



Secondment Policy

Document Status: Final

Document Ref: HRPOL - 011

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Version: 01.01.03

Date: December 2023

Approved by Corporate Management Team / Appointments and Staffing

Classification: SEC1 - Routine

Document Location

This document is held by Tamworth Borough Council, and the document owner is the Head of HR & Organisational Development.

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Revision History

Revision Date	Version Control	Summary of changes
8 May 2013	Approved Policy	Updated references and Appendix
December 2023		Updated secondment agreement and use of fixed term contracts for secondments 2 years and over.

Approvals Creation and Major Change

Name	Title	Approved
A&S		January 2024

Approvals Minor Change and Scheduled Review

Name	Title	Approved

Approval Path

Major Change

Originator
 Owner
 TULG
 CMT
 Apts & Staffing Committee

Action

HR
 Head of Paid Service
 Consultative Group
 Corporate Approval
 Council Approval

Minor Change

HR
 TULG
 Director

Submission
 Consultative Group
 Delegated Approval

Document Review Plans

This policy/ procedure will be reviewed on a 3 yearly basis unless it has:

- A monetary value included within it, in which case an annual review will be required, and/ or
- A legislative change is required as directed by government.

Distribution

The document is non mandatory and will be available on the Intranet and paper based copies.

Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council Staff and business partners.

Introduction

This policy aims to explain what secondment is and how it works, the procedures for arranging secondments, and the terms and conditions of employment.

Policy Statement

As part of its commitment to flexible working and staff development, Tamworth Borough Council supports the principle of secondment of its employees to alternative employment within Tamworth Borough Council, or appropriate organisations (for example Staffordshire County Council and West Midlands Employers), where it is felt beneficial to the employee, Tamworth Borough Council and the external organisation (host organisation).

To ensure that the Policy is equitable and that the benefits of the secondment are maximised a formal policy has been developed.

It is management's responsibility to follow these guidelines, and to ensure that all employees have access to the opportunities presented by secondment and gain the maximum benefit from them.

Scope

This policy applies to all employees of Tamworth Borough Council.

What is a Secondment?

A secondment is the temporary placement of no more than two years*, movement or 'loan' of an employee to a different part of the organisation (or to/from an external organisation) for the mutual benefit of the employee and the organisation, for a specific purpose and usually for a specific period. The employee's substantive job is kept open for their return. It is one of a range of development opportunities that can be used as appropriate to develop and motivate staff.

A secondment also provides managers with the opportunity of rapidly filling a temporary vacancy, with a person who does not require an induction period into the Council, and who may bring valuable skills and knowledge from another service or organisation.

Secondments must be mutually agreed in advance between the employee, the substantive manager and the secondment manager. There is no automatic right to be released to undertake a secondment, however managers are encouraged to support requests wherever possible (even if this means a delay to the commencement of the secondment),

Secondments should normally be for no longer than two years. Anything in excess of this may attract redundancy costs and also mean that a fixed term contract is necessary.

* For secondments that could possibly exceed the two year limit these secondments will be considered as permanent full time and as such budgetary provision for continuation of service or redundancy will be factored into the budget.

Benefits

Managers are encouraged to release employees on secondments, as this benefits both the employee and the organisation by;

- Providing a short-term resource for specific projects, fluctuating service needs, maternity leave cover, staff shortages etc.
- Enabling employees to gain enhanced skills, knowledge and confidence to support career development and succession planning.

- Making the best of our resources and tapping into the talent and creativity of our employees.
- Strengthening a culture of flexibility and supporting employees to embrace change.
- Supporting service improvement and 'one council' working across all departments.
- Fully utilising expertise and sharing skills and knowledge across the organisation and wider community.
- Supporting partnership working.
- Helping to attract employees who are flexible and keen to develop by actively promoting learning and development.

Types of secondment

Secondment opportunities can be either:

- Post/Project led
- Person-led, or
- Temporary posts that are advertised and appeal to employees for their personal development.

Post/Project led secondments

A post/project led secondment is a task/project or a planned programme of development of a reasonable and predetermined length of time.

All temporary vacancies (e.g. maternity/sickness cover) are potential secondment opportunities, unless the department can justify excluding the post from the policy.

There are various other situations, beside temporary vacancies, where secondment may be appropriate.

For instance:

- Special projects of limited duration (whether or not constituting an established post)
- Posts which are linked to ringfenced and time limited funding.
- Posts that are difficult to fill
- Any other posts considered to offer potential development in terms of skills, abilities and experience.
- All vacancies designated for a post/project-led secondment should be advertised internally. However, managers may offer secondment opportunities arising in their own service to members of their own staff initially if the skills and knowledge required are very service specific.
- The opportunity to apply can thus be targeted to a particular work area, who would benefit from the development offered by the secondment.

Otherwise, the vacancy can be advertised and anyone interested can choose to apply.

There may be occasions where an individual employee has expressed a desire to obtain experience in another section, or department via the PDR process. Alternatively, departments may request the assistance via secondment, of an individual who has the skills and experience they are seeking.

Person-led secondments that are arranged to meet specific individual and/or departmental needs would not be advertised. It is however important to ensure that giving priority to individual employees in this way is not abused and is fully justified by considering:

- Service and Council objectives
- Career and personal development requirements

- Motivational aspects
- Retention needs
- Equal opportunity factors

N.B. A person-led secondment to a higher-graded position would not normally be appropriate because of the Council's policies on recruitment and selection and equal opportunities.

Temporary Vacancies

Any short-term vacancy is capable of being carried out as a secondment subject to manager approval and approval by the Head of Paid Service via a business case.

Length of secondment

Secondments should not normally be for longer than two years. If a post is likely to exceed two years, this should be advertised as a fixed term contract rather than a secondment opportunity. Permanent employees may choose to apply for a fixed term post but there is no automatic right to return to their substantive post if the secondment exceeds two years. Managers should monitor and manage secondments effectively to ensure they do not continue indefinitely.

For secondments which are extended beyond two years duration, there is no guarantee that the individual will be able to return to their substantive post.

If there is no agreement by the substantive department to an extension and an individual decides not to return to their substantive post, then any extension would be offered on a fixed term basis and the individual would relinquish their right to return to their substantive post. At the end of the fixed term appointment, TBC will aim to find a suitable alternative post through the redeployment process, however employees should be aware that this may not be possible, and the employee will be in a redundancy situation of which the continuous service of the employee will be the basis for the redundancy payment. Managers therefore need to build redundancy costs into their business case.

If the secondment opportunity becomes permanent

A seconded employee does not have an automatic entitlement to be 'slotted' into the post they are seconded into if it becomes permanent. However, the manager should consider which of the following options applies:

- i) Advertise the post as permanent.
- ii) Slot/offer the employee currently seconded into the post the opportunity on a permanent basis as long as the employee was offered the secondment originally following an internal advert and the duties of the job they were recruited into, and the grade have not changed and there are no employees 'at risk' with priority status who should be considered for redeployment into the role.

Procedure for Arranging a Secondment

Recruitment and Selection

All vacant temporary posts will be advertised as a potential for secondment if under two years in duration unless the department concerned specifically asks for it to be excluded from the Policy and can justify such a decision. This should be done on the business case and agreed with the Head of Paid Service.

As with any recruitment and selection situation, the aim of selecting a secondee is to match the skills and abilities of the applicant with those required to perform the task. It is therefore essential for a role profile to be drawn up.

There are two further points to consider when recruiting for a Secondment:

- how the secondment might best strengthen an individual's personal and technical skills and develop potential.
- how the experience might be used on return to the permanent post.

Applicants applying for secondments must have their application approved by their Manager/Head of Service prior to submitting their application, If approval to apply is refused, the employee may appeal. (See following section).

The actual selection of secondees i.e. shortlisting, testing, interviewing and appointment will then follow the normal recruitment and selection procedure.

Where secondees are appointed to temporary posts, the duration of the secondment contract should be agreed at the outset and any extensions need to be discussed with Human Resources and approved by the Head of Paid Service via a business case.

Contractual Arrangements

A secondment agreement for external secondments will be issued by HR. Employees on internal secondments will receive a letter confirming the arrangements and statement of particulars (contract).

The salary, grade and terms and conditions of employment of the seconded employee will be those applicable to the seconded post. These may be more generous than those applying to the secondees substantive post.

The employee will be made aware of any contractual changes for the duration of the secondment.

If there is no agreement for the substantive manager to release the employee from their substantive job, or to extend an existing secondment agreement, the employee may decide to accept an offer of a fixed term contract instead and resign from their substantive job. There will be no right to return to their substantive job and a fixed term contract will be issued.

If there is agreement from the substantive manager to extend and the business case is approved by the Head of Paid Service. HR will issue an extension letter.

If the secondment is required to end early for any reason, instigated by any party, the secondment will end with the agreement of the secondment manager and substantive manager. If the employee resigns from Tamworth Borough Council the normal contractual notice period will apply for the seconded post.

Employees seconded to external organisations retain full continuity of employment with Tamworth Borough Council and will remain an employee of the council throughout.

Substantive post affected by a service review

If the employee's substantive post is included in a service review during the secondment period, the employee will automatically be fully included in any consultation process.

If the substantive post is deleted from the structure, the term 'secondment' will no longer apply as there is no substantive post to return to. The secondees may continue in the secondment role until their last day of notice. Following this, if the employee continued in the temporary job, this would have to be on a fixed term basis. At the end of the fixed term contract period, employment would be terminated unless an alternative job is secured.

Secondment affected by a service review

Normally, employees seconded into an area which is subsequently restructured or reviewed, should return to their substantive post, and not be included in the ring-fencing arrangements.

The Appeals Procedure

The Appeals procedure applies only to post/project-led secondments.

An employee who is refused a request to apply for an advertised secondment opportunity can appeal to the appropriate Director.

The appeal must be in writing as soon as possible after the refusal, and in any case before the closing date of the vacancy in question. The Director will consider the appeal with support from Human Resources.

The response from the Director should also be before the final closing date, or, where this is not possible, in time for the advertising service to consider a late application where the original decision is overturned.

The decision of the Director is final. Where a refusal is upheld, reasons for the decision must be given to the appellant in writing.

Where a refusal is upheld, and the employee still wishes to apply for a temporary vacancy, this can be done on the understanding that if they are appointed, the original department is under no obligation to hold open the substantive post if it is vacated. Such an arrangement would not be within the scope of the Secondment Policy.

Important factors to consider:

Secondment Contract (for external secondment)

Once a secondee has been chosen, a written contract (secondment agreement) should be issued by Human Resources. This contract includes the following:

- the objectives of the secondment
- the arrangements for the induction
- the duration of the secondment
- The terms and conditions of employment relating to the secondment
- The monitoring arrangements
- The arrangements for the returning to the original post (which must be kept open for the secondee).
- Evaluation of secondment placements

This contract should be understood and agreed to by the three parties to the secondment (i.e. Secunder, Secondee and Host). Attention should be drawn to that the normal period of notice to end a secondment placement would be a minimum of one month. This can be altered subject to agreement of all involved and dependant on the circumstances. Human Resources will provide advice and guidance as well as issuing formal confirmation of the secondment terms.

The contract is entered into voluntarily, and if any one party is unhappy with it, the secondment should not go ahead.

The secondment will be monitored and reviewed periodically. The secondment agreement must be in place prior to any secondment taking place.

Service Budgets and Secondments

Unless an alternative agreement is reached between the Services concerned, a secondment opportunity will only be offered where the necessary financial resources are available within the receiving department. As secondments are usually into existing posts this should not cause a problem.

In the case of secondments to specific projects or new areas of work, the receiving department must allocate resources from elsewhere within its own budget in line with the recruitment approval and seek approval via a business case.

Covering the Secondee's post

It is an important aspect of the Secondment Policy that the department holding the budget for the secondee's substantive post, can use those resources to pay for either acting up arrangements or another secondee if they so wish. The budget would therefore not follow the secondee except by agreement between the departments concerned.

Careful consideration must also be given by the service holding the substantive post to the alternatives available to direct replacement. An evaluation of re-organising work, using other in-house teams must be made before any additional recruitment is considered.

There are several options available for covering the vacant substantive post, recruitment as a temporary backfill, a further secondment or temporary appointment, or a direct swap of two secondees.

When recruiting cover for the secondee's substantive post, managers should bear in mind that the secondment could be terminated with a minimum of one months' notice, and that the person appointed as cover should be made aware of the implications of this.

N.B. Where an employee is seconded to a higher graded post, they may be paid at an intermediate point between their own salary and that of the secondment, if they cannot fulfil all the duties of the post. The Manager/Head of Service of the Host department and Human Resources will undertake an assessment of this using job evaluation and skills matching. A revised job description will be agreed and discussed with the employee. Consideration will also need to be given to the effect this may have on service delivery. This only applies to post/project led secondments.

Furthermore, periods of time spent in a higher graded post on secondment cannot be used as a justification for regrading the original post on a secondee's return. The job will still be the same, even though the secondee's abilities, skills and experience may have increased.

Secondment Induction

Once the secondment has been finalised on all sides, the secondee should be given a proper induction in preparation for the role.

During the Secondment

During the secondment, it is essential that contact and communication are maintained between the seconder and secondee, to monitor its effectiveness. The Host Service also has a responsibility to ensure that the secondment is achieving its stated objectives.

The secondment may be terminated before the stated finish date by mutual agreement between the three parties if the original objectives of the secondment are not being or cannot be met. A minimum of one month's notice must be given by the party proposing the termination. The secondee would then return to their substantive post.

If a secondee is identified at risk from their substantive role during the secondment, they would be eligible for redeployment in the same way as other at-risk employees. Employees are no more or less at risk whether they are on secondment or remaining in their substantive post.

At all times early and continued communication will be undertaken with the individual.

Where a notice of redundancy from the substantive post is issued, the Seconding manager should discuss the situation with the secondee, and the completion of the secondment can be open to negotiation with the Host manager.

Extensions to Secondment Contracts

A manager is under no obligation to guarantee a secondee's return to their substantive post beyond the original duration of the secondment. Where extensions are agreed, the terms of the secondment can be renegotiated.

At the End of the Secondment

The return to the substantive post should be included in the secondment contract.

This should outline the arrangements in place to ensure that the employee understands any changes to working practices or systems and provide for additional training as necessary.

It may also be appropriate to allow some time for the employee to return to their substantive role before the end of the secondment as part of their reintroduction to their role.

An evaluation of the placement should be completed to establish the extent objectives have been met and how the experience will be used in the future. Re-induction and a personal development review soon after are also advisable.

If a vacant post exists or continues at the end of a secondment, normal recruitment and selection procedures should take place.

Secondment to an External Organisation

It is recognised that there would be benefits for an employee to have an opportunity to be seconded to an external organisation. In all instances the principles outlined above will be followed as well as:

- Type of organisation that would be the host (i.e. identification of transferable skills and knowledge).
- Length of secondment.
- Contractual arrangements in place to support the council fill the vacant post.
- Arrangements to maintain contract with the seconder department.
- Level of post and duties undertaken.

On all occasions when a secondment to an external organisation is considered contact should be made immediately with the Human Resources department. Each application would be considered on its individual merits and will involve the employee, host organisation, Head of Service and or Human Resources representative.

If the application is approved all the factors outlined above will need to be considered. The final decision on whether to permit a secondment to an external organisation will be taken by the Manager.

If the employee wishes to appeal against the decision, they should follow the procedure outlined above.



Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Secondment	
Date Conducted	December 2023	
Name of Lead Officer and Service Area	Jackie Noble HR	
Commissioning Team (if applicable)	N/A	
Director Responsible for project/service area	Anica Goodwin	
Who are the main stakeholders	Employees	
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT TULG Members	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)		
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input checked="" type="checkbox"/>
	Being reviewed	<input checked="" type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

To ensure all TBC employees are treated fairly regardless of their protected characteristics in their entitlement to undertaking a secondment.

Who will be affected and how?

All employees on secondment.

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

All employees

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of age
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of disability
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of gender reassignment
Marriage & Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of marital status
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of pregnancy and maternity

Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of race
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of religion or belief
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of sexual orientation
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of sex
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This policy applies consistent and fair treatment to those with caring responsibilities
Those having an offending past	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Drug or Alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Mental Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Physical Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Other (Please Detail)	<input type="checkbox"/>	<input type="checkbox"/>	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which may lead to a reduced standard of living & subsequent health issues</i>	<i>Signposting to other services. Look to external funding opportunities.</i>

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	Outcomes and Actions entered onto Pentana			

Date of Review (If applicable)

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