

## Managing internal and external secondments policy

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P121	Head of HR	Quality and Standards	3 years

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## Contents

<b>1. Introduction</b> .....	<b>3</b>
<b>2. Policy Statement</b> .....	<b>3</b>
<b>3. Purpose or Aim</b> .....	<b>3</b>
<b>4. Scope</b> .....	<b>3</b>
<b>5. Policy Principles for Internal Secondment (see definition in 10 below)</b> .....	<b>3</b>
<b>6. Policy Principles for External Secondment</b> .....	<b>4</b>
<b>7. Policy Principles for Secondments into the Trust</b> .....	<b>5</b>
<b>8. Roles and Responsibilities</b> .....	<b>6</b>
8.1 AWP Employees must: .....	6
8.2 Managers must: .....	6
8.3 Clinical/Managing Director or relevant Corporate Director/ Head of Service will: .....	6
8.4 The Recruitment Manager will:.....	6
<b>9. Standards</b> .....	<b>6</b>
<b>10. Training</b> .....	<b>7</b>
<b>11. Audit</b> .....	<b>7</b>
<b>12. Definitions</b> .....	<b>7</b>
<b>13. Associated and Related Procedural Documents</b> .....	<b>7</b>
<b>14. References</b> .....	<b>7</b>
<b>15. Document Lifecycle Control</b> .....	<b>7</b>

## Managing internal and external secondments policy

## 1. Introduction

Secondments are increasingly common and have been recognised by the Trust as being valuable for staff development and for covering posts on a temporary basis.

Whilst the Trust will aim to support requests from its employees to take up secondment opportunities, particularly with other organisations, it is important both that their employment status remains clear, and that the Trust does not incur any unwarranted liabilities as a result.

It is necessary to ensure that where an employee is seconded to another organisation, a formal and legally binding agreement is in place between the Trust and the “host” organisation. Similarly, when the Trust accepts a secondee from another organisation, a formal agreement must be in place.

## 2. Policy Statement

Internal secondment opportunities should be available to all staff.

Requests to undertake internal and external secondments will not be unreasonably refused. However, there may, be service or operational requirements which will lead to a request being declined. Reasons for any refusal will be provided in writing where requested by the employee.

An internal secondment request must be authorised by the employee’s Line Manager, who will normally have consulted with their Service Manager, or a more senior member of staff. All external secondments will be approved by the appropriate Clinical or Managing Director or relevant Corporate Director/ Corporate Head of Service.

It is the employee’s responsibility to ensure that they understand the implications of any secondment on their pay, pension and other terms and conditions. Advice may be sought through the ER team and the Trust’s Pensions Officer.

## 3. Purpose or Aim

The purpose of this policy is to:

- provide a clear framework for managing staff secondments as defined in section 10.0 below;
- to ensure that both the Trust, and its seconded employees, achieve the maximum benefits from secondments and are protected from any detrimental losses which may arise.

## 4. Scope

This policy applies to all AWP employees and addresses secondments within, into and out of the Trust.

## 5. Policy Principles for Internal Secondment (see definition in 10 below)

All internal secondment opportunities must be appropriately authorised in accordance with the Trust’s [Recruitment and Selection Policy](#) and the post should be advertised in the normal way, though it may be identified as being for internal applicants only.

Before the internal secondment is confirmed, the appropriate safeguarding checks must have been completed. (Ref. [Recruitment and Selection Policy](#) and [Criminal Records and Barring Checks Policy](#))

An employee must have their manager’s approval before accepting a secondment. Employees are encouraged to seek their manager’s approval before making an application for a post. Approval will provided in line with Section 2 of this Policy.

## Managing internal and external secondments policy

Secondments should not normally last for more than one year. Any secondment proposed to last for more than one year, or proposed extension to existing secondments, must only be agreed following advice from a senior member of HR staff. If the secondment is to be extended, the agreement of the employee's substantive line manager must be sought in a timely way.

On receipt of the notification of appointment form from the host manager, the Recruitment Manager will obtain formal confirmation from the employee's substantive manager that they have agreed to the secondment. The Recruitment Manager will issue an internal secondment variation letter to the secondee, which will be copied to the host and substantive managers, and workforce information.

The employee will be paid at the appropriate pay band for the work they are undertaking. This may mean a reduction in basic pay. Pay protection will not be provided where an employee voluntarily accepts a secondment opportunity.

During a secondment, it is the responsibility of the seconded employee to maintain contact with their substantive manager and team. Employees are encouraged to diarise regular telephone calls. However, it is the responsibility of their substantive manager to consult formally with them, where necessary, about any planned changes to their post.

In an internal secondment, the new temporary line manager is responsible for managing the performance, conduct and sickness of the seconded employee in line with agreed policies. However, if the employee is subject to a formal process, the substantive line manager should be consulted and actively involved where appropriate.

Should it be necessary to prematurely terminate an internal secondment, any budgetary liabilities, by default, will be borne by the team hosting the secondment.

### 6. Policy Principles for External Secondment

Where staff are seconded externally they will normally remain in the employment of AWP and subject to AWP terms and conditions.

Employees are encouraged to seek their manager's approval before making an application for a post. An employee must have their manager's approval before accepting a secondment. Approval will be provided in line with Section 2 of this Policy.

If it is agreed that the employee can be released for an external secondment, a formal secondment agreement will be entered into and signed by the "host" organisation, AWP and the employee. Variations to the Trust's standard agreement may be made with the support of a senior member of HR staff. Where the host organisation wishes to arrange a secondment on the basis of a differently worded document, it should be checked by a senior member of HR staff to ensure that it includes the acceptable safeguards as the AWP version. The formal secondment agreement must be signed by the appropriate Clinical or Managing Director or relevant Corporate Director/ Corporate Head of Service on behalf of the Trust. In the first instance the employee's manager should contact the relevant ER Advisor or ER Specialist.

The employee will be given a copy of the secondment agreement plus a copy of this policy and will be sent a letter detailing their contractual obligations to the Trust during the secondment period.

If a secondment is one year or less, the employee will normally return to their substantive post at its conclusion.

Secondments will normally only be agreed for periods of less than one year but in exceptional cases where a longer period is agreed, the employee will be given written notification in advance that:

- The Trust cannot guarantee that their substantive post will be available on their return
- If this is the case, the Trust will make all reasonable efforts to find suitable redeployment, if available

## Managing internal and external secondments policy

- If suitable redeployment is not available, their contract of employment may be terminated
- A redundancy payment will not be paid in these circumstances.

During the course of a secondment, an employee's post may be subject to organisational change processes in line with prevailing policy and legislation. The employee must make themselves available, at their expense if necessary, to participate in any processes related to the re-organisation.

Should an external secondment end prematurely at the request of the external organisation or the secondee, AWP is not obliged to provide work, or payment, to the employee until the date on which the secondment was last agreed to end. This may result in the employee being unpaid for a period. Redeployment to another post will be sought.

During a secondment, it is generally the responsibility of the seconded employee to maintain contact with their substantive manager and team. Employees are encouraged to diarise regular telephone calls. However, it is the responsibility of their substantive manager to consult formally with them, where necessary, about any planned changes to their post.

The employee will normally continue to be paid through the Trust's payroll, including any expenses payments. The Trust will invoice the host organisation for the seconded employee's pay and associated costs, in line with the secondment agreement.

Relevant administrative and authorisation processes are summarised in flowcharts which can be found on Ourspace.

### 7. Policy Principles for Secondments into the Trust

If an external applicant for an advertised temporary AWP post wishes to take the post as a secondee from their employer (for example another NHS Trust), they must confirm that they have the agreement of their employer and facilitate their discussion and correspondence with AWP.

Before accepting an external secondee into the Trust, the appointing manager must have obtained the consent from their Locality Managing Director, who will ensure that a formal secondment agreement has been signed by the secondee's employer to ensure that AWP does not incur any liabilities as a result of the secondment, and that such an arrangement is generally in the interests of AWP. Advice must be sought from a senior member of HR.

Before a secondee from another organisation starts work with AWP, the appropriate safeguarding checks must have been completed. (Ref. [Recruitment and Selection Policy](#) and [Criminal Records and Barring Checks Policy](#).)

The secondee will remain the employee of their existing employer.

The secondee will continue to be paid by their employer, who will invoice AWP for the appropriate salary costs. They will normally retain their existing terms and conditions. Any disciplinary or other formal action against the employee will need to be undertaken by the secondee's employer in accordance with their policies and procedures.

The secondee will normally be paid on a pay band/grade which broadly approximates to that which would apply to an AWP employee. Other terms and conditions may be considered in making this judgement.

The AWP manager of the secondee will be responsible for their day to day management. The manager must ensure that the secondee is aware of their role and responsibilities, and any operational procedures and protocols relevant to their role. They will liaise with their employer should any significant concerns about the secondee's practice arise.

Where a group of staff are to be seconded into AWP specific arrangements will be agreed after consultation with the HR Policy Lead.

## 8. Roles and Responsibilities

### 8.1 AWP Employees must:

- Ensure they obtain their manager's agreement prior to accepting a secondment, either within AWP or with an external organisation.
- Keep in touch with their manager as agreed
- Ensure that they notify their manager of any changes in the secondment
- Notify their manager of any absences from work of more than two weeks, for whatever reason.

### 8.2 Managers must:

- Consider request for secondments fairly, taking service needs into account and consulting with their Senior Manager.
- Ensure that a formal secondment agreement has been agreed and signed before the appointment of a secondee from another organisation is agreed.
- Ensure that the appropriate forms and notifications are completed for payroll purposes.
- Ensure that AWP's finance team is informed, as appropriate, of any invoicing requirements.
- Be responsible for the day to day management of any secondees in their team, liaising with the secondee's substantive manager (for internal secondees) or their employer (for external secondees) as appropriate.
- Ensure that they keep in touch with any member of their team seconded elsewhere, either internally with AWP or to an external organisation.

### 8.3 Clinical/Managing Director or relevant Corporate Director/ Head of Service will:

- Consider request for secondments fairly, taking service needs into account.
- Ensure that a secondment agreement has been agreed and signed with the host organisation before agreeing to an external secondment for an AWP employee.
- Ensure that a secondment agreement has been agreed and signed with the employee of an internal secondee into AWP before the secondee's appointment is agreed.

### 8.4 The Recruitment Manager will:

- Liaise with external employers to ensure that an appropriate secondment agreement is agreed and signed by all parties, both for secondments into and secondments out of the Trust.
- Ensure that the employee's line manager has agreed to an internal secondment before confirming the appointment to an internal secondment within AWP.

## 9. Standards

This policy will be measured against the requirements of employment legislation and the best practice expected from a modern health organisation.

All employees seconded into AWP must satisfy NHS Employment Check Standards as appropriate.

## 10. Training

Further information is available from the ER team or via [Ourspace](#).

## 11. Audit

Satisfaction of NHS Employment Check Standards will be reviewed in line with Section 10 of the [Recruitment and Selection Policy](#).

Practice will be subject to the continuing review by the HR Policy Lead. If there is a deviation from proscribed practice, a specific performance report will be provided for noting at the relevant assuring committee of the Board. The Director of Human Resources will supervise interim developments to policy or practice as appropriate.

## 12. Definitions

For the purposes of this policy a secondment is defined as the temporary loan of an employee to another organisation, or a different part of the same organisation, for a specific purpose for a specific time to the mutual benefit of all parties. The individual's employer remains the same during a secondment.

This policy identifies three types of secondment:

- Internal secondment: a secondment within the Trust where an AWP employee is temporarily transferred to another post in a different team within AWP but will return to their substantive post at the end of the secondment. (An internal secondment is not to be confused with an acting-up arrangement within the same team). Specific advice about internal secondments is provided in section 5 below.
- External secondment: a secondment where an AWP employee is "loaned" to another employer for a temporary period. This may be another NHS employer, partner organisation or voluntary sector organisation. Specific advice about external secondments is provided in section 6 above.
- Secondment into the Trust: a secondment where an employee of another organisation works for the Trust on a temporary basis whilst retaining their employment with the external organisation. Specific advice about secondments into AWP is provided in section 7 above.

## 13. Associated and Related Procedural Documents

- [Criminal Records and Barring Checks Policy](#)
- [Recruitment and Selection Policy](#)
- Secondment Out of AWP: Flowchart Setting Out Relevant Administrative Processes
- Secondment into AWP: Flowchart Setting Out Relevant Administrative Processes

## 14. References

This policy has been drawn up with reference to current UK and European employment legislation and relevant national terms and conditions.

## 15. Document Lifecycle Control

Representatives from trades unions formally recognised by the Trust and management representatives have drawn up this policy. Management as part of the review will provide meaningful statistics.

This policy will be reviewed after 3 years or earlier at the request of either party.

<b>Version History</b>				
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