



MEETING : LOCAL JOINT PANEL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 16 MARCH, 2016
TIME : 2.30 PM

MEMBERS OF THE PANEL

EMPLOYER'S SIDE:

Councillors E Buckmaster, L Haysey, A Jackson (Vice-Chairman) and G McAndrew

Substitutes:

G Cutting

STAFF SIDE – UNISON

Ms F Brown, Mr S Ellis and Mr A Stevenson (Chairman) Ms Caroline Wise

Substitutes: S Gray and J Francis

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting)

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes (Pages 5 - 10)

To confirm the Minutes of the meeting held on 24 February 2016

3. Chairman's Announcements

4. Declarations of Interest

To receive any Member's Declarations of Interest.

5. Reports by Secretary to the Employer's Side

(A) Alcohol Drug and Substance Misuse Policy_(Pages 11 - 22)

(B) Secondment Policy_(Pages 23 - 38)

6. Reports by Secretary to the Staff Side

There are no reports from the Staff Side

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE ROOM
27, WALLFIELDS, HERTFORD ON
WEDNESDAY 24 FEBRUARY 2016, AT 3.30
PM

PRESENT: **Employer's Side**

Councillors E Buckmaster, A Jackson and
G McAndrew

Staff Side (UNISON)

Andy Stevenson (Chairman), Ms F Brown

ALSO PRESENT:

Councillors S Cousins, I Devonshire,
J Goodeve, P Ruffles and C Woodward

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Emma Freeman	- Head of Human Resources and Organisational Development
Liz Watts	- Chief Executive

14 **SENIOR MANAGEMENT PAY PROPOSALS**

The Secretary to the Employer's Side submitted a report inviting Members to approve senior management pay proposals and to make a recommendation to Human Resources Committee, as appropriate . The Secretary to the Employer's Side submitted a summary of the report and the rationale behind the proposed changes.

In response to a query from Councillor G McAndrew

regarding the exclusion of Heads of Service from flexible working, the Secretary to the Employer's Side explained that not all Heads chose to be in the scheme, and spoke of the need for flexibility and the need for a work / life balance.

In response to a query from Councillor E Buckmaster regarding proposed payments of £5,000 to the Section 151 Officer, the Monitoring Officer and Head of Paid Service, the Secretary to the Employer's Side explained that was a reduction in the current payments made and was being proposed following market research and information received from Epaycheck, a public sector pay comparator, as detailed and an East of England Local Government Association (EELGA) survey.

Councillor A Jackson stated that the report was opportune given the proposed new restructure and addressed the spinal point pay gap anomalies. The Secretary to the Employer's Side explained that there would be no automatic increments, that pay progression would be based on performance and that measuring performance would be the subject of discussion with UNISON.

In response to queries from Councillors G McAndrew and A Jackson regarding scheduling in relation to the proposed senior management restructure, the Secretary to the Employer's Side explained when the deadline was for expressions of interest in the new posts and that successful Heads of Service would receive new contracts. In response to a question from Councillor E Buckmaster, the Secretary to the Employer's Side explained that there would be corresponding changes to PDRs by those posts affected.

The Panel Chairman stated that he felt that Epaycheck data could be viewed as biased towards more senior staff. The Secretary to the Employer's Side explained that data from Epaycheck was also used to look at pay in relation to Planners, Environmental Health and other Officers over the years and that the report was

supplemented by a body of information from other sources, including EELGA and through partnership working with Stevenage Borough Council.

Councillor A Jackson believed that Epaycheck now provided a solid basis of information on which to make decision which had not been available five years ago.

The Chief Executive reminded the Panel that the report served to present the collation of data about senior managers' pay and that pay in relation to other staff could be the subject of another discussion at another time.

The Panel Chairman stated that he was happy to see grade disparities being addressed. The Secretary to the Employer's Side said that she would welcome the opportunity to discuss pay and reward with UNISON at some future date.

The Panel Chairman queried why there was a need to make separate payments for statutory roles such as Section 151, Monitoring Officer and Head of Services. The Secretary to the Employer's Side explained that making separate payments provided flexibility within the system. She explained how the roles had historically been allocated to particular positions within the Council.

The Panel recommended to Human Resources Committee, approval of the report, as now detailed.

RECOMMENDED – that (A) the pay scales for Grade 13 be approved and pay increments for Grade 13 and Directors be made on the basis of performance rather than time served increments;

(B) the Council's S151 Officer: Monitoring Officer and Head of Paid Service be given a payment of £5,000 per year; and

(C) Officers on Grade 13 and above be restricted from participating in the Flexi-time scheme.

15 **PAY POLICY STATEMENT 2016/17**

The Secretary to the Employer's Side submitted a report requesting Members to approve the Pay Policy Statement for 2016/17 and to make a recommendation to Council via Human Resources Committee. The Secretary to the Employer's Side submitted a summary of the report, highlighting key changes. She explained that a report on the Pay Policy Statement 2016/17 needed to be annually approved and published under Sections 38 to 43 of the Localism Act 2011.

The Panel Chairman sought and was provided with clarification on the wording in relation to "does not pay any bonus" and the Council paying allowances to employees incurred in selling and moving into the area.

The Panel Chairman sought clarification that the Directors' proposed salary as detailed, did not contradict information set out elsewhere in the report. The Secretary to the Employer's Side explained that at the present time, the statutory roles sat with Directors but that the new structure proposed that these roles moved to the Heads of Services.

The Panel Chairman sought and was provided with clarification that the Head of Revenues and Benefits Services' remuneration did not contradict the report, as now detailed.

The Panel recommended to Human Resources Committee, approval of the report, as now detailed.

RECOMMENDED – that the Pay Policy Statement 2016/17, as now submitted, be approved.

16 **APOLOGIES**

An apology for absence was submitted from Councillor L Haysey

17 MINUTES

RESOLVED - that the Minutes of the meeting held on 2 December 2015 be confirmed as a correct record and signed by the Chairman.

18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman explained that it had been necessary to convene an additional meeting of the Local Joint Panel in order for Members to make verbal recommendations to the Human Resources Committee at the conclusion of the Panel meeting, in relation to the Senior Management Pay Proposals and the Pay Policy Statement 2016/17.

The Chairman stated that there were no reports from the Secretary to the Staff Side.

The meeting closed at 4.35 pm

Chairman
Date

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EAST HERTS COUNCIL

LOCAL JOINT PANEL – 16 MARCH 2016

REPORT BY THE SECRETARY TO THE EMPLOYER'S SIDE

ALCOHOL, DRUG AND SUBSTANCE MISUSE POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- Members are invited to approve the revised Alcohol, Drug and Substance Misuse Policy and to make a recommendation or not to Human Resources Committee

RECOMMENDATION FOR LOCAL JOINT PANEL:

That: Human Resources Committee be advised that:

(A)	the revised Alcohol, Drug and Substance Misuse Policy be approved
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1.0 Background

1.1 The Council's Alcohol, Drug and Substance Misuse Policy was last reviewed in 2007. The Council's programme of policy review is after three years or sooner in line with legislation and best practice.

2.0 Report

2.1 **Key Changes in the policy**

2.2 Inclusion of examples of possible signs of alcohol, drugs or substance misuse so that colleagues and/or managers can identify problems early on.

- 2.3 Clarification on the testing process should there be a serious incident at work related to misuse.
- 2.4 Sources of information and advice for employees have been updated. The Policy supports the council's Health and Wellbeing Strategy.
- 2.5 The revised Alcohol, Drug and Substance Misuse Policy can be found at Essential Reference Paper 'B'.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	<i>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</i> This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.
Consultation:	SMG and Unison have been consulted on the revised policy.
Legal:	None
Financial:	None
Human Resource:	As detailed in the policy
Risk Management:	None
Health and wellbeing – issues and impacts:	This policy aims to support the Council's Health and Wellbeing Strategy 2013-18 which states that drugs and alcohol usage affects a person's wellbeing It encourages employees to seek help if they have a problem. As detailed in the policy.

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Essential Reference Paper "B"

East Herts Council

Alcohol, Drug and Substance Misuse Policy

Policy Statement

**Policy Statement No 29 (Issue No 2) March
2016**

Policy owner: Human Resources

Date of last review: September 2007

Date of next review: March 2019

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1.0 Introduction

- 1.1 The council is committed to ensuring the health and safety of its employees at work. It also owes a duty of care to third parties (e.g. contractors, members of the public, guests and visitors) to take reasonable care to ensure that they are not exposed to risks to their health and safety because of alcohol, drug or substance misuse.
- 1.2 Alcohol, drug and substance misuse can damage the health and wellbeing of employees and have detrimental effects on personal and working lives.
- 1.3 Alcohol, drug and substance misuse becomes a matter of concern to the council when misuse interferes with an employees' work capacity, conduct, health, attendance, safety or the safety of others.

2.0 Aims and Scope of the Policy

- 2.1 The purpose of the policy is to ensure that:
 - All employees are aware of their responsibilities regarding alcohol, drug and substances at work;
 - All employees understand the dangers and harmful effects of alcohol, drugs and substance misuse;
 - The council complies with any health and safety or other legislation;
 - The council provides reasonable support and encourages employees to seek professional help and support;
 - All employees are aware that certain standards of behaviour and conduct are expected during work-related social occasions;

- Employees are reminded that being under the influence of alcohol or banned or misused substances at work is considered gross misconduct and as such will be subject to disciplinary action.

3.0 Possible signs of alcohol, drug, or substance misuse

3.1 It is very important for managers to be aware of ways of identifying employees who may have an alcohol, drug or substance dependency problem and discuss their concerns with HR.

3.2 The following are examples of the kind of symptoms which may manifest in an employee with an alcohol, drug or substance related problem. These symptoms may arise but be wholly unconnected with alcohol, drugs or substance misuse. Behaviour which gives cause for concern should be referred to the manager or HR.

- Inadequate, poor and failing performance;
- Deterioration in outward appearance and/or health e.g. lack of hygiene, unkempt appearance;
- Changes in behaviour, responses and reactions to people and situations e.g. irritability, unreasonable resentment, avoidance of manager or colleagues;
- Heightened emotional state e.g. over-reaction to real or imagined criticism;
- Increased absenteeism or patterns of absence e.g. frequent Monday or Friday absences;
- Excessive lateness at the start of the day or returning from lunch;
- Increased accidents;
- Physical symptoms such as smelling of alcohol, shaking, unable to concentrate or communicate clearly.

3.3 The above list is not exhaustive and the employee may be showing other signs that there is a problem.

4.0 Responsibility of Employees

- 4.1 Employees should ensure they are fit and safe to carry out their council duties when they are required to, including when they are on call/standby duty. This includes driving a vehicle or operating machinery;
- 4.2 Employees are required to inform their manager if they are taking any prescribed medication that may have an effect on their ability to carry out their duties safely;
- 4.3 Employees should inform their manager if they are suffering from alcohol, drug or substance misuse. All such matters will be treated in the strictest confidence and all reasonable help and support will be given;
- 4.4 It is very important that all employees do not break the law away from work which could damage public confidence in them or the council, or make them unsuitable for the work they do. Any employee charged with a drinking and driving related offence or a drug or substance misuse related offence, must inform their manager upon receipt of a court summons. Any employee cautioned or convicted of a drink, drug and/or substance misuse related offence must inform their manager immediately. Should the council discover a failure to disclose any of the above offences they will be subject to disciplinary action;
- 4.5 Employees must maintain an acceptable standard of behaviour where alcohol is available at work-related social events;
- 4.6 Where a colleague suspects an employee is suffering from an alcohol, drug or substance misuse problem, they should discuss the concern in confidence with their manager;
- 4.7 Where colleagues believe that the law has been broken at work or that serious harm may result to the employee and/or others, they should inform their manager immediately.

5.0 Responsibility of Managers

- 5.1 Managers have the responsibility to deal with potential issues of alcohol, drug or substance misuse by employees at work as a priority; treating employees sensitively. Advice should be sought from HR;
- 5.2 Managers should discuss with the employee their concerns offering support and help which may include a referral to Occupational Health. Advice should be gained from the Head of Service and HR on the type of support that is available;
- 5.3 Managers are required to discourage drink related unacceptable behaviour at work-related social events;
- 5.4 If managers believe that the law has been broken at work or that serious harm may result to the employee or others, they should seek immediate advice from HR or the Health and Safety Officer;
- 5.5 Managers are required to inform HR and their Head of Service of any employees that are suspected or have issues with alcohol, drug or substance misuse.

6.0 Responsibility of Human Resources

- 6.1 HR are available to provide support and guidance with developing options for best resolution approaches to assisting with the management of employee cases;
- 6.2 All information will be treated in strictest confidence, unless criminal acts have taken place or health and safety has been, or is likely to be, put seriously at risk. If it is judged that such information cannot remain in confidence, then the employee who disclosed the information shall be advised accordingly.

7.0 Alcohol, drug or substance testing

- 7.1 An alcohol/drugs/substance test will be carried out where the employee is suspected of alcohol, drug or substance misuse and has had any involvement in a workplace accident or in any incident that has caused or could have caused a danger to health or safety.
- 7.2 Testing may also be carried out where management has grounds to believe or suspect that an employee is or may be under the influence of alcohol, drug or substance misuse while at work.
- 7.3 Testing will be carried out by a trained nurse from Occupational Health.
- 7.4 Written permission will be required from the employee before each test is carried out.
- 7.5 Failure or refusal to complete the test will be viewed as a positive test result and the appropriate disciplinary proceeding will be implemented.
- 7.6 Any positive alcohol or drug/substance test results will be dealt with in accordance with the council's disciplinary procedure.

8.0 Sources of Information and Advice

- 8.1 Organisations offering information and advice on alcohol and drug misuse can be contacted by employees or managers in confidence. Some organisations are listed below:
 - **Alcoholics Anonymous (AA)**
Alcoholics Anonymous (AA) is a free self-help group.
www.alcoholics-anonymous.org.uk
 - **Drinkline**
Drinkline is the national alcohol helpline.
Telephone: 0800 917 8282

- **Alcohol Concern**
Alcohol Concern is a small independent charity that is committed to reducing harm from alcohol-related problems. www.alcoholconcern.org.uk
- **Talk to Frank**
Frank is a government-run organisation providing straight-talking information about drugs and advice for parents and carers. www.talktofrank.com
- **Adfam**
Adfam is a national organisation working with and for families affected by alcohol, drugs and substance misuse. www.adfam.org.uk
- **Employee Assistance Programme**
The council's Employee Assistance Programme (EAP) is available to all employees and their families and is confidential. Please view the intranet pages for EAP.
- **Alcohol and drug limits for drivers**
For information on alcohol, drug and substance limits for drivers visit: www.gov.uk/drink-drive-limit or www.gov.uk/drug-driving-law

9.0 Policy Review and Amendment

This Policy shall be reviewed after three years or sooner in line with legislation or best practice.

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 16 MARCH 2016

REPORT BY SECRETARY TO THE EMPLOYER'S SIDE

SECONDMENT POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- Members are invited to approve the revised Secondment Policy and to make a recommendation or not to Human resources Committee

RECOMMENDATIONS FOR LOCAL JOINT PANEL:

That: Human Resources Committee be advised that:

(A)	the revised Secondment Policy be approved.
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Background

1.1 The Secondment Policy was last reviewed in 2011. The council's programme of policy review is after three years or sooner in line with legislation and best practice.

2.0 Report

Key Changes in the Policy

2.1 The policy has been modernised and reorganised, making it easier to follow.

2.2 The processes for internal and external secondments have been separated and made clearer.

2.3 Managing poor performance and ending secondments early have

been clearly defined.

2.4 The process for a secondment becoming a permanent post has been added.

2.5 The revised Secondment Policy can be found at Essential Reference Paper 'B'.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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Report Author: Claire Kirby – HR Officer
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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	Unison and SMG have been consulted on the revised Secondment Policy and it has been approved by CMT.
Legal:	None
Financial:	None
Human Resource:	As detailed in the report.
Risk Management:	None
Health and Wellbeing:	None

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East Herts Council

Secondment Policy

Policy Statement

Policy Statement No 19 (Issue No 3) January 2016

Policy owner: Human Resources
Date of last review: May 2011
Date of next review: January 2019

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1.0 Introduction

- 1.1 A secondment is the temporary transfer or temporary 'loan' of an employee to another service or organisation to complete other duties, responsibilities or projects. The duties or projects covered by a secondment will have an identifiable end date. Secondments can be arranged internally and externally.
- 1.2 Secondments are becoming an integral part of the modern workplace. They benefit the organisation and are a useful learning and development opportunity. Secondment arrangements are a tool to build capacity, inject new ideas, skills and perspective into the organisation and can aid workforce planning.

2.0 Scope

- 2.1 This policy applies to:
- all employees excluding casuals,
 - all secondments taking place within the council and where appropriate, will apply to secondments outside the council

3.0 Benefits of Secondments

- 3.1 Advantages are to be gained by both the council and the employee.

For the Council:

- a) Allows the council to have a flexible and fluid workforce that can meet changing demands and direct expertise where it is most needed
- b) Assists in improving employee motivation
- b) Covers long term sickness absence, maternity leave etc.
- c) Provides a viable temporary alternative to recruitment of new employees
- d) Improves working relationships across services/specialisms and with outside partnership agencies
- e) Supports employee development and flexibility of employment
- f) Develops a multi-skilled workforce
- g) Provides a cost effective way of developing employees
- h) Aids retention of employees as they see development opportunities
- i) Supports workforce planning

For the employee:

- a) Enables employees to develop and broaden their skills and knowledge that may not necessarily be available within the service or even the council
- b) Increases motivation
- c) Broadens knowledge and awareness of the council and its partners
- d) Develops skills and knowledge with 'on the job' work experience
- e) Supports personal development and career progression as identified in the employees PDRS.
- f) Can provide a temporary alternative to redundancy

4.0 Types of Secondments

4.1 Internal secondment

Within the council a secondment will normally constitute one of the following:

Project work

A secondment is useful in resourcing short term projects, particularly specific projects with an expected duration of 3-12 months as this allows an employee to gain new skills and experiences whilst delivering an outcome on a project for the council. Secondments are seen as a career development opportunity and for this reason will initially be advertised internally. Should the internal recruitment be unsuccessful the council will look to other similar organisations to fill this role.

Temporary cover

A specific vacancy that exists on a temporary basis, such as maternity cover which would allow an employee to move to a new role and develop skills and experience over a set period of time. These opportunities should be advertised internally and if not filled, then offered through the normal recruitment processes and procedures that exist within the council.

4.2 External /outgoing secondment

Secondments with partner organisations where the council will remain the employer and therefore the employee will continue to be subject to the council's policies and procedures.

4.3 **Incoming secondments**

From partner organisations where the council is the host organisation, not the employer.

5.0 **Process and Responsibilities**

Internal Secondments

- 1) If a manager believes that they have a vacancy that would be suitable to advertise as a secondment, they should speak to HR in the first instance.
- 2) The manager must ensure that the vacancy procedure has been followed and the available post has the funding and authorisation to be recruited to. They must also ensure that the selection methods set out in the Recruitment Policy are adhered to.
- 3) Employees wishing to apply for a secondment must get approval from their manager before application. The learning and development need must be identified and recorded in the employee's PDR.
- 4) Secondments are to be encouraged. Considerations by managers when approving requests should include the costs of back filling the position; the resources available; the impact on the team, and objectives to be achieved.
- 5) If the substantive manager has any concerns that allowing a secondment will affect their service provision, this must be resolved before the secondment takes place and should be made clear in the authorisation process.
- 6) If the employee considers that they have unreasonably been denied an opportunity, they should raise the issue to HR.
- 7) Where an employee applies for, and is successful in being appointed to an internal secondment, Human Resources will ensure that the employee is sent a secondment agreement upon receipt of the signed recruitment paperwork from the host manager.
- 8) If the substantive manager chooses to backfill the secondee, this must be done on a temporary basis to ensure there is no increase in establishment.

- 9) Where the budget holder for the employee's substantive position faces the penalty of finding additional budget to cover the cost of recruiting to this position, a transfer of budget between the services might be required to offset this.
- 10) Host managers must provide an appropriate induction for the employee. PDR arrangements and development plans will be agreed with the host manager.
- 11) Substantive managers should maintain contact with the employee during the secondment regarding vacancies, training and key service messages to ensure that the employee is job ready on the return to the service.

External Secondments - Incoming

- 1) If a manager believes that they have a vacancy that would be suitable to advertise as an external secondment, they should speak to HR in the first instance.
- 2) The manager must ensure that the vacancy has already been advertised internally first as per the council's Recruitment Policy. The manager must also ensure that the selection methods set out in the Recruitment Policy are adhered to.
- 3) Once a successful candidate has been appointed, the manager should contact HR to arrange for a secondment agreement to be prepared which should be signed by all parties, the employee and relevant managers before the secondment commences.
- 4) The substantive manager is responsible for liaising with Strategic Finance and identified individuals in external organisations to ensure that the financial agreement is signed by both parties. This will be arranged on a case by case basis depending on the length of the secondment and any other relevant factors.

External Secondments - Outgoing

- 1) If an employee sees a position advertised at a partner organisation that they would like to apply for on a secondment basis then they should speak to both their line manager and HR in the first instance.
- 2) Employees wishing to apply for a secondment must get approval from their manager before application. The learning and

development need must be identified and recorded in the employee's PDR.

- 3) Secondments are to be encouraged. Considerations by managers when approving requests should include the costs of back filling the position; the resources available; the impact on the team, and objectives to be achieved.
- 4) If the substantive manager has any concerns that allowing a secondment will affect their service provision, this must be resolved before the secondment takes place and should be made clear in the authorisation process.
- 5) If the employee considers that they have unreasonably been denied an opportunity, they should raise the issue to HR.
- 6) If the employee is successful in applying for an external secondment, the substantive manager should contact HR to arrange for a secondment agreement to be prepared which should be signed by all parties, the employee and relevant managers before the secondment commences.
- 7) The substantive manager is also responsible for ensuring that HR and payroll is updated about the change of contract and for liaising with Strategic Finance and identified individuals in external organisations to ensure that the financial agreement is signed.

6.0 Terms and Conditions

- 6.1 All seconded employees will remain under the contract of employment with East Herts Council, retaining the majority of their substantive terms and conditions (except where the post to which they are seconded has a higher rate of pay and holiday entitlement); this may not include all special allowances unless relevant for the job such as, standby or other additional allowances. Continuity of employment will be protected and annual leave entitlement (where appropriate) will be adjusted accordingly for the duration of the secondment.
- 6.2 A post offered as a secondment will be offered at the grade for the post. If the grade of the seconded post is a lower graded post, the seconded employee will continue to receive the pay for their substantive post (in accordance with the protection afforded in redeployment situations).

- 6.3 All annual leave taken during the secondment period should be signed off by the host manager and annual leave applied for outside of the secondment period should be signed off by the substantive manager.
- 6.4 East Herts Council policies will apply except for external secondments.
- 6.5 The maximum period of a secondment is normally 12 months. The time frame will be agreed and clearly defined in the secondment agreement. Any extension to the time frames must be discussed and agreed by both managers involved and HR before the position is advertised. Services need to track secondments to ensure they do not continue indefinitely.
- 6.6 Generally, a minimum of six months between each secondment opportunity would apply but exceptions may be agreed in order to ensure continuity of service.
- 6.7 The substantive manager can expect four weeks' notice prior to the employee taking up the secondment.

7.0 Health & Safety and Employers' Liability

- 7.1 The host manager/organisation is responsible for all health and safety obligations for the duration of the secondment.

8.0 Indemnity

- 8.1 The host organisation will keep East Herts and the seconded employee fully indemnified against any claims which may be incurred as a result of carrying out duties for the host over the duration of an external secondment.

9.0 Conduct and Capability

- 9.1 The host manager will deal with any concerns regarding conduct and capability under the Managing Performance or any other relevant policy. The host manager must liaise with the substantive manager. If there are any concerns about work performance in the seconded post, consideration will need to be given to reverting the employee to their previous post. The host manager must ensure

that adequate training and support has been provided to the employee. For external secondments, the policies and procedures of the host organisation will prevail.

- 9.2 The East Herts Code of Conduct will apply to secondments within East Herts and the code of conduct for the receiving organisation will apply to external secondments.

10.0 Confidential Information

- 10.1 Confidential information will remain the property of the host service or organisation. The seconded employee should be aware that breaches of confidentiality will be taken seriously by the Council.

11.0 Returning to the Substantive Post

- 11.1 Secondment opportunities should generally be allowed to run their course in line with the terms of the secondment agreement. However, the substantive manager reserves the right to recall the secondee prematurely, if required in exceptional circumstances. There may also be the occasion where a secondee is not meeting the requirement of the secondment and an early return to the substantive post would be beneficial to all. The secondment agreement should stipulate an agreed notice period for all parties to notify of early termination of the secondment agreement, which should not exceed one month.
- 11.2 Secondees will have the right to return to their substantive post unless a redundancy situation arose during the period of secondment or in exceptional circumstances there is some other reason why it is not reasonably practicable to return to the original job. In such cases secondees will be fully consulted at the earliest opportunity.
- 11.3 It is recognised that in certain circumstances there may be organisational needs to fill the substantive post on a permanent basis. In these circumstances secondees must be consulted first and given the opportunity to return to their substantive post.
- 11.4 At the end of the secondment, if the employee is successful in gaining a consecutive secondment, or an extension to the secondment which takes the arrangement over 2 years, then they will no longer retain the right to return to their substantive post, but will retain their permanent employment status and in line with the

council's redeployment policy will be considered as an 'at risk' candidate for any applications made for posts at their previous substantive level or below, when their secondment ceases. HR will inform employees of the implications of extending their secondment past two years at that time.

- 11.5 When an employee finishes a secondment and returns to their substantive post, the substantive manager and employee should review the learning achieved and as service demands, allow the employee to use some part of their new knowledge or skills gained in their secondment placement if they want to.

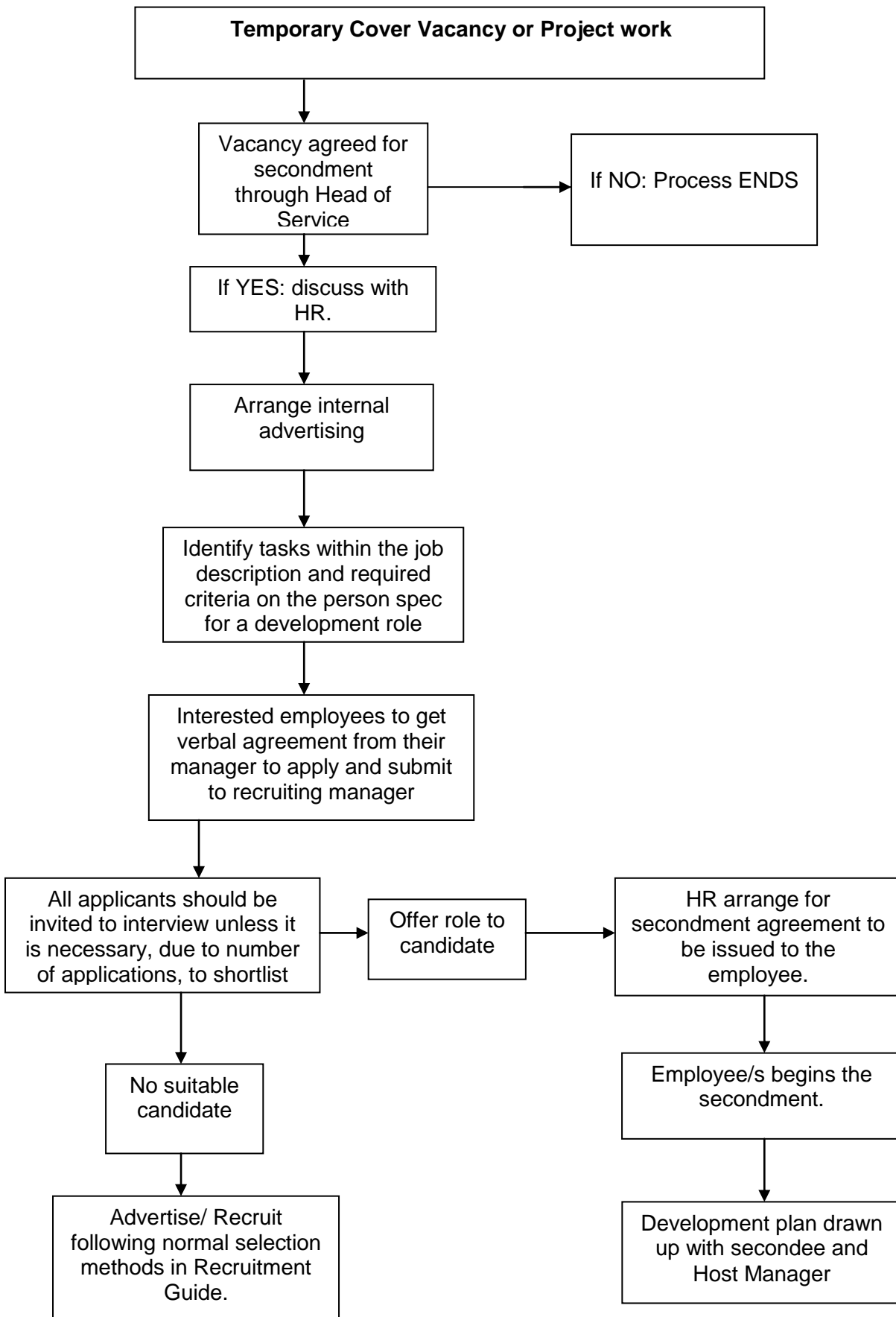
12.0 Secondment becomes a Permanent Post

- 12.1 If a secondment becomes a permanent post (for example an employee may be appointed to cover maternity and then the substantive post-holder may choose not to return to work) the post will be advertised internally unless the incumbent employee has gone through an open and fair selection procedure for the secondment as outlined in Recruitment Policy, then they may be made permanent without advertising the post again.

13.0 Policy Review

- 13.1 This policy shall be reviewed after three years or sooner, in line with legislation and best practice to reflect the best possible level of support and management.

Secondment Flow Chart – Internal Secondments



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