

Ealing Council

A Guide to Managing External Secondments November 2010

A GUIDE TO MANAGING EXTERNAL SECONDMENTS

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EXTERNAL SECONDMENTS GUIDE

1. Introduction

- 1.1 This document provides guidance on setting up and facilitating external secondments.
- 1.2 The term external secondment refers to the temporary move of an employee from one organisation, the releasing employer to another, the host organisation, for an agreed period of time.
- 1.3 The Council recognises that it can benefit from both inward and outward external secondments. They can provide opportunities for employees to develop and gain new skills and wider experience, enhance personal and career development and increase motivation. External secondments can also develop an organisation's skills base, increase external networks and the opportunity to bring in expertise and experience from outside the organisation.
- 1.4 The arrangements for external secondments need to be tailored individually to meet both organisations requirements. All external secondments must be formally agreed in writing between all parties before the secondment commences. A template offer letter and agreement are available on the Working in Ealing, Employment Policies pages or from the HR Shared Service Centre, which should be adapted as appropriate.

2. Scope

- 2.1 This guidance applies to all permanent employees of the Council who have completed their probationary period, except staff based in schools where the implementation of external secondments is a matter for local determination.

3. Employment conditions

- 3.1 An externally seconded employee remains an employee of their releasing employer during an external secondment and is expected to return to their substantive post at the end of the secondment period.
- 3.2 External secondments out of the Council can last up to a maximum of two years and be on a full time or part time basis, subject to the agreement of the Service Director and service needs.
- 3.3 Employees seconded to outside organisations retain full continuity of employment for the purposes of calculating service related entitlements and statutory employment rights.
- 3.4 Substantive posts are protected while on secondment except in cases of managing reorganisations. This means a post will not be filled on a permanent basis. If a

restructure proposal occurs where a substantive position is held, the employee must be kept fully informed of the options affecting their post throughout the consultation period and the implementation of the new structure.

4. Types of external secondment

4.1 External secondments can be set up to cover a vacant post or to work on a specific project subject to the internal redeployment process. The kind of roles that may be suitable for external secondments include:

- Project assignments to carry out reviews, introduce new initiatives, move forward an important area of policy
- Assignments to carry out a specific item of work, which might be of a limited duration, or where future funding may be uncertain
- A post set up to start a new area of work, where initially a short term appointment may be needed to set the function of systems up, before the position is filled permanently
- All temporary posts, i.e. cover for long-term absence such as maternity, career break, etc
- Setting up a jointly provided service where the Council has close working arrangements with other public services

5. External secondment arrangements

5.1 To ensure a successful external secondment, it is essential that the three parties (releasing employer, hosting organisation and secondee) are all clear about their obligations, accountabilities and performance objectives. (See sample secondment agreements in appendices that should be placed on the HR file). Specific arrangements that should be agreed in writing include: -

- The reason and purpose of the external secondment
- How long the external secondment will last
- The duties expected of the secondee and how they will be managed on a day to day basis by the hosting organisation, i.e. the secondee is entitled to their normal annual leave entitlement, however, may be required to work additional/different hours than that of the releasing employer
- What specific contractual obligations the secondee will continue to have during the external secondment, i.e. protocols for reporting sickness absence or requesting holidays and other types of leave through the releasing employer, whilst ensuring the host organisation is also informed
- What happens to pay and other benefits during the external secondment, e.g. although the releasing employer will generally be responsible for continuing to pay the secondee his/her during the secondment and invoice the host

organisation for reimbursement of employment costs; what other arrangements need to be in place for other elements such as overtime, expenses, etc

- Any particular requirements for the host organisation, e.g. employment checks, standard of conduct and behaviour, health and safety, equalities, reasonable adjustments
- Protocols for how to deal with issues related to performance, attendance and conduct, e.g. a mechanism by which the host organisation can refer any unsatisfactory areas to the releasing employer and a provision to terminate the agreement (this is because the releasing employer continues to retain control over the contract of employment and is responsible for deciding whether or not the issue requires action in accordance with their own procedures)
- Release of the secondee for professional learning and development, and which party will meet the cost of training/time away from the secondment
- Arranging and tailoring an induction programme and any required training
- Reviewing the secondment throughout the period of the secondment

NB: Managers should also ensure the processes for managing their establishment is followed, for further information, see the Council's Intranet, Working in Ealing, Managing Change pages.

6. Selection

6.1 Inward secondments hosted by the Council

6.1.1 External secondments hosted by the Council should be appointed through the Council's Recruitment and Selection process to ensure a professional and consistent approach, promoting equality and diversity. All external secondment opportunities are subject to the internal redeployment clearance in the usual way, before they are advertised externally. Opportunities for external secondments are advertised on the Council's Internet jobs list page.

6.1.2 Should a permanent post exist at the end of the external secondment, any subsequent permanent appointment to the post will be made following the Council's Recruitment and Selection process. An external secondee has no automatic right to be slotted into a vacant post, however, they can apply along with any other applicants.

6.2 Outward secondments

6.2.1 Where appropriate, the Council will grant requests to take part in external secondments. However, the Council is not obliged to enter into external secondment arrangements. External secondments can only be agreed if they are in the Council's best interests and this will depend on the needs of the service and ability to cover the substantive post. External secondments to other organisations must be supported

and agreed by the employee's manager and HR must be consulted before any firm agreements are made, e.g. to ensure the necessary payroll arrangements are set up.

- 6.2.2 To facilitate the smooth running of an outward secondment, employees should inform their manager when they apply for an external secondment and if they are invited for an interview. This provides the manager with the opportunity to consider at an early stage whether it would be appropriate to release the employee if s/he is successfully offered the external secondment. The employee should seek permission to be released through the secondment release proforma. Managers are expected to involve HR when negotiating external secondment arrangements so that the arrangements for external secondments can be coordinated. Managers should also ensure their Finance section is advised so that the arrangements for the recovery of salary and oncosts are made. Sample external secondment agreements are available from the HR Shared Service Centre. A copy of the agreement drawn up must be placed on the individual's HR file.
- 6.2.3 If an employee is a member of the Local Government Pension Scheme, this remains unaffected for the duration of an outward secondment.
- 6.2.4 Where an employee is on an outward secondment, and the part of the Council in which they would normally work is subject to a TUPE transfer, they automatically transfer as well and the external secondment agreement will need to be terminated and renegotiated with the new employer.

7. Managing an external secondment

7.1 Inward external secondments

The manager responsible for the seconded post is responsible for managing the external secondment and should ensure:

- The recruitment and selection of the secondee
- Briefing the secondee before the secondment commences
- Ensuring that all arrangements are agreed in writing before the secondment starts
- Providing an induction at the beginning of the secondment and any necessary training
- Identifying and agreeing performance objectives and how they will be reviewed during the secondment
- Providing regular 1:1 meetings to discuss and review progress on a regular basis
- Providing any feedback to the substantive employer during and at the end of the secondment at agreed intervals

7.2 Outward secondments

The manager of the substantive post must:

- Ensure the external secondment arrangements for a Council employee to be released to another organisation are agreed in writing
- Take part in meetings to discuss progress at agreed intervals as appropriate
- Keep the secondee in touch with any developments in the releasing organisation and consult them on any changes that may affect them, especially where the substantive post is subject to formal consultation in relation to redundancy or other substantial change
- Consider how to cover and make arrangements for covering the duties of the substantive post left vacant during the secondment
- Manage the secondee's return and re-introduction to their substantive post by discussing and acknowledging the progress, development and achievements gained by the secondee through the secondment and objective setting through Ealing's Performance Appraisal Management Process

8. List of support appendices

- Sample external secondment offer letter
- Sample inward external secondment agreement
- Sample outward external secondment agreement