

Secondment Policy (non-medical)

Document Reference No.	KMPT.HR.012.05
Replacing document	Staff Handbook – Our People Policies
Target audience	All Staff at KMPT
Author	Employee Relations
Group responsible for developing document	Workforce OD
Status	Approved
Authorised/Ratified By	Workforce and Organisational Development Committee
Authorised/Ratified On	September 2023
Date of Implementation	September 2023
Review Date	September 2026
Review	This document will be reviewed prior to review date if a legislative change or other event otherwise dictates.
Distribution date	March 2024
Number of Pages	4
Contact Point for Queries	kmpt.policies@nhs.net
Copyright	Kent and Medway NHS and Social Care Partnership Trust 2023

DOCUMENT TRACKING SHEET

Secondment Policy (non-medical)

Version	Status	Date	Issued by	to/approved	Comments
4.0	December 2022 Policy was archived and included within the Staff Handbook – Our People Policies. Decision made to separate all policies and re-instate as individual policies in April 2023				
4.1	Draft	August 2023			Review of document to ensure it is up to date and fit for purpose
5.0	Approved	August 2023	Joint Negotiating Forum/ Chief People Officer		Approved Assurance given to Workforce and OD Committee – Sept 23

REFERENCES

[Employment Act 2002](#)
[ACAS Code of Practice 2003](#)

RELATED POLICIES/PROCEDURES/protocols/forms/leaflets

Fixed Term Contracts Policy	

SUMMARY OF CHANGES

Date	Author	Page	Changes (brief summary)

CONTENTS

1 WHAT THIS POLICY COVERS 1

2 PRINCIPLES 1

3 RESPONSIBILITIES..... 1

4 POLICY IN PRACTICE..... 1

5 EQUALITY IMPACT ASSESSMENT 4

6 HUMAN RIGHTS..... 4

1 WHAT THIS POLICY COVERS

- 1.1 This policy outlines a clear procedure for employees directly employed by KMPT wishing to undertake a secondment or acting up opportunity. Employees on fixed term contracts of more than two years may apply for secondment opportunities. All employees must have completed their probationary period in order to be eligible.
- 1.2 A secondment or action up may be to develop and enhance their skills, knowledge and experiences, to assist in understanding different perspectives and challenges and/or to develop networking opportunities and a wider pool of working relationships with external Trusts/companies.
- 1.3 This policy is for:
 - Employees seeking secondment or acting-up opportunities (except medical employees).
 - Managers wishing to create a secondment or acting-up opportunities.

2 PRINCIPLES

- 2.1 KMPT acknowledges and supports employees wishing to pursue their career development and recognises secondment and acting up opportunities can provide employees with valuable opportunity to consolidate existing skills and experiences or to gain further skills, experience, knowledge and abilities that may not exist within their current post. It is also a means by which KMPT can use individuals' skills most effectively by assigning appropriately qualified and experienced employees to key areas, such as special projects, which require specific skills.

3 RESPONSIBILITIES

- 3.1 KMPT has a responsibility to ensure that this policy and procedure is applied fairly and equitably to all employees. The Employee Relations (ER) department can provide advice and support on this policy and procedure as required.
- 3.2 Managers have a responsibility to:
 - 3.2.1 Ensure they understand and correctly implement this policy and procedure equally, fairly and consistently to all employees.
 - 3.2.2 Ensure all secondment or acting up opportunities are advertised and filled in line with this policy and procedure.
 - 3.2.3 Ensure that 'Change Forms' are processed in a timely manner and ensure that correct notice is given at the end of secondment and acting-up arrangements as per this policy and procedure.
- 3.3 **All backfill arrangements for secondments need to be agreed with respective budget holder and/or Finance and have like for like costings.**

4 POLICY IN PRACTICE

- 4.1 Secondments occur when an employee or employees temporarily transfer to work in another NHS organisation or a different part of KMPT for a specific purpose and a specific period of time. Part-time secondments, for example one day a week, may also be appropriate to work on particular projects again these will be for a specific time period.

4.2 Internal Secondments

- 4.2.1 Secondment periods can be extended with agreement from all parties but must be reviewed formally at 12 months and not exceed 23 months. Secondments can be ended early following discussion and agreement with all parties concerned, one month's notice should be given.
- 4.2.2 All secondment opportunities, regardless of length, must be advertised internally in accordance with KMPT's Recruitment and Selection Policy. The only exception to open competition is where employees are considered 'at risk'.
- 4.2.3 Employees wishing to be considered for an advertised secondment opportunity must discuss their request with their manager prior to making an application. All applications must be supported by the manager.
- 4.2.4 The personal development plan process will also assist in identifying suitable secondment opportunities. Other factors that should be considered include training needs during and following a period of secondment. The manager will take into consideration the impact on service delivery and patient experience as well as the development needs and development potential of the employee, as well as the wider benefit to KMPT in the secondment going ahead.
- 4.2.5 There may be service requirements which mean that the employee cannot be released from their post to take on a secondment. If the manager decides that it is not possible to release the employee on secondment they will be required to provide objectively justifiable reasons for the decision. The manager's decision is final and there is no right of appeal.
- 4.2.6 Managers that are able to authorise a secondment opportunity should contact the Recruitment team, who will issue a secondment agreement. The agreement should be signed by all parties involved in the secondment. The salary of the individual undertaking the temporary arrangements will be adjusted, if required, accordingly in line with Agenda for Change pay scales.

4.3 External secondments

- 4.3.1 Substantive employees may apply for any external secondment opportunity. Before making any application, employees must discuss the opportunity with their manager. Employees will need to agree with their manager whether this can be accommodated, how their existing post will be filled in their absence, the duration of the secondment and whether they will be able to return to their existing post or another suitable alternative post at the end of the secondment.
- 4.3.2 Requests for such secondment opportunities should not be unreasonably refused. The manager agreeing to the secondment is responsible for negotiating with and notifying the external organisation of the salary to be reimbursed. This should cover all employment costs including employer contributions to National Insurance and Pension, plus an administration fee to cover back office and administration overheads and expenses.
- 4.3.3 The agreement must be in writing and confirm that KMPT will not indemnify the external organisation for any loss or damage caused as a result of any action or omission of the individual. In this situation KMPT will remain as the employer of the individual throughout the secondment. Employees who have been in a secondment position will need to apply for the position when it is advertised as a substantive post, following the KMPT Recruitment and Selection Policy.

- 4.3.4 If, during the term of the secondment, organisational change results in the original post being substantively altered or made redundant, the employee will be consulted with regarding this change managed under KMPT's Change Management Policy.

4.4 End of a secondment

- 4.4.1 At least 4 weeks prior to the end of the secondment the seconding manager will write to the employee advising that the secondment will end and arrangements for their return to their substantive post will be made.
- 4.4.2 Discussions should take place with the appropriate manager to ensure a smooth return. The substantive post's manager is responsible for completing and submitting a 'Change' Form to the Workforce Information team to meet monthly Payroll deadlines. Should the secondment finish early, it is the secondment manager's responsibility to liaise with the substantive manager and provide objectively justifiable reasons for the secondment finishing early. At least four weeks' notice should be given to the substantive manager.
- 4.4.3 Once the secondment has ended and the employee has returned to their former or alternative role a review of the secondment experience should be undertaken with their original manager.

4.5 Acting up

- 4.5.1 From time to time it will be necessary for employees to cover the duties of another employee. Such temporary allocation of duties within an employee's competence is a normal part of work and will include duties at the same or differing levels and in the same or a different capacity.
- 4.5.2 Acting-up arrangements are designed to cover an extended absence from work of the original post holder or on a short-term basis, whilst a post is being either reviewed or the recruitment process is underway. For example, to cover maternity leave, long term absence or other temporary absences (e.g. secondment, extended leave or undertake short term projects). These should not exceed six months unless in exceptional circumstances and should be with agreed by the Head of Service.
- 4.5.3 The salary of the individual undertaking the temporary promotion arrangements will be adjusted accordingly in line with Agenda for Change pay scales.
- 4.5.4 Full agreement between the employee and their manager must be reached regarding the duration and start/end dates for the appointment.

4.6 Before acting-up

- 4.6.1 It is the responsibility of the relevant manager to identify a requirement for a temporary acting up opportunity, by consulting with the senior management team, the ER Department and the Finance Department as appropriate. An offer of acting-up should not be made until these discussions have taken place and authorisation for the post has been given. Should an acting-up opportunity be likely to continue for a period longer than 6 months the manager may feel it be more appropriate to offer it as a secondment.

4.7 Selection

- 4.7.1 Where there is a designated deputy for the post, that individual should be offered the opportunity to act-up into the post providing they are qualified to do so.

- 4.7.2 Where there is no designated deputy or the post is new, the manager must ensure that the acting-up opportunity is opened up to all employees within the work area that would be eligible for the acting up opportunity.
- 4.7.3 If more than one person puts themselves forward for the acting-up opportunity, then a competitive selection process (usually interview) will be arranged and the strongest candidate will be offered the acting-up opportunity as per normal recruitment practice.
- 4.7.4 If there is no suitable candidate within the work area the post should be advertised internally following KMPT's Recruitment and Selection Policy.

4.8 End of acting-up

- 4.8.1 The post holder is entitled to return to their substantive post on the same Terms and Conditions following the end of the acting up provided no change management process has been undertaken. At least four weeks prior to the end of the acting-up period, the employee will be written to by their substantive manager advising that the acting up will end and arrangements for their return to their substantive post will be made. Discussions should take place with the appropriate manager to ensure a smooth return.
- 4.8.2 The manager is responsible for completing and submitting a Change form to the Workforce Information Department within usual monthly Payroll deadlines. Should the acting-up finish early, it is the manager's responsibility to provide objectively justifiable reasons for the acting up finishing early. At least four weeks' notice should be given. Employees who have been in an acting up position will need to apply for the position if it is advertised as a substantive post, following KMPT Recruitment and Selection Policy.
- 4.8.3 Once the acting-up has ended and the individual has returned to their former or alternative role a review of the acting-up experience should be undertaken with the manager as part of their appraisal.

5 EQUALITY IMPACT ASSESSMENT

- 5.1 The Equality Act 2010 places a statutory duty on public bodies to have due regard in the exercise of their functions. The duty also requires public bodies to consider how the decisions they make, and the services they deliver, affect people who share equality protected characteristics and those who do not. In KMPT the culture of Equality Impact Assessment will be pursued in order to provide assurance that the Trust has carefully considered any potential negative outcomes that can occur before implementation. The Trust will monitor the implementation of the various functions/policies and refresh them in a timely manner in order to incorporate any positive changes.

6 HUMAN RIGHTS

- 6.1 The Human Rights Act 1998 sets out fundamental provisions with respect to the protection of individual human rights. These include maintaining dignity, ensuring confidentiality and protecting individuals from abuse of various kinds. Employees and volunteers of the Trust must ensure that the trust does not breach the human rights of any individual the trust comes into contact with.