

Secondment Policy

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1. Aim

- 1.1 The aim of this policy is to outline the benefits of secondments and identify instances where secondments may be permitted, the process individuals must follow when considering applying for a secondment and the considerations that a manager must take prior to authorising any secondment.
- 1.2 The policy also sets out arrangements for employee terms and conditions/contractual arrangements during the secondment and the secondment agreement as well as arrangements when the secondment concludes.

2. Definition

- 2.1 A secondment relates to the temporary transfer of an employee from their substantive post to another post within the Council or to an organisation external to the Council; or the recruitment of an employee from an external organisation through a secondment arrangement.
- 2.2 Secondments can be to a post with higher pay, the same pay or lower pay than the employee's substantive post. A secondment may be on a full-time or part-time basis.

3. Scope

- 3.1 This policy covers secondments within the Council and secondments to or from the Council to/from external organisations. It applies to all Council employees. It is recommended that schools adopt this policy.
- 3.2 The policy does not apply to employees who are seconded to undertake trade union duties, the details of which are covered elsewhere.

4. Principles

- 4.1 The Council is committed to developing its employees and recognises that secondments offer valuable career development opportunities allowing employees to develop new skills, knowledge and experience gaining experience within a different work environment.
- 4.2 All internal secondment opportunities will be advertised internally as appropriate and any knowledge, skills or experience required will be clearly stated.
- 4.3 The employee's substantive manager will be responsible for retaining regular communication with the seconded employee.

5. Approach

- 5.1 Bury Council is committed to the training and development of its employees. One way in which employees can gain experience and new

skills is through being seconded to other posts, both within and external to the Council.

- 5.2 This must, however, be balanced in terms of service provision and continuity, and clearly there may be occasions where it is not feasible for a manager to agree to a secondment, in particular, where the service may suffer as a consequence.

6. Detailed Guidance

6.1 Contractual Issues

- 6.1.1 The period of a secondment will be agreed and clearly stated in the Secondment Agreement together with arrangements for terms and conditions during the secondment.
- 6.1.2 Where an employee is seconded within the Council, under normal circumstances, their contract of employment would temporarily transfer to the new department and their continuous service would be maintained.
- 6.1.3 Where an employee is seconded to an organisation which is external to the Council the Seconded will remain an employee of Bury Council and their substantive contract of employment will remain in force.
- 6.1.4 During the period of any secondment, an individual's post should not be recruited to on a permanent basis, therefore, allowing the employee to return to their substantive post at the end of the secondment providing this is within a 12-month period.
- 6.1.5 Secondments (internal or external) will not ordinarily be agreed for a period of greater than one year. Any secondments agreed for a period longer than 12 months will ordinarily require the seconded to release their rights to their substantive role and be subject to the council's redeployment procedure on their return. There may be some limited occasions when this period can be extended in relation to internal secondments. This provision also does not apply to secondment agreements in relation to jointly funded roles within the Greater Manchester ICS which are utilized to support roles with joint funding and accountability.
- 6.1.6 Where an employee is seconded either within or external to the Council, the individual's manager should include them in any consultation exercise involving their substantive post and maintain regular contact with the individual to ensure they are kept informed of key Council and Service developments.

6.2 Authorisation for Approving Secondments

- 6.2.1 Prior to offering a post on a secondment basis, satisfactory references must be sought. If the secondment is within the Council, no reference is required unless the employee is being seconded to a safeguarding post and there is no relevant reference on file. If the secondment is from an organisation which is external to the Council, then two references are required.

6.2.2 The authority to approve a secondment lies with the Director of the employee requesting the secondment following consultation with their HR Business Partner. The link to the relevant form that individuals must complete when seeking to obtain authorisation to be seconded is [Secondment - Bury Council Intranet](#) .

6.2.3 A decision regarding authorisation for the secondment should be given within 10 working days of any application, where possible. If the Director is unable to respond within 10 days (due to leave, sickness etc) then the decision regarding authorisation should be passed to their deputy. However, there may be circumstances where a decision cannot be made in their absence and in these circumstances the timescale for a decision regarding authorisation may be extended to 14 working days.

6.2.3 Wherever possible, employees should have obtained the written authorisation from the Director prior to making any application for a secondment opportunity. In exceptional circumstances it may not be possible to obtain the authorisation prior to making an application due to the timescales involved. In such circumstances, employees cannot accept an appointment to a secondment until the relevant authorisation has been granted.

6.2.4 In instances where an employee is to be seconded to an external organisation, other conditions will apply (see section 6.4).

6.2.5 Any appeal arising from the decision of the Director will be addressed through the Council's grievance procedure.

6.2.6 In determining the support for a secondment the following issues should be considered:

- (i) The developmental opportunities for the individual applying for the secondment.
- (ii) The potential benefits to the service following the individual's return, in terms of knowledge/experience gained.
- (iii) The current needs of the service and the effect that any secondment may have on this. There may be instances where a secondment has been granted to one employee, but any further secondments may cause unacceptable operation difficulties, and may therefore have to be refused.
- (iv) The ease by which the individual's post could be recruited to given the temporary nature of any back filling.
- (v) The length of the potential secondment and the timescales for temporarily filling the consequential vacancy. (Additional consideration would also have to be given where the temporary replacement would have to receive DBS clearance.)

6.3 Length of Secondments

6.3.1 Secondments should normally be for at least three months but not more than 12 months in duration. In cases where there is a clear end date this should be indicated when the post is advertised.

6.3.2 There may be exceptional circumstances where it may be beneficial for a secondment to continue for in excess of 12 months. Careful consideration would have to be made of any extension beyond 12 months as the individuals will release their rights to their substantive role and be subject to the council's redeployment procedure on their return. Consideration would also have to be made around the status of any employee who may cover that post on a temporary basis.

6.3.3 All secondment contracts should incorporate the notice period required by the employer and employee if they wish to terminate the secondment early. Where no notice period is stated, then the local and national conditions would apply, subject to consultation between the relevant parties.

6.4 External Secondments – Additional Conditions

6.4.1 Before the period of secondment begins a secondment agreement must be drawn up by the host employer and agreed and signed by Bury Council's Legal Services, the external organisation (if relevant), and the employee.

6.4.2 An external secondment agreement must cover the following:

- How long will the secondment last?
- What happens if any of the parties wish to end the secondment before its due date?
- What specific contractual obligations will the employee have to fulfil, and for whom?
- Who will be the 'employer' during the period of secondment?
- What happens to pay and other benefits including pension during the secondment?
- Who will be responsible for disciplinary/performance issues? If a situation arose where the 'host' organisation would want to dismiss the employee, then they must terminate the secondment agreement. However, this reactivates the employee's contract with the releasing employer.
- What are the supervisory arrangements to be followed during the secondment?
- Who does the employee report to on matters regarding sickness and holidays and who records it?
- What travelling and subsistence expenses will the employee be eligible for? What rates will apply and who will be responsible for reimbursement?
- What mechanisms will the releasing employer put in place so the seconded employee can keep in touch?

6.4.3 Once the agreement has been finalised, it should then be sent to the HR Transactional Team for processing.

6.5 Employees Returning to Substantive Posts within 12 months

- 6.5.1 Prior to an employee returning to their substantive post, consideration should be given regarding what support the employee may require. A re-induction into the workplace and role may be appropriate or there may be some training issues to address, for example, training on revised systems or processes.
- 6.5.2 At the end of the secondment the employee will return to their substantive post (providing this is within 12 months) with no loss of the incremental progression that would have been applicable had they been in post for the duration of their secondment.

7 Evaluation and Measures of Success

- 7.1 It is recommended that, as part of the re-induction process following a secondment, there is a review of its success and a discussion around the benefits gained (for example new skills, knowledge and experiences) and these put to good use where appropriate.