of secondment period.
HR Services	Provides advice and guidance on more complex issues

	relating to external secondments.
Trade Union or other representative	Trade unions will be consulted regarding major changes affecting staff and will provide advice and support to trade union members. All employees have the right to be accompanied at formal meetings by either a trade union representative or work colleague.
Senior manager	Demonstrates commitment to the principles of the external secondment and supports the host organisation to conduct investigations under the Council's employment policies if required.
Legal Services	Provides legal advice to managers on the secondment agreement.
Employee Service Centre	Is first point of contact for advice to managers and employees on external secondments.

Procedure – External Secondments (Back to top)

External secondments are increasingly being used by the Council as both a tool to enhance service delivery and a means of supporting employee development.

External secondment opportunities may arise through a variety of circumstances, for example:

Employee request ([Back to top](#))

Employees should only be permitted to undertake external secondments where it is appropriate for the organisation and/or where the secondment will enhance the employee's performance in their substantive job by offering the chance to improve their skills, knowledge and experience. Requests to undertake an external secondment must be submitted to the employee's substantive manager using the [Secondment Prior Permission Pro Forma](#), outlining the benefits the opportunity will bring to both the organisation and the employee. The line manager will consider the request in conjunction with their senior manager. External secondments must not be used to "trial" alternative employment.

As a result of the need for partnership/joint working ([Back to top](#))

External secondments often arise where joint working will achieve the promotion or improvement of the economic, social or environmental well-being of an area. For example, Adult and Community Services work in close partnership with the NHS to deliver one integrated service, thereby enhancing the quality and delivery of care provided and minimising any duplication of service provision. Where such secondments to health authorities fall under the provisions of Section 113 of the Local Government Act 1972 this should be clearly set out in the secondment agreement.

Due to a short term project (3 months or less) ([Back to top](#))

A short term project would usually be one of 3 months or less duration but, in exceptional circumstances, may be up to, but not exceeding, 6 months'

duration. The precise nature and rationale for the short term project will be included in the secondment agreement.

The external host organisation will be responsible for the recruitment and selection arrangements to the post which may be less formal than those used for longer term appointments. For example, the host manager might conduct less rigorous interview and/or testing and selection processes.

It is important that interested employees obtain sufficient information from the recruiting organisation to enable them to make an informed decision as to whether or not to apply for the secondment.

Matters to Consider Prior to External Secondment **([Back to top](#))**

Before initiating a secondment, it is necessary to establish that the Council is entering into a secondment arrangement rather than a TUPE transfer. Guidance can be obtained from HR Services who, in turn, may liaise with Legal Services as necessary regarding the agreement.

Having identified that a secondment situation exists, to ensure that the secondment runs smoothly and all parties – the Council, employee and host organisation – gain maximum benefit from it, it is important that full and proper consultation occurs well in advance of the commencement of the secondment. The temporary changes to the employee's terms and conditions and line management arrangements resulting from the secondment should be made clear from the outset, with all parties fully understanding their responsibilities and how the changes affect them. Changes to conditions will differ between secondments but should be clearly set out within the Secondment Agreement.

Terms and Conditions of Employment – External Secondments **([Back to top](#))**

Before entering into any form of external secondment, consultation and negotiation between the substantive and host managers and the employee should take place regarding the conditions of service under which the employee will be working for the period of the secondment.

The employee will remain subject to the policies, procedures and contractual terms and conditions of the Council including its performance management policies (Disciplinary, Grievance, Attendance Management, Capability and Dignity at Work), but will be expected to observe the policies and protocols of the external organisation they are being seconded to.

It is important that any specific conditions and requirements of the host organisation are made clear and notified to the employee. For example, work place rules and local agreements such as smoking policy, dress code, health

and safety requirements, business travel, hours of work and supervisory responsibility etc.

As the employee remains in the employment of the Council, their contractual management will continue to be the responsibility of their substantive (LCC) manager - for example, booking annual leave, sickness recording and monitoring, although day to day supervision will be undertaken by the host manager. The substantive manager will need to liaise closely with the host manager regarding the employee's contractual management and will need to agree the timing and duration of annual leave requests; the host manager will need to be familiarised with the Council's procedures and processes.

HR Services will be able to provide details of other conditions of service which the line manager may need to consider.

External Secondment Agreement ([Back to top](#))

Following consultation, all parties – employee, substantive (i.e. LCC) manager and host organisation's manager – will be required to sign a formal secondment agreement, prior to the arrangements commencing, setting out the terms of the secondment and acknowledging their understanding and acceptance of the new way of working. The agreement may be drawn up by the host organisation or by the Council, depending on the circumstances of the secondment. As it is a legally binding document, the advice of Legal Services must be sought to enable the proper preparation of the secondment agreement.

A secondment does not terminate the employee's contract of employment with the Council. A key aspect of the arrangement is that the employee's substantive post is held open and they are usually expected to return to this when the secondment ends. Consequently, as their contract continues to be in force during the period of the secondment, continuity of employment will be preserved for the purposes of service-related entitlements, such as annual leave, and statutory employment rights, such redundancy payments. It is usual for the Council to continue to pay the salary of the seconded employee and invoice the host organisation for the salary costs incurred.

A checklist of information that the line manager should consider when arranging a secondment is attached at [Appendix A](#). This list is not exhaustive but it serves to identify the main issues and some possible pitfalls. In addition, the following should be noted:–

Pensions – External Secondments ([Back to top](#))

➤ LGPS members

If the employee continues to be paid by the Council for the duration of the secondment agreement membership of the Local Government Pension Scheme (if applicable) will remain unaffected. However, if the employee is paid by the host organisation for the period of the secondment, they will normally cease to be members of the LGPS until they resume their

substantive post with the Council. In any event it is advisable for the employee to seek the advice of the Pensions Section at County Hall so that they are fully aware of any impacts on pension entitlements. The Pensions Section can be contacted by email at pensions@leics.gov.uk

➤ **Teachers pensions**

For centrally employed teachers, advice should be sought as to the relevant provisions of the Teachers' Pensions Scheme. Employees should contact Teachers' Pensions, Mowden Hall, Darlington, DL3 9EE or visit their website <http://www.teacherspensions.co.uk/contact/contactus.htm>. Alternatively they may contact the Employee Service Centre by telephone on 0116 305 8815 or email to eschelpdesk@leics.gov.uk.

Performance Management – External Secondments (Back to top)

As the employee remains in the employment of the Council, their performance management will continue to be the responsibility of their substantive (LCC) manager. The host organisation will alert the employee's substantive manager to any performance or conduct issues that arise. The substantive manager will be responsible for invoking any action required, formal or informal, under the appropriate LCC performance management policy and procedure.

It is expected that the host manager will co-operate fully with any investigation and formal proceedings that may be required. The host manager, or other appropriately experienced/qualified officer of the host organisation, may be required to attend any formal hearing convened by the Council to give evidence as a witness or act as expert adviser to the Panel and give local knowledge and advice relating to the host organisation, depending on the circumstances of the case.

It is also expected that employees within the host and substantive organisations will mutually co-operate with each other's partner organisation in investigations, usually by providing a statement, and by attendance at formal hearings to give evidence in relation to each organisation's policies and procedures. The secondment agreement should stipulate a requirement to do so. If it does not, the organisations will be reliant upon the voluntary contribution of the employee(s) to assist in the investigation or hearing.

The advice of HR Services should be sought by the substantive manager as necessary.

Grievances and Complaints

As above, if a grievance or dignity at work complaint is raised by a Council employee against an employee of the host organisation, or vice versa, the policy and procedure of the respective employer will be followed. Both organisations should co-operate in any investigation or formal proceedings invoked by the other organisation.

Supervisory Responsibility – External Secondments

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Day to day management and supervision of the seconded employee will normally be in line with the host organisation's accepted practices except where other specific arrangements apply (e.g. the Supervision Policy and Procedure which is applicable to social care employees).

In some circumstances, such as multi-disciplinary teams, the host manager may be from a different professional background to the seconded employee and it may be appropriate for a nominated person with knowledge and experience of the employee's particular work discipline to provide support and advice to the employee and the manager on professional issues and to act as a professional mentor and provide practice supervision to the employee.

Professional Registration – External Secondments (Back to top)

It may be necessary for some employees to return to their substantive Council duties for a short period during the secondment in order to satisfy any statutory requirement to maintain their professional registration, e.g. social care registration. Any such requirement should be made explicit in the secondment agreement.

Organisational Change – External Secondments (Back to top)

It is important that throughout the secondment, the substantive manager keeps in regular contact with the seconded employee and that the employee is made aware of any important changes affecting their team, department or organisation. Any seconded employee should be treated as though they remained in their substantive post and consulted with on that basis. A secondment agreement should usually contain provisions to enable the seconded employee to attend any meetings (e.g. in respect of consultation) for any organisational change situation.

If, during the period of the secondment, there is any change to the employee's substantive role or to their terms and conditions of service, it will be necessary for the employee to be advised, consulted and involved as if they were in their substantive role.

Consideration should be given to informing the host organisation of any proposed restructuring and redundancy which may affect a seconded employee.

The secondment of an employee whose substantive post with the Council becomes redundant will also terminate at the same time. If the employee is offered and accepts continuing employment with the host organisation they should be aware that their entitlement to a redundancy payment from the Council could be affected. Employees are advised to seek advice from HR via the ESC.

Review Arrangements – External Secondments (Back to top)

Periodic review dates should be specified at the beginning of the secondment for the host and substantive managers and the employee to discuss the ongoing progress of the secondment. It is crucial that the employee and the substantive manager remain in regular contact and that the substantive manager conducts the employee's PDR in preparation for their eventual return to their substantive post.

Early Termination and Cover Arrangements – External Secondments (Back to top)

If the employee's substantive post has been filled temporarily, it will be necessary for the manager to terminate the temporary appointment in accordance with the notice period set out in the temporary employee's contract of employment. It is important that managers ensure that any such notice period is tied in with the notice provisions set out in the secondment agreement.

Following the External Secondment (Back to top)

Managers will need to consider how to manage the employee's re-introduction to the workplace. A return to work meeting should be held with the employee to discuss any changes or updates that may have arisen during the employee's secondment since any previous review. In addition, a formal review of the secondment experience should be conducted in order to evaluate and recognise the benefits gained.

The Council should seek to maximise the benefits of applied learning from the secondment. For example, it may be useful for the seconded employee to feed back what they have learned from the experience to colleagues, and to maintain the contacts and networks they have established whilst on secondment.

APPENDIX A

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Secondment Arrangements – Checklist

To avoid confusion it is necessary to make clear in writing the following before the period of secondment begins:

- How long the secondment will last
- What happens if any of the parties to the arrangements wish to end the secondment early
- What the agreed notice period should be for termination
- What specific contractual obligations the employee will have to fulfil, and for whom
- What happens to pay and other benefits during the secondment
- Charging/re-charging arrangements
- Responsibility for disciplinary / performance issues
- What obligations the employer and host organisation will have to each other
- The procedures and supervisory arrangements to be followed during the secondment
- Day to day line management responsibilities for a seconded member of staff, for example, reporting absence due to ill health, approving holidays
- What travelling and subsistence expenses the employee will be eligible for, the rates that will apply and who will be responsible for reimbursement
- Release of the employee for training and/or maintenance of professional qualifications, and which party will meet the cost of training
- What mechanisms the Council manager will put in place so that the seconded employee can keep in touch
- Any reasonable adjustments required
- Whether access to the Council's databases and/or computer network is required during the secondment (and is this accessible from the host base). NB It may be necessary to consult ICT Services regarding data sharing
- Whether the Council will be required to share confidential/sensitive information e.g. employment records, service user details with the host organisation.