

Document Pack



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TUESDAY, 28 JUNE 2016

**TO: THE EXECUTIVE BOARD MEMBER FOR HUMAN RESOURCES,
EFFICIENCIES AND COLLABORATION**

I HEREBY SUMMON YOU TO ATTEND AN **EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR HR, EFFICIENCIES AND COLLABORATION** WHICH WILL BE HELD IN THE **DEMOCRATIC SERVICES COMMITTEE ROOM, COUNTY HALL, CARMARTHEN AT 2.00 PM. ON WEDNESDAY, 6TH JULY, 2016** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

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Ref:	AD016-001

A G E N D A

1. DECLARATIONS OF PERSONAL INTERESTS.
2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 8TH JUNE, 2016. 3 - 4
3. REVISED SECONDMENT POLICY. 5 - 22

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR HUMAN RESOURCES, EFFICIENCIES AND COLLABORATION

WEDNESDAY, 8TH JUNE, 2016

PRESENT: Councillor: L.M. Stephens [Executive Board Member]

The following officers were in attendance:-

Mrs L. Evans - Policy & Partnership Officer
Mrs M. Evans Thomas - Democratic Services Officer

1. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

2. DECISION RECORD - 28TH JULY, 2015

RESOLVED that the Decision Record of the meeting held on the 28th July, 2015 be signed as a correct record.

3. WELSH LANGUAGE ANNUAL REPORT 2015-16

The Executive Board Member considered the Welsh Language Annual Report 2015-16, which detailed the work undertaken by the Council in relation to the Welsh language during that period and had been produced in order to comply with the Welsh Language Commissioner's monitoring arrangements.

The Welsh Language (Wales) Measure 2011 placed a duty on County Council and County Borough Councils in Wales, National Park Authorities and Welsh Ministers to comply with Standards in relation to the Welsh language.

The Standards mean that the Welsh language must not be treated less favourably than the English language and must also promote or facilitate the use of the Welsh language. This is in accordance with the two principles that form the basis of the Welsh Language Commissioner's work:-

- In Wales, the Welsh language should be treated no less favourably than the English language;
- persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

The Standards framework replaced Welsh language schemes from 31st March, 2016 and the Standards will:-

- provide greater clarity to organisations on their duties in relation to the Welsh language;
- provide greater clarity to Welsh speakers about the services they can expect to receive in Welsh;
- ensure more consistency of Welsh language services and improve their quality.

The Welsh Language Commissioner gave Carmarthenshire County Council a

compliance notice regarding the Welsh Language Standards Regulations on 30th September, 2015 which requires the Council to comply with most of the Standards by 31st March, 2016.

RESOLVED that, subject to the inclusion of the amendments noted, the Welsh Language Annual Report 2015-16 be approved for submission to the Welsh Language Commissioner.

CHAIR

DATE

6TH JULY 2016

Executive Board Member:	Portfolio:	
Cllr LM Stephens	Human Resources, Efficiencies & Collaboration	
SUBJECT		
REVISED SECONDMENT POLICY		
RECOMMENDATIONS / KEY DECISIONS REQUIRED:		
To endorse and approve the revised Secondment Policy and Procedure that will replace the current policy.		
REASONS		
The secondment policy was last reviewed in 2008. The recent review has been undertaken as there was a need to bring this up to date with current best practice.		
Directorate People Management and Performance Name of Head of Service Paul R Thomas Report Author Lindsey Evans	Designation Assistant Chief Executive (People Management) HR Officer (Strategy)	Tel No. 01267 246123 E Mail Address: PRThomas@carmarthenshire.gov.uk Tel No. 01267 246096 E Mail Address: LCEvans@carmarthenshire.gov.uk



Declaration of Personal Interest (if any):

None.

Dispensation Granted to Make Decision (if any):

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	



EXECUTIVE SUMMARY

EXECUTIVE BOARD MEMBER DECISIONS MEEETING FOR HUMAN RESOURCES, EFFICIENCIES & COLLABORATION

SUBJECT: REVISED SECONDMENT POLICY

Introduction

The secondment policy was last reviewed in 2008. The recent review has been undertaken as there was a need to bring this up to date with current best practice.

A number of key issues have been highlighted in recent months that needed to be addressed these included:

- Highlighting the benefits of secondment
- Issues around redundancy where permanent employees apply for fixed term contracts
- Ensuring the policy referred to project posts
- Managing temporary posts that become permanent

Findings

In order to address these issues a summary of some of the key changes can be found below.

Point 1

Changes to the introduction to highlight the benefits of secondment at an early stage in the document.

Point 4

That permanent employees who make an application for fixed term or temp posts internally will automatically be considered on a secondment basis.

All fixed term and temporary contracts are advertised as suitable for Secondment.

Point 6

That where a new project team is being developed, secondees will be transferred on existing terms and conditions whilst the project is at inception stage. This will support and enable flexibility and provide development opportunities for individuals whilst project objectives develop.

Point 8

There may be exceptional instances when a post which has been advertised as a secondment opportunity may for operational reasons need to become a permanent position. In such circumstances the Authority reserves the right, having regard to the necessary skills and



experience for the role, to appoint the seconded employee to the post without a further recruitment process being undertaken and following agreement with the Assistant Chief Executive (People Management and Performance) or nominated HR Advisor.

Recommendations

That the revised secondment policy be endorsed by EBM so that it is consistent with current best practice.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas Assistant Chief Executive (People Management and Performance)

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	People Management and Performance	Physical Assets
YES	YES	NONE	NONE	NONE	YES	NONE

1. Policy, Crime and Disorder

The recommendations support the Council's Strategic Aim 'Building a Better Council', 'Making Better Use of Resources' and 'Equality of Opportunity'

2. Legal

The policy has been produced in accordance with the relevant legislation which includes the Employment Rights Act.

6. People Management and Performance

People Management provide support in relation to this policy/guidance.



CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas Assistant Chief Executive (People Management and Performance)

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Local Member(s)

N/A

2. Community / Town Council

N/A

3. Relevant Partners

N/A

4. Staff Side Representatives and other Organisations

Consultation has taken place with Trade Unions.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection



SECONDMENT POLICY & PROCEDURE

1. INTRODUCTION

Secondment is the temporary transfer or temporary “loan” of an employee to other duties, responsibilities or projects with an agreed end date. When the agreed secondment period comes to an end the employee will resume their substantive post within their original employing department or agree a further period of secondment.

There are many benefits arising from secondments opportunities to Carmarthenshire County Council and our employees, these include:

- enabling transfer of employees to areas requiring short-term or temporary resource;
- directing expertise where it is most needed;
- supporting “joined up” working and service improvement through cross Authority or partnership work experience of the seconded employees;
- supporting employee development and flexibility of employment;
- strengthening a culture of flexibility;
- developing and sharing skills and knowledge within and across our organisation.

2. SCOPE

This policy and Procedure covers all employees excluding staff on the complement of locally managed schools for whom a separate policy and procedure applies.

3. KEY PRINCIPLES

Where an application for a secondment has been made in accordance with the recruitment and selection policy and procedure Every effort will be made to grant a request however there may be occasions where despite satisfying the criteria, an employee cannot be granted a secondment. In circumstances where a secondment cannot be supported, the line manager should discuss with the employee other opportunities which are available to achieve personal and professional development objectives. Line managers should refer to other relevant policies, such as, the Corporate Learning and Development Policy.

4. ELIGIBILITY

- Employees are required to have completed one year’s satisfactory service with the Authority

- A permanent employee who makes an application for a fixed term or temporary post internally will automatically be considered on a secondment basis;
- Secondments should not in normal circumstances exceed 18 months duration. This timescale will largely depend on the purpose of the secondment. The timescale agreed should reflect and take into account of the service delivery needs of the secondee's employing department and team, and the period of secondment must be clearly defined in the secondment agreement signed by all parties;
- It is recommended that the secondment period should be for a minimum period of 6 months. This is to ensure that the secondment is beneficial to the host department, the employee's development and to enable the original employing department an opportunity to plan for the employee's absence to minimise the disruption to their service area;
- It is essential that all parties are clear about their obligations, expectations and accountabilities **before** the secondment commences.

Please note the Authority's Secondment Policy should be used as guidance in instances where an external parent organisation is seconding an individual to work within the Authority and that organisation does not have their own secondment policy.

5. TYPES OF SECONDMENT

This policy applies to:

- **Internal secondments: Sideways moves** - this relates to a secondment from an established post to a post on the same grade in the same or a different directorate;
- **Internal Secondments: Promotions** – this relates to a secondment to a higher grade and/or offering an opportunity to develop at a higher level;
- **External/outgoing secondments: to partner organisations** - where the Authority will remain the employer and therefore the secondee will continue to be subject to the Authority's policies and procedures;
- **External/Incoming secondments: from partner organisations** - where the Authority is the host not the employer.

Secondments may be full time or part time and can take place on a job share basis. Please refer to the Authority's Job Share Policy for further details.

6. ADVERTISING A SECONDMENT OPPORTUNITY

All temporary and fixed term posts of 6 months or more duration should be advertised as suitable for appointment on a secondment basis.

Permanent posts may also be advertised as suitable for a secondment where it will support the development of employees and succession planning within the Authority. It is important that this decision is taken prior to advertising so that all employees are given equality of opportunity to apply for a secondment opportunity.

All secondment opportunities should be advertised in accordance with the Authority's Recruitment and Selection Policy and Procedure, and Equality and Diversity Policy. This includes the production of a job profile and person specification and undertaking the relevant pre-employment checks suitable for the particular post applied, i.e. DBS checks, references, etc.

Where a new project team is being developed secondees will be transferred on existing terms and conditions whilst the project is at the inception stage. This will support and enable flexibility and provide development opportunities for individuals whilst project objectives develop. However, a project team extends beyond six months the structure of the project team and role profiles must be developed and advertised in the normal way.

7. DURATION OF SECONDMENTS

A secondment by its nature is temporary.

The maximum period of a secondment is normally 18 months.

Managers may consider extending the period of secondment provided that there are operational reasons for doing so and to ensure that the organisation continues to best use the skills and experience available to it. Managers should also consider whether it is more appropriate for the post to become a permanent position rather than an extension to the secondment as outline in para. 9.

If it is agreed that an extension of the secondment is more appropriate this should be agreed between all parties and the secondment agreement updated to reflect the new end date. The manager of the secondee in the host department must discuss the proposed extension of secondment with the manager of the original parent department and seek advice from a HR Advisor on the contractual implications of agreeing an extension to a secondment, prior to confirming an extension of the secondment with the employee.

Where the extension is agreed this must be reviewed on a regular basis no more than every three months.

8. APPOINTMENT OF THE SECONDEE TO THE POST ON A PERMANENT BASIS

If there is a business case for the post that the secondee occupies to be appointed to on a permanent basis the appointment should normally be managed through the Authority's Recruitment and Selection procedure, ensuring the post is advertised, applicants shortlisted and interviewed if they meet the criteria for the post.

If the secondee applies and is successfully appointed to the post, the secondee will be required to give notice to his/her substantive post as detailed in the terms and conditions of employment. If the secondee is not successful then the host Department is required to give notice to the secondee who will return to their substantive post within the Authority.

There may however be exceptional instances when a post which has been advertised as a secondment opportunity may for operational reasons need to become a permanent position. In such circumstances the Authority reserves the right, having regard to the necessary skills and experience for the role, to appoint the seconded employee to the post without a further recruitment process being undertaken and following agreement with the Assistant Chief Executive (People Management and Performance) or nominated HR Advisor

9. SECONDMENT APPLICATION PROCEDURE

Employees should discuss and seek permission to apply for a secondment at the earliest opportunity from their line manager before applying for the post. Approval will be required from the line manager to ensure the employee can be released from their current post on a secondment basis.

Considerations for line managers:

- Has the secondment opportunity been identified as appropriate in the personal development plan for the employee?
- What is the development value to be gained by the employee during the secondment period?
- What are the benefits to our organisation as a result of the secondment?
- What's the feasibility of releasing an employee whose skills, knowledge and experience may not be replicable to cover during a temporary period of absence?
- What will be the consequence of not supporting the secondment?

- Will the employee's substantive post still be available at the end of the secondment?

Line managers should consider if and how the secondee's post will be filled before the employee's secondment is agreed and begins. Advice can be sought from the People Management HR Team, however posts can be filled as follows:

- Recruiting and appointing a temporary employee through the Authority's Recruitment and Selection process;
- An existing employee "acting up" in the post, until the seconded employee returns to work (See below*); or
- The post occupied by the seconded employee will be left vacant. In this instance line managers will have to consider the impact on the workload of the team, how duties can be undertaken in the secondee's absence or whether elements of the work can be left until the secondee returns.

** If "acting up" arrangements are considered care must be exercised to determine how individuals are identified to be eligible for this development opportunity. Advice should be sought from the HR Support Team to ensure equality of opportunity. It is good practice to invite expressions of interest from all employees within the relevant division/department, as appropriate.*

10. REVIEW OF DECISION

Where the line manager turns down a secondment application the employee will be notified in writing by the manager of the reasons for this decision, the employee can request a review of the decision. This must be undertaken at the earliest opportunity following the decision by the line manager. The employee should make a written request to review the decision to the appropriate Head of Service. The employee should set out the grounds for the review within 7 calendar days upon receipt of the written notice of the decision. The Head of Service will carry out a review of the decision within 14 calendar days of receipt of the request to review from the employee. The decision of the Head of Service will be final, and should be notified to the employee in writing within 7 calendar days of the completion of the review.

11. APPROVED SECONDMENTS

When a secondment has been agreed the employee's line manager from the parent department and line manager from the host department/organisation should meet to discuss the management arrangements of the secondee. This will help clarify, e.g. when the employee can be released from their post to commence the secondment, day to day supervision, appraisal etc. It is recognised that there may be reluctance by the line manager of the parent department to release the secondee until after the vacated post has been filled; therefore a recommended time period of up to 4 weeks is given for releasing the employee. **It is the responsibility of the parent department to notify HR of the transfer.**

All seconded employees should have a personal development plan agreed at the outset by the parent and host department used to support the development of the employee in line with the business needs of the parent and host department. This will be in line with the Authority's Helping People to Perform Appraisal process.

12. FIXED TERM OR TEMPORARY EMPLOYEES APPROVED SECONDMENTS

Where a fixed term or temporary employee applies for and is successful in obtaining a secondment opportunity and the fixed-term or temporary contract is due to expire before the end of the secondment, the following applies:

- The line manager from the parent department is responsible for arranging to meet with the employee in advance of the required contractual notice to explain the reasons and commence the process for ending the temporary/fixed term contract;
- The same manager is responsible for discussing the contract status of the employee with the line manager in the host department and is responsible for transferring the secondee into the seconded post for a fixed term period until the end of the agreed secondment period.

13. FINANCIAL CONSIDERATIONS

Financial considerations should be discussed by the line managers of the employee's parent department and host department/organisation in advance as part of the approval process and agreed before the secondment begins, i.e. who is going to fund the salary, on-costs and replacement cover of the employee whilst on secondment? There are a number of options depending on the type of secondment, the potential benefits to the employee, the parent/host department and/or the Authority.

- **Host department funds**

In this case the host department/organisation is the greatest beneficiary from the secondment and is therefore responsible for paying the employee's salary and on-costs. This is likely to occur where there is no likely business benefit to be gained by the department releasing the secondee to the host department/organisation.

- **Parent and host department part fund**

The parent department will pay an agreed portion of the employee's salary and on-costs. This is likely to be the case where the secondment will benefit both the parent department and the host department/organisation.

- **Parent department funds**

The parent department will continue to pay the employee's salary and on-costs. This is likely to occur in cases where the secondment will be of substantial benefit to the employee and the Authority.

Managers are advised to seek advice from the appropriate Group Accountant.

14. ADDITIONAL FINANCIAL CONSIDERATIONS

If an employee is seconded into a post evaluated at a higher grade s/he will receive the appropriate salary for the duration of the secondment.

Additional expenses incurred to meet the requirements of the role, e.g. travel allowances, subsistence etc., will be borne by the host department/organisation.

Managers are advised to seek advice from the appropriate Group Accountant.

15. MANAGING THE SECONDMENT ARRANGEMENT

Day to day line management responsibility of the secondee is held with the line manager in the host department/employer. Where the employee is seconded to an external organisation, the overall management of the seconded employee remains the responsibility of the Authority.

If issues of discipline, capability, sickness absence, behavioural standards or grievance occur during the secondment period The host department/organisation must ensure that issues of concern are discussed with the employee and the parent department at the earliest opportunity. It is the line manager from the parent department's responsibility to instigate the appropriate Authority procedure.

It is important that the line managers from the parent and host department meet with the secondee on a regular basis to review the secondment during the secondment period. This will enable clear communication, the agreement of objectives during the secondment, the support to be offered to the secondee and to ensure any concerns can be addressed at the earliest opportunity so parties benefit from the secondment experience.

If a restructure or redundancy situation arises that impacts on the seconded employee's substantive post, it is the line manager from the parent department's responsibility to ensure the employee is communicated and consulted on the implications in line with the Authority's Restructuring or Redundancy Policy, as appropriate.

16. MANAGING THE SECONDEE'S RETURN

It is the responsibility of the line manager from the parent department to plan for the reorientation of the secondee when s/he returns to their substantive post. It is recommended that a Helping People to Perform appraisal meeting is arranged to evaluate the learning experience gained during the secondment and explore how any new skills and experience can be best utilised in his/her substantive role.

Line managers should consider the following:

- Ensure an appropriate re-induction is carried out to cover any changes in policies and procedures;
- Review the employee's role profile to ensure it accurately reflects the requirements on return from secondment, e.g. changes in working practices;
- Explain changes to individual and team work priorities and projects;
- Ensure the appropriate transfer forms are completed so the appropriate salary is paid to the employee on return to the parent department.

17. TERMS AND CONDITIONS DURING SECONDMENT

All secondment arrangements will require a variation to the contract of the secondee. People Management HR Support Team will issue the variation once the secondment has been agreed and the team have been notified of the transfer.

The line manager in the host department/organisation is responsible for authorising annual leave in secondment arrangements but subject to annual leave entitlement laid down in the employee's terms and conditions of employment.

It should be made clear to the employee that at the end of the agreed secondment s/he will have the right to return to their substantive post.

Hours of work will be as stated in the employee contract of employment.

It is reasonable to expect the secondee to accept and work within the host departments/organisations health and safety policies, procedures and guidance.

The employee continues to be paid through the Authority payroll and pension contributions deducted, as appropriate.

The employment policies of the Authority continue to apply to an employee when on secondment with an external organisation, including the Sickness Absence Policy, Disciplinary Policy, Behavioural Standards guidance and Grievance Policy.

Continuous service will continue to accrue during the secondment period.

The employee, parent department and/or host department/organisation can terminate the secondment. A notice period of one 4 weeks is to be given to all parties. This notice must be given in writing.

Any breaches of terms and conditions of the secondment policy by an employee may invoke disciplinary procedures or may lead to termination of the secondment.

18. ENSURING EQUALITY OF TREATMENT

This policy must be applied consistently to all irrespective of race, colour, nationality, ethnic or national origins, language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental, marital or civil partnership status.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly

If you require this publication in an alternative format please contact People Management Ext 6184 or email PMBusinessSupportUnit@carmarthenshire.gov.uk

This Policy is available in Welsh

DEFINITION OF TERMS

Secondment refers to a “loan” of an employee for a specified period.

An internal secondment is where an employee moves from his/her substantive post for an agreed secondment period to another post either within the individuals existing Department or to another Department within the Authority. When the fixed secondment period comes to an end the individual will resume their substantive post within his/her original Department.

An external/outgoing secondment is where an employee moves from his/her substantive post within the Authority for an agreed secondment period to a post within an external organisation to the Authority. Again when the fixed secondment period comes to an end the individual will resume their substantive post within the Authority.

An external/incoming secondment is where an employee employed by an external organisation is seconded from their substantive post for an agreed secondment period to a post in the Authority.

Seconded is the employee being seconded.

Parent Department is the department that employs the seconded prior to the secondment occurring.

Host Department/Organisation is the department/organisation to which the employee is seconded.

APPENDIX A

APPLICATION FORM FOR A SECONDMENT
Name:
Employee Number:
Department:
Position Held:
Hours Worked:
Date of commencement of Employment:
Length of secondment required:
Date you would like to begin secondment:
Checklist for Managers to discuss with employee: <ul style="list-style-type: none">- The needs of the department- The number of staff who may be absent during the period of the career break, e.g. maternity leave, long term ill-health, etc. <p>The nature of the work the employee does The cost of covering an employee's absence Alternative methods of covering the post.</p> <ul style="list-style-type: none">- The effects on managing workloads- consider current and projected workload- The notice given- Whether they will need retraining on their return- Whether a return to the same job is guaranteed- The nature of the contractual relationship during the absence
Approved/Not Approved* (delete as applicable)
Reasons for not approving:
Applicant informed of right of review: Yes/No* (delete as applicable)
Date referred to Head of Service:
Signature:
Manager Signature:
PMP signature:

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