SECONDMENT GUIDANCE
FOR LINE MANAGERS
AND EMPLOYEES
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1. Introduction

The Regulation and Quality Improvement Authority (RQIA) recognises the benefits of an employee taking a secondment opportunity, for both the organisation and the employee. Secondments can arise, for example, from:

- Within the RQIA;
- Other HSC or Public Sector organisations;
- To the Independent Sector or another external employer;
- For the purposes of completing Commissioned Courses.

2. Purpose

This document provides guidance to managers and employees in relation to secondment arrangements including the roles and responsibilities of all parties.

3. Definitions

“Secondment” - This is a temporary contract, at the end of which there is normally a right to return to a post when the secondment has ended.

“Permanent Post” - means the substantive permanent post from which the employee has left to take up the secondment opportunity.

The term secondment refers to the temporary move of an employee to another post/role. Secondments may be either internal or external to RQIA and may arise in a number of different ways including:

- Within the RQIA – where an employee moves to a fixed-term contract in another directorate
- Outside the RQIA – where an employee moves to a fixed-term contract in an external organisation. For intra-HSC secondments the employee will normally be removed from RQIA Payroll and transfer to the receiving organisation’s payroll.
- Into the RQIA – where an employee from an external organisation moves into a fixed-term contract within the RQIA. This employee will be treated as being on a fixed-term contract with RQIA. Employees must seek permission from their permanent employer and notify RQIA of permission to second.
4. **Scope**

This policy applies to all employees of the RQIA with the exception of Senior Executives and Medical and Dental Staff for whom separate arrangements apply. There will be no retrospective application of this policy for those who have started secondments before the operational date of this document.

**Temporary Staff Applying for Secondments**

It should be noted that temporary employees of the RQIA may be eligible to apply for and obtain posts that may be advertised as a secondment opportunity both within and external to the RQIA. This is considered as a new fixed-term contract and not a secondment as there will be no right of return to a post. In applying for and accepting such a fixed-term contract, the employee must also resign from their temporary contract. The new fixed-term contract would thus be the employee’s substantive and only employment contract.

**Employees Seconded into RQIA from another organisation**

Where an employee from an external organisation is seconded into RQIA, RQIA will treat the employee as having a single fixed-term contract within the RQIA.

**Acting Up/Temporary Higher Band**

Acting Up/Temporary Higher Band is outside the scope of this policy and is a separate scheme, of which the relevant provisions are contained in the Agenda for Change Terms & Conditions under the heading “Temporary move to a higher band”. This would normally take place for between one and six months in the same directorate.

5. **Eligibility**

To be eligible to be considered for a secondment, RQIA employees must normally:

- Have a permanent post with RQIA;
- Have satisfactorily completed their probationary period;
- Have at least twelve month’s continuous service with the RQIA;
- Have a satisfactory record of performance and conduct.

6. **Employee Responsibilities**

Employees have the following responsibilities:

- Employees should discuss their contemplations with management at the earliest opportunity
- Employees must maintain contact with the line manager of their permanent post. These can be mutually agreed and are intended to help Employees keep in touch with the workplace and may ease return to work.
• An employee who has been turned down for a secondment but continues with their application and intends to take up the new post, must resign their permanent post and the period of secondment will be treated as Fixed Term Contract.

7. Management Responsibilities

Managers have the following responsibilities:

• Consider whether the secondment would provide the employee with experiences that would be beneficial to the RQIA.
• Consider the grounds in section 8 below when approving or rejecting requests.
• Seek advice and guidance from Human Resources if required, to include maternity leave, long term sick leave and employment break.
• Seek consent from senior management to allow for a member of staff to go on secondment.
• Management approval or rejection of requests under this Guidance must be put in writing to the employee with written reasons for the decision.
• Managers must inform Human Resources in writing of:
  o Whether employee will or will not be returning;
  o Employee’s return date at least 8 weeks prior to the return date;
  o Any secondment extensions.

8. Grounds for rejecting an application or secondment/extension

All applications should be reasonably considered by managers. Listed below are some of the grounds for rejecting such applications:

➢ the burden of additional costs;
➢ detrimental effect on ability to meet customer demand;
➢ lead to the loss of skills;
➢ inability to re-organise work among existing staff;
➢ inability to recruit additional staff;
➢ planned structural changes

9. Rules of Secondment

The employee’s substantive post will be their permanent position from which they moved. Secondments will be time bound for a specific period and will not lead to a permanent post for the employee in the seconded position without a further recruitment and selection exercise.
If, as a result of organisation change, protection arrangements apply to the substantive post, the period of protection will commence from the effective date of the change. Any balance of protection will be applied (as appropriate) if the employee returns from secondment.

**Secondments of two years or less**

Where a secondment is for a period of two years or less the employee’s permanent post will normally be held open for their return. The employee will be informed prior to the secondment commencing whether their permanent post will be held for them to return to.

**Secondment of over two years (inclusive of extensions)**

Where a secondment is for a period exceeding two years the employee’s permanent post may be filled on a permanent basis by the line manager. In this event, the manager must ensure that the employee understands the arrangement and is advised accordingly in writing when agreeing the terms of the secondment.

Where a secondment is for a period exceeding two years and the permanent post was back-filled on a permanent basis, the RQIA will endeavour to find, but cannot guarantee, the employee a job within the organisation on their return. The RQIA will look across the organisation for any appropriate vacancies for which the employee would match the specification for the post. No offer of employment should be unreasonably refused.

Redeployment of employees for reasons of health and organisational change will take priority.

*It is the responsibility of the RQIA Director, in which the employee's permanent contract lies, to identify an alternative post and/or to work collaboratively with Human Resources to seek an alternative post and to retain the employee within their Directorate until such times as an alternative post is identified.*

If there are no posts available at the equivalent band of the employee’s permanent contract, either within their own Directorate or across the RQIA, then the employee may be offered redeployment to a lower banded post within the organisation if available. There will be no protection of pay.

In circumstances where a secondment is approved for 2 years or less and a subsequent request to extend this beyond 2 years is received and agreed, then the employee’s permanent post may then be filled on a permanent basis and the employee will be dealt with in accordance with the above process.

10. **Recall of Employees on Secondment**

If the initial secondment is agreed for 2 years or more, but during that time, an employee’s permanent line manager requests a return to the permanent post, the employee will be expected to return as requested.
If the employee chooses to remain on secondment and not return as requested by management then they must resign their permanent contract and will remain on a temporary contract within the seconded post. The employee will have no right of return to a post.

Recall of seconded employees must be exercised reasonably.

11. Secondment Extensions

Approval for secondment extensions must be granted by the permanent line manager at least eight weeks prior to the end of the currently/originaly agreed secondment period. A request to extend a secondment will be reviewed by the line manager with due regard to section 8.

If an employee request to have their original secondment period extended and their permanent line manager, for business reasons is not able to agree the request, the employee will be expected to return to their permanent post. If the employee chooses to stay on secondment, they must resign their permanent contract and will remain on a temporary contract within the seconded post. The employee will have no right of return to a post.

Recall of seconded employees must be exercised reasonably.

12. Returning Early from a Secondment at Employee’s Request

An employee who wishes to return early from a secondment should contact their line manager and explain the circumstances. The request should be provided in writing and retained locally. Line managers must inform Human Resources of any early return date.

Whilst the organisation will consider all requests and try to accommodate them where possible, this cannot be guaranteed and the decision will be provided in writing.
13. Procedure for Applying for Secondments

This procedure applies to secondment and extension requests:

Employee seeks approval of Line Manager to make Secondment application

Agreed
Confirmed in writing to employee

Declined
Confirmed in writing to employee

Less than 2 Years
Manager normally holds permanent post open for return

Employee returns after 2 years or before

Over 2 Years
Permanent post may be filled. Line Manager to ensure employee understands arrangement

Director with HR will endeavour but cannot guarantee to identify suitable post

If redeployed to lower-banded posted (no pay protection)
14. Associated Terms & Conditions – Internal Secondments

The following section details the effect on terms and conditions of service for internal secondments in RQIA.

The secondee will attract the appropriate terms and conditions of service during the period of secondment, commensurate to the banding of that post. No payment of excess mileage will apply where additional mileage is incurred due to a change of base. Seconded employees will be paid the salary of the post applied for.

*The RQIA’s Pay Protection Arrangements do not apply, i.e. salary enhancements such as unsocial hours payments will only be paid if applicable to the hours worked within the secondment arrangement in line with the Agenda for Change terms and conditions of service.*

**Performance and Conduct**

Management of the secondee’s performance, attendance and conduct will be the responsibility of the receiving manager who, where necessary, will take the appropriate informal/formal action in accordance with the relevant organisational policies and procedures. This will include the full range of performance and disciplinary action(s) up to and including dismissal.

15. Associated Terms & Conditions – External Secondments

The following section details the effect on terms and conditions of service for external secondments. During the period of secondment the employee will be on loan to the host employer, with his/her substantive contract and terms of conditions of service remaining with the RQIA.

The secondee will receive his/her salary from the host organisation for the duration of the secondment. No re-charge arrangement will take place normally.

Any contract entered into with the host employer will be for the loan of an employee and **not** for the provision of a service. It will therefore be the responsibility of the host employer to provide cover in the absence of the secondee for whatever reason.

The employee will usually be provided with a contract covering the Terms & Conditions of service of the secondment by the Host employer. Where an employee has been seconded for over one year to an external employer and is returning to a regulated position, they may be subject to Access NI Check in advance of their return to their post where relevant.
**Reimbursement of Travel & Subsistence Expenses**
All travelling and subsistence expenses incurred during the course of the secondment period will be met by the Host employer.

**Performance and Conduct**
During the secondment the secondee will adopt the policies and procedures pertaining to the host employer. The host employer will be responsible for monitoring performance, attendance, conduct and undertaking appraisal. Clinical Governance and Professional Supervision arrangements will also be the responsibility of the Host organisation.

Where it may be necessary to take informal/formal performance or disciplinary action, the host employer will notify the RQIA immediately of the nature of the matter of concern and any subsequent sanction. In instances of serious professional misconduct referral to registration body and Independent Safeguarding Authority if appropriate will be the responsibility of the Host organisation.

16. **Review**

These guidelines will be regularly reviewed to ensure compliance with organisational needs.

17. **Equality Statement**

This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998. Equality Commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that greatest resources can be devoted to these.