

Secondment Policy

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1. INTRODUCTION

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.

In emergency situations there may be a requirement to temporary deploy employees. This type of emergency deployment sits outside of this procedure and may be covered by the [Disruption to working arrangements policy](#). This will require a discussion with your HR Business Partner in the first instance to establish the most appropriate process to follow.

There are many benefits arising from secondment opportunities to Carmarthenshire County Council and our employees, these include:

- enabling transfer of employees to areas requiring short term or temporary resource;
- 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 and flexibility of employment;
- developing and shoring skills and knowledge within and across our organisation.
- Support the development of future workforce requirements, skills and competencies which will be needed to deliver new, different or improved services

2. SCOPE

This policy and procedure covers all employees excluding staff on the complement of locally managed schools for whom a separate policy and procedure applies.

3. KEY PRINCIPLES

Where an application for a secondment has been made in accordance with the recruitment and selection policy and procedure every effort will be made 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.

4. ELIGIBILITY

- It is essential that, prior to an offer of secondment being made, the host and substantive department will need to discuss and agree so that all parties are clear about their obligations, expectations and accountabilities **before** the secondment commences.
 - Employees are required to have satisfactorily completed their probation period with the Authority
 - Secondments must be a minimum of 12 months and a maximum of 2 years duration. This timescale will largely depend on the purpose of the secondment. The timescale agreed should reflect and consider the service delivery needs of the secondee's employing department and team. For external secondments the period of secondment must be clearly defined in the secondment agreement signed by all parties;
 - It is recommended that the secondment period should be for a minimum of 12 months. This is to ensure that the secondment is beneficial to the host department, the employee's development and to enable the original employing department an opportunity to plan for the employee's absence to minimise the disruption to their service area;
 - Should an extension to secondment be agreed by the substantive and host department this must be for a minimum period of 6 months.

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

5. TYPES OF SECONDMENT

This policy applies to:

- **Internal secondments: Sideways moves** – this relates to a secondment from an established post to a post on the same grade in the same or 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.

Secondments may be full time or part time and can take place on a job share basis. Please refer to the Authority's [Job Share Policy](#) for further details.

6. ADVERTISING A SECONDMENT OPPORTUNITY

All temporary and fixed term posts of 12 months or more duration will be advertised as suitable for appointment on a secondment basis.

Permanent posts may also be advertised as suitable for a secondment where it will support the development of employees and succession planning within the Authority. It is important that this decision is taken prior to advertising so that all employees are given equality of opportunity to apply for a secondment opportunity.

All secondment opportunities should be advertised in accordance with the Authority's [Recruitment and Selection Policy and Procedure](#), and [Equality and Diversity Policy](#). This includes the production of a job profile and person specification and undertaking the relevant pre-employment checks suitable for the particular post applied i.e. DBS checks, references etc.

Where a new project team is being developed secondees will be transferred on existing terms and conditions whilst the project is at the inception stage. This will support and enable flexibility and provide development opportunities for individuals whilst project objectives develop. However, if a project team extends beyond 6 months the structure of the project team and role profiles must be developed and advertised in the normal way.

7. DURATION OF SECONDMENTS

A secondment by its nature is temporary. The maximum period of a secondment is normally 2 years.

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 and that both departments agree. Managers should also consider whether it is more appropriate for the post to

become a permanent position rather than an extension to the secondment as outlined in para 89.

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 (this must be a minimum of 6 months) The manager of the secondee in the host department must discuss the proposed extension of secondment with the manager of the original substantive department and seek advice from a HR Advisor 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 later than every three months.

If the extension to secondment cannot be agreed by the Director or nominated representative of the substantive department the seconded employee will be advised that this decision is final.

8. APPOINTMENT OF THE SECONDEE TO THE POST ON A PERMANENT BASIS

If there is a business case for the post that the secondee occupies to be appointed on a permanent basis the appointment should 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 unsuccessful 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 Assistant Chief Executive (People Management) or nominated HR Advisor.

9. SECONDMENT APPLICATION PROCEDURE

Employees must 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.

It is the aim of the Authority to endeavour to support internal secondment applications. Managers should consider the following prior to reaching a decision on whether the application can be supported.

- 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 from the substantive department 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 secondees' post will be filled before the employee's secondment is agreed and begins. Advice can be sought from the People Management HR Team, 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.

** 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.*

10. REVIEW OF DECISION

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 Head of Service of the substantive department. The employee should set out the grounds for the review within 7 calendar days upon receipt of the written notice of the decision. The Head of Service will carry out a review of the decision within 14 calendar days of receipt of the request to review from the employee. The decision of the Head of Service will be final and should be notified to the employee in writing within 7 calendar days of the completion of the review. Please note this review of decision process does not apply to extending secondments, Please refer to section 7 of the policy.

11. INTERNAL AND EXTERNAL SECONDMENTS

All seconded employees should have a personal development plan agreed at the outset by the substantive and host department used to support the development of the employee in line with the business needs of the substantive and host department. This will be in line with the Authority's Helping People to Perform Appraisal process.

12. 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 substantive 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.

13. FINANCIAL CONSIDERATIONS

For internal secondments the post needs to be funded before it can be advertised for secondment.

For external secondments the Secondee will continue to receive their salary and benefits from the Employer who will also continue to meet the employer's NI contribution during the period of secondment along with all other benefits including pension contributions. The Employer will invoice Host on a quarterly basis in arrears for actual salary and salary related costs

Managers are advised to seek advice from the appropriate Group Accountant.

14. 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.

Additional expenses incurred to meet the requirement of the role, e.g. travel allowances, subsistence etc. will be borne by the host department/organisation. In the situation where an extension to an internal secondment cannot be agreed by the substantive department and the employee opts to remain with the host department, they need to be aware that they will be deemed as having given up their right to return to the substantive post and the consequences of this. The host department should be aware that this may incur the cost of redundancy. It is therefore important that prior to agreeing to an extension with the employee the substantive department and HR Advisor are consulted. The host department will be liable for the cost of redundancy where this applies.

15. LEGAL/PEOPLE IMPLICATIONS

There may be occasions where it has not been possible for employees to be supported in terms of secondment who then choose to pursue applying for a vacant fixed term post. In these situations, should the employee be successful they will be offered that post on a fixed term basis. As an employer we would have to make the employee aware of the implications of redundancy for them. However, the employee cannot be prevented from accepting a fixed term post.

The employee, substantive department and/or host department/organisation can terminate the secondment. A notice period of 4 weeks is to be given to all parties. This notice must be given in writing. If the employee does not return to the post at the end of the 4 week notice period and they continue to be provided with work by the host department they will be notified that they will no longer have the right to return to their substantive post at the end of the fixed term basis. Please refer to [Fixed term contracts guidance](#)

16. MANAGING THE SECONDMENT ARRANGEMENT

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 the host department/organisation must ensure that issues of concern are discussed with the employee and the substantive department at the earliest opportunity. It is the line manager from the substantive department's responsibility to invoke the appropriate Authority procedure.

It is important that the line managers from the parent and host department meet with the secondee on a 3 monthly 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.

If a restructure or redundancy situation arises that impacts on the seconded employee's substantive post, it is the line manager from the parent department's

responsibility to ensure the employee is communicated and consulted on the implications in line with the Authority's Restructuring or Redundancy Policy.

17. MANAGING THE SECONDEE'S RETURN

It is the responsibility of the line manager from the substantive department to plan for the reorientation of the secondee when s/he returns to their substantive post. It is recommended that a Helping People to Perform 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 re-induction 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 substantive department.

18. TERMS AND CONDITIONS DURING SECONDMENT

All secondment arrangements will require a variation to the contract of the secondee. People Management HR Support Team will issue the variation in a timely manner 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 and substantive salary.

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

It is reasonable to expect the secondee to accept and work within the host departments/organisations health and safety policies, procedures and guidance.

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, Behavioural Standards guidance and Grievance Policy.

Continuous service will continue to accrue during the secondment period. 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.

19. EQUALITIES

All employees are required to adopt a positive, open and fair approach and ensure the Authority's Equality and Diversity Policy is adhered to and applied consistently to all irrespective of race, colour, nationality, ethnic or national origins, disability, religion and belief or non-belief, age, sex, gender reassignment, gender identity and gender expression, sexual orientation, pregnancy or maternity, marital or civil partnership status.

In addition, the Welsh Language Standards ask us to 'ensure that the Welsh language is treated no less favourably than the English language' and this principle should be adopted in the application of this Guidance.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.