

APPENDIX 3

Policy Name	Recruitment and Induction
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1.0 Purpose and Scope

- 1.1 The aim of this policy is to ensure that the council selects and appoints staff with the right skills for the job through a fair and consistent recruitment and selection process, that is non-discriminatory, complies with legislation and follows good practice.
- 1.2 The procedure covers the following kinds of appointments:
- Permanent and fixed-term contracts
 - Temporary agency staff appointments
 - Appointments to casual staff bank
 - Internal transfers
- 1.3 East Herts Council has a responsibility to ensure safer recruitment and employment practices. All staff are checked appropriately before they start employment, including where applicable a Disclosure and Barring Service (DBS) check. The council is committed to taking all reasonable steps to prevent unsuitable people working with vulnerable adults, children, and young people.

2.0 Equality and diversity

- 2.1 All applicants are treated equally during the recruitment process and that only those factors related to the vacancy to be filled will be used to make selection decisions. The council will take no account of gender, marital status, carer commitment, sexual orientation, disability, ethnic or national

origin, religious or political belief, age, colour, race or socio-economic background. The council undertakes not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.

- 2.2 The council will support applicants with disabilities through the Disability Confident Scheme and is committed to interviewing all candidates who meet the essential criteria for a job in line with the scheme. The council will also make reasonable adjustments to accommodate applicants and employees with disabilities.
- 2.3 The council's recruitment pages will include a set of varied staff case studies that demonstrate diversity in our workforce to help attract and welcome applications from a wide range of candidates.

3.0 Agency Workers/Consultants

- 3.1 The use of temporary agency workers to cover vacancies in the short-term must be authorised within budget by the Service Manager/Head of Service.
- 3.2 All agency workers should be engaged using the Matrix SCM framework/system to ensure best value in terms of agency fees and potential conversion costs. The manager (with support from HR) will make the arrangements to take on agency workers and will ensure that appropriate pre-employment checks have been undertaken by the agency concerned. All agency workers must be subject to a process of interview and testing appropriate to the length of the assignment to ensure they have the appropriate skills and competences to do the job properly.
- 3.3 The use of consultants may be appropriate where the work is of a highly skilled and fixed-term nature and it is unlikely the

council will be able to recruit an employee on the council's pay and grading structure to complete the work. The relevant HR Officer should be consulted before it is decided that a consultant should be engaged to ensure all other options have been considered.

- 3.4 Before engaging a consultant, managers must liaise with their HR Officer to complete the HMRC 'employment status for tax' questionnaire. The questionnaire will determine whether the individual falls under the IR35 regulations. The IR35 regulations apply where someone provides their services via an intermediary but would be an employee if they were providing their services directly. Where IR35 applies, the council has an obligation to inform the individual that they fall under the regulations and their tax and National Insurance (NI) contributions must be deducted at source through the payroll.
- 3.5 IR35 can apply to individuals working through agencies, umbrella companies or those with their own limited companies. IR35 cannot apply to sole traders as there is no intermediary but HMRC can class some sole traders as 'employed for tax purposes' and tax and NI must also be deducted at source through the payroll for these individuals.
- 3.6 IR35 status is already applied to roles on the Matrix SCM so the 'employment status for tax' questionnaire does not need to be completed for agency workers.
- 3.7 Agency workers and contractors may apply for internally advertised vacancies at the council however to do so they must complete the external application form.

4.0 Volunteers

4.1 If a recruiting manager would like to use volunteers in their service, they should refer to the Volunteering Policy for further guidance.

5.0 Secondments (Internal and External)

5.1 Secondments are a temporary arrangement to fill a post and can be used as a learning and development opportunity for employees. Please see Appendix B for further details.

6.0 Review of vacancies and job documentation

6.1 Every new vacancy will be subject to a review of the council's needs in the area by the line manager with support and guidance from the HR section.

Management will consider:

- Whether it is necessary to fill the vacancy.
- Whether the job description has changed.
- Whether changing work patterns, organisation or technology have produced a different job, or the work can be distributed in a different way.
- The nature of the replacement, e.g. full-time, part-time, permanent, temporary, etc.

6.2 If the job has changed the manager should update the current job description and person specification. Where there are significant changes to the job description and person specification, a job evaluation process should be considered and managers should contact their HR Officer.

- 6.3 For brand new posts, recruiting managers will need to write a job description and person specification and submit it to HR for job evaluation.
- 6.4 In line with Safer Recruitment and the Council's commitment to Equality and Diversity all Job Descriptions and Person Specifications will include the following criteria:

Job Description:

Ensure awareness of the council's Safeguarding Policy and take a proactive approach to ensure the safeguarding of residents at all times.

Person Specification

The council is committed to safeguarding and promoting the welfare of all its residents specifically children and vulnerable adults. The council expects all its staff to have an understanding of Safeguarding and to share this commitment.

An understanding of and commitment to diversity and equality as it applies to council services and employment.

- 6.5 Before recruiting to any post, recruiting managers need to seek the appropriate approval using a Recruitment Request Form. If the vacancy is for the same job and does not increase the service's budget or headcount, the recruiting manager should complete the first page of the form and obtain a signature from the Head of Service, and where required, Leadership Team, e.g. during a recruitment freeze or in relation to a restructure.
- 6.6 If the vacancy requires additional funding and/or increases the service headcount, the recruiting manager should discuss how the post will fit into the structure and how it will be funded with both the finance team and HR and then complete both

pages of the form before seeking approval to recruit from Leadership Team.

- 6.7 In cases of a service restructure, requests to recruit should be 'packaged up' so that the leadership team can see the overall picture of a restructure rather than a piecemeal approach.

7.0 Means of recruitment to vacant posts

- 7.1 **The decision on how a vacant post is to be recruited to** Posts will normally be advertised internally and externally to ensure diversity of applications, however internal only advertising will be considered where appropriate and this decision will be recorded on the recruitment request form. The decision will be guided by a number of considerations, including the following (Heads of Service should seek support from HR to ensure consistency):

- First and foremost, the most appropriate and cost effective manner to successfully attract the most suitable candidate.
- The range and level of skills, experience and competences required by the post.
- Fairness, diversity and equality of opportunity.
- The council's commitment to staff development.

- 7.2 **Sources of recruitment** may include any of the following, but no permanent appointment will be made without an appropriate selection process to ensure the quality of the appointment, fairness, diversity and equality of opportunity:

- Online recruitment advertising
- Internal advertising
- Press advertising

- Recruitment agencies
- Approaches to known potential candidates (who may include ex staff and reserve candidates from previous recruitment campaigns within the last 6 months).

7.3 **Vacant posts lasting longer than 6 months** will normally be advertised both internally and externally, provided that budgetary resources for external advertising are available. Exceptions to this, where the post might be advertised internally in the first instance, would include the following (this list is not exhaustive):

- Where redundancies are being made and the council is seeking to redeploy staff (temporary and fixed-term vacancies may also be offered as options). In this situation, consideration will be given to redeploying existing staff into another suitable vacant post subject to fair selection being carried out. (The separate Reorganisation and Redundancy Policy applies).
- Where it is decided that a post would provide a suitable internal development opportunity for existing employees. Whether or not a post is suitable as an internal development opportunity will be decided by the Head of Service (or Leadership Team for a new post) with advice from HR through the Recruitment Request Form, taking into account the views of line managers, on the basis of:
 - a) judgements as to whether there are internal candidates who are likely to be able to demonstrate the necessary skills and competences for the post. These judgements would be based on objective knowledge of previously demonstrated skills, competences and experience obtained via the council's normal performance management processes.

b) diversity/equality considerations, taking into account the make up of the organisation as a whole and our commitment to diversity and equality.

- Where an employee has been acting up in/on secondment to a post on a temporary or casual basis which then becomes available on a longer-term or permanent basis, and that employee has been (a) covering the post or additional responsibilities for at least 3 months and has (b) been fully assessed as having met their performance objectives and competence requirements during the period. In such circumstances the invitation to apply for the post may be ring-fenced to the individual employee in the first instance.

7.4 **Casual Staff:** The council maintains a bank of casual workers who are paid on an hourly basis for ad hoc and short term assignments. The council is under no obligation to offer work and the worker is under no obligation to accept work. Where the person has not previously been through a selection process they should normally be interviewed by the line manager to determine suitability. Before a person is added to the casual bank and offered any work the required pre-employment checks must be undertaken.

7.5 **Reserve candidates** Where a post/similar post has been advertised in the previous 6 months and suitable reserve candidates were identified as part of that recruitment process these candidates can be contacted and asked if they would like to be considered for the role. In this case the role would also be advertised internally as well but not always externally.

7.6 **Fixed term contract posts of 6 months or less:** Where a fixed term contract vacancy arises (e.g. to cover for long-term absence or due to limited funding etc.) and it is expected to

last for 6 months or less the post can be filled in the following ways:

- By advertising the post internally where the vacancy can be seen as suitable development opportunity (either within a specific team where appropriate or council-wide) and then offered as internal secondment. Where applicable the cover for the secondment can then be considered in the first instance from the casual employee bank. Please see Appendix B for further guidance on secondments.
- By offering it as an acting up opportunity for an existing member of the team
- Using agency staff
- Using the council's casual bank
- Through speculative applications
- By advertising internally and externally (external may be restricted to previous applicants being approached alongside internal)

Whatever method is used, it must be agreed by the Head of Service with support from HR to ensure consistency.

7.7 Internal transfers: Nothing in this policy shall prevent a member of Leadership Team temporarily or permanently filling a post by means of internal transfer where:

- a vacant post is similar in its content and on the same salary grade or lower as that currently held by an employee, with the same or similar person spec criteria, in another team or division, and/or
- where management decide that transfer is in the best interests of the organisation or the employee. This may be decided as a consequence and in line with other procedures or processes – e.g. disciplinary, capability or sickness – or for operational or other reasons

An employee wishing to be considered for a transfer should email HR and the relevant manager.

- 7.8 **Safer Recruitment** The council's online recruitment pages contain the following statement:

East Herts Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff to share this commitment.

All external advertisements contain the following statement where the post falls within regulated activity:

This post is subject to an enhanced DBS disclosure and barring list check as it is within regulated activity due to the nature of the post.

8.0 The application process

- 8.1 The person specification will comprise a list of criteria (qualifications, experience, knowledge, skills, specific job requirement and competences) required to fulfil the requirements of the job. Candidates will be assessed on their ability to meet these criteria. The job description and person specification will be made available to all candidates for the role. All documentation should be checked for equality impact implications by the recruiting manager with HR support. All information must be available in an appropriate accessible format on request.
- 8.2 Applicants may be given the choice of either completing a full application form or submitting a CV accompanied by reduced application form and a written statement evidencing the applicant's skills and past achievements against the person

specification for the post. The application form requires applicants to outline any gaps in employment and provide explanation of these gaps, this can then be further explored at interview if appropriate. Applicants are also required to provide the reason for leaving a post again in line with 'Safer Recruitment' practice. Applicants are required to declare any unspent or spent (in certain cases) criminal convictions or allegations so these can be considered by HR who will action in line with the Policy Statement on the Recruitment of Ex-offenders.

- 8.3 Internal applicants will be required to complete an internal application form evidencing their skills and past achievements against the person specification for the post.

9.0 Selection panel

- 9.1 The panel will normally consist of at least two persons and be chaired by the line manager or an appropriate manager. The panel may include an external specialist where appropriate. In the case of short-term agency appointments the line manager may complete selection alone.
- 9.2 The council will aim to ensure all staff involved in recruitment have received training or adequate briefing. Staff will be supported by the HR section to operate a fair and transparent selection process. The Chair of the recruitment panel or at least one member of the Panel is required to undertake Recruitment Training or a Briefing with HR prior to their first recruitment at East Herts. This should cover EHC processes including Equality and 'Safer Recruitment' to ensure that the selection process is probing to ask questions in respect of areas of concern and ensure that suitable people are selected.

9.3 Efforts should be made, where possible, to achieve diversity of representation on the interview panel and/or as part of the selection process (e.g. meet the team) .

9.4 It will be the responsibility of the Chair of the panel to:

- Ensure that there are proper arrangements for the administration of the recruitment and selection process.
- Ensure that appropriate questions and tests are designed for the panel's approval.
- Complete and collect full documentation on the panel's decision-making from the shortlisting and interviewing stages and ensure it is sent to the HR section to be stored centrally for purposes of feedback or response to any claim of unfairness or discrimination.

10.0 Shortlisting

10.1 Shortlisting will be carried out with the aim of assessing objectively, against the person specification for the post, which applicants seem to meet the criteria most closely. Any gaps in employment should be noted to probe further at interview in line with Safer Recruitment. Shortlisting will normally be carried out by the people who constitute the interview panel. They will discuss their individual assessments with a view to reaching a consensus on the most suitable candidates for interview. This will be recorded on the shortlisting grid provided by HR and must be returned to HR at the end of the selection process.

10.2 The recruiting manager should invite the shortlisted applicants to an interview using the template. They should also ask applicants if they need any reasonable adjustments at the interview.

10.3 Recruiting managers should contact unsuccessful *internal* applicants and provide feedback if requested. For *external* applicants, the council's website states that if they haven't heard within 3 weeks of the closing date they should assume they've been unsuccessful.

11.0 Interview and tests

11.1 The assessment will consist of an interview and, in some cases, further exercises and tests relevant to the job requirements.

11.2 All interviews will be conducted on an objective basis, concentrating on the knowledge, skills and abilities of the applicant and their ability to fulfil the job requirements. Questions asked of the applicant will relate to the requirements of the job only and their abilities to undertake them. Any gaps in employment or short-term employment periods should be probed at interview in line with Safer Recruitment (please see Appendix A for guidance).

11.3 The recruiting manager should make the candidate feel at ease and carry out introductions:

- They should also explain the format of the interview and selection process, making it clear that there will be an opportunity for the candidate to ask questions at the end.
- If a job involves working unusual hours or shift work, these hours should be clearly set out in the job description and if necessary, discussed at the interview.
- Practical issues may be discussed during the interview, but comments about childcare, other domestic arrangements, disability, gender (including marital status), age, religion, ethnic origin, socio-economic group or sexual orientation must be avoided. Such comments may well be taken as being intrusive or maybe unlawfully discriminatory.

- Where a candidate has a disability for which adjustments may need to be considered, the candidate's requirements should be discussed with him/her once the planned questioning is complete.
- Candidates should be told by the Chair when they could expect to hear the outcome of the interview.
- Candidates must be given an opportunity to ask any questions of the panel.

11.4 Each panel member should take notes during the interview using the Interview Assessment Sheet. The panel should collectively agree the scores for each applicant and record them on the panel chair's interview assessment form. The chair can also use the last section of the form to summarise the applicant's overall performance to use for feedback purposes. The panel will select the applicant who is the most suitable overall against the person specification. The interview assessment sheet must be returned to HR, candidates will not be provided with a conditional offer in writing until this has been received.

11.5 The panel will discuss which, if any, of the other candidates is most appointable as an alternative if the first choice candidate declines the post or is unable to satisfy the pre-employment checks which include providing suitable and satisfactory references. Where another suitable candidate is identified as appointable, the candidate may be contacted as a reserve candidate and some pre-employment checks may begin.

11.6 All offers will be made subject to the receipt of satisfactory references, right to work evidence and medical clearance. For relevant posts, offers will be made subject also to relevant DBS checks.

11.7 If no appointable candidate is identified, the chair of the panel should discuss with HR the next steps to be taken. Options

may include reviewing the job description, person specification and job grade/conditions; re-advertising; approaching recruitment agencies; re-designing the job as an appropriate internal opportunity.

12.0 Informing the candidates

- 12.1 A member of the panel, normally the chair, should contact the successful candidate at the earliest opportunity to make the offer of the post – always stating that the offer is subject to references that are satisfactory to the council, medical clearance, right to work checks and any DBS checks, and any other information that might come to light during the referencing period.
- 12.2 Recruiting managers should then complete a Statement of Employee Particulars form and send it to HR. HR will email a conditional offer letter and a contract detailing the terms and conditions of employment to the applicant. HR will obtain pre-employment checks. Identity, Right to work in the UK, Qualifications, Medical fitness, Employment History, Employment/educational references are required for successful candidates who are given a conditional offer whilst these checks are undertaken. Full references rather than statement of facts are sought wherever possible. Disclosure and Barring Service (DBS) checks must be sought where employees have substantial or regular or unsupervised contact with children, young people or adults at risk as part of their duties or responsibilities for or on behalf of the organisation.
- 12.3 Once the pre-employment checks are received, HR will contact the recruiting manager to approve them. Once approved, the recruiting manager should contact the applicant to agree a start date and inform HR. Where a DBS disclosure has not been received before a candidate is due to start employment then a Risk Assessment will be undertaken by the recruiting

manager with HR support and authorised by the Chief Executive Officer (or in their absence the Deputy Chief Executive Officer) to ensure that it is appropriate for the candidate to start work. All other pre-employment checks should be complete to inform this risk assessment. The offer of employment will remain conditional on the outcome of the DBS check. Please see Appendix A for further information on Safer Recruitment.

- 12.4 Recruiting managers are responsible for informing unsuccessful applicants in writing and offering feedback if requested. It may be necessary to delay this in the case of any suitable runner(s) up until the first choice of candidate has confirmed their acceptance of the post.

13.0 Starting salary

- 13.1 Each job is advertised with the relevant salary range. Applicants should be offered the post on basis of starting on the beginning of the scale unless previous earnings and/or skills and experience warrant consideration to start above the bottom point within the range; any proposal to offer the candidate above the starting point within the agreed range must be agreed and approved by the Head of Service in consultation with the Head of HR and OD or in their absence an HR Officer (to ensure consistency).

14.0 Feedback for unsuccessful candidates

- 14.1 The methodical approach adopted for assessment will enable the panel to offer comprehensive feedback to all candidates, if requested. The chair of the panel will normally undertake this. Feedback should identify where the panel recorded clear evidence of the applicant's strengths and weaknesses. Feedback may be given orally or in writing. Where given orally,

the giver of feedback should forward brief notes of the conversation with the candidate to the HR team.

15.0 Documentation

- 15.1 Recruiting managers should send all recruitment paperwork (i.e. shortlisting and interview documents) to HR.
- 15.2 The application and panel notes of the selection process for the successful candidate will be kept on their personnel file.
- 15.3 The application and panel notes of the selection process for all applicants will be kept in HR for 12 months in case of litigation, and will then be destroyed/deleted.
- 15.4 The staff annual equalities report will be produced for the Leadership Team and HR Committee in respect of equal opportunities monitoring so that trends can be analysed and action agreed where appropriate.

16.0 Eligibility to remain and work in the UK

- 16.1 To ensure that the council follows employment and immigration legislation as detailed in the Asylum and Immigration Act 1996, if candidates receive a conditional offer of employment, they will be required to provide suitable document(s) which confirms their eligibility to remain and work in the UK. Suitable documents may include, but are not limited to a passport, full birth certificate, work or residency permit or suitable correspondence from the UK Home Office. The exact details of the documentation that may be accepted will be given to candidates. Copies of these documents will be taken and retained for the appointed candidate before they start employment with the council.

17.0 Work permits and visas

- 17.1 A sponsorship licence is required to employ someone from outside the UK. This includes citizens of the EU, Iceland, Liechtenstein, Norway and Switzerland who arrived in the UK after 31 December 2020. The council **does not** have a sponsorship licence and therefore cannot employ anyone outside of the UK, apart from certain exceptions. The council will need to abide by this restriction when recruiting to posts.
- 17.2 Settled workers can work in the UK without restrictions and therefore they do not need to be sponsored and can be employed by the council.

A 'settled worker' is any one of the following:

- a British citizen
- an Irish citizen – unless they are subject to a deportation order, an exclusion order, or an international travel ban
- a European Economic Area (EEA) national who arrived in the UK before 11 pm on 31 December 2020 (and their eligible family members), provided they apply for status under the EU Settlement Scheme by 30 June 2021 and that application is granted
- a person with leave to remain (settled or pre-settled status) under Appendix EU (the EU Settlement Scheme)
- a British overseas territories citizen, except for those from sovereign base areas in Cyprus
- a Commonwealth citizen (including a citizen of Zimbabwe) who has been granted permission on the UK Ancestry route on the basis they have a grandparent born in the UK and Islands
- a Commonwealth citizen (including a citizen of Zimbabwe) with the right of abode in the UK
- anyone who has indefinite leave to enter or remain (settlement) in the UK

Sponsorship is also not required for workers who either:

- has immigration permission to be in the UK which does not prevent them from doing the work in question – examples include, but are not limited to:
 - a person with permission under Appendix FM to the Immigration Rules as the partner of a British citizen or settled person can take any kind of employment
 - a person with permission as a Student may be allowed to work for 10 or 20 hours per week during term-time, depending on the type of course they are following. A student with permission can also work full time in their breaks.
- is exempt from requiring permission – for example:
 - a diplomat, government official or senior official of an international organisation – see ‘Exempt from immigration control’ on GOV.UK
 - an EEA national who qualifies as a frontier worker

18.0 Induction

- 18.1 All new employees to the council will be required to attend a corporate induction, which may be held virtually or face to face.
- 18.2 Managers should also arrange a local induction with the new starter (including agency workers and contractors). The induction checklist should be followed which will cover practical information (such as building orientation, health and safety, and information about systems, policies and procedures), an understanding of the council’s values and culture, alongside job specific information (including department information, discussion about what the job requires and objectives), and an introduction to the wider team.

- 18.3 Managers can seek a volunteer to act as the new starter's 'buddy'. A buddy can be someone who works within the same service or in a different service to the new employee who can help ease them into their role by e.g. taking them for lunch on their first day, introducing them to colleagues, showing them where things are. The buddy will not take on those more formal responsibilities usually undertaken by the manager or HR during the induction process.
- 18.4 There is no formal training required to become a buddy, just a willingness to take on the extra responsibility, good communication skills and availability.
- 18.5 For further information on induction, including useful information for new starters to read, please refer to the intranet.

19.0 Implementation, monitoring and review of this policy

- 19.1 The HR service have the responsibility for implementing and monitoring this policy, which will be reviewed in line with legislation and best practice.

Safer Recruitment Interview Guidance

Asking Probing Questions

We use probing questions in order to get a better and deeper understanding of an individual's situation and experience. These can be divided into the following areas:

- Clarification
- Purpose
- Examples
- Extension

Clarification

When they are vague or have not given enough information, seek to further understand them by asking for clarification.

What exactly did you mean by 'XXX'?

What, specifically, will you do next week?

Could you tell me more about YY?

Purpose

Sometimes they say things where the purpose of why they said it is not clear. Ask them to justify their statement or dig for underlying causes.

Why did you say that?

What were you thinking about when you said XX?

Examples

When they talk about something vaguely, you may ask for specific examples. This is particularly useful in interviews, where what you want is to test both their truthfulness and the depth behind what they are claiming.

Sorry, I don't understand. Could you help by giving an example?

Could you give me an example of when you did XXX?

Tell me about a time when you ___.

Extension

When they have not given you enough information about something, ask them to tell you more.

Could you tell me more about that, please?

And what happened after that?

Secondment Guidance

1.0 Definition and types of secondment

- 1.1 A secondment is defined as the temporary transfer of an employee to another part of the same organisation or to a different organisation for a set period of time, which is agreed between both parties.
- 1.2 **Internal secondments** could include project work or temporary cover, for example to cover maternity leave.
- 1.3 **External secondments** could include within another public sector organisation (e.g. County Council, Police and Health authorities) or to other not for profit organisations or private companies. The council remains the employer. **The council will not normally support full-time external secondments to other organisations but may consider partial secondments.**
- 1.4 **Incoming secondments** are where employees from partner organisations join the council on a temporary basis where the council will be the host rather than the employer.

2.0 Scope

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

3.0 Approval

- 3.1 The substantive manager of anyone wishing to apply for an internal secondment must have given approval to the member of staff concerned by signing the internal recruitment application being submitted.
- 3.2 If an employee wishes to apply for an external secondment they must discuss this with their manager and get their approval before submitting an application.
- 3.3 If the employee considers that they have unreasonably been denied an opportunity, they should speak to their Head of Service.

4.0 Timescales

- 4.1 Secondments will normally be for a period of between 3 months and a year depending on circumstances. The time frame will be agreed and clearly defined in the secondment agreement. An extension to the secondment time frames must be discussed and agreed by both managers involved and Human Resources. Services need to track secondments to ensure they do not continue indefinitely.
- 4.2 The substantive manager can expect a minimum of 4 weeks' notice prior to the secondee taking up an internal secondment. External secondments will require notice in line with the contract of employment.
- 4.3 Generally, a minimum of six months between each secondment opportunity would apply but exceptions may be agreed by the substantive manager in order to ensure continuity of service.

5.0 Terms and Conditions

- 5.1 East Herts policies will apply except for employees who are seconded externally who will be subject to the host organisation's policies.
- 5.2 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 be placed at the top of the relevant grade.
- 5.3 All East Herts seconded staff 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.
- 5.4 All annual leave taken during the secondment period should be signed off by the secondment manager and annual leave applied for outside of the secondment period should be signed off by the substantive manager via email and then processed in the HR system.
- 5.5 PDR arrangements and development plans will be agreed with the host manager.
- 5.6 Employees who are seconded have a requirement to keep in touch with their substantive manager and vice versa, to ensure the employee is job ready when they return.
- 5.7 HR will confirm all secondments in writing to the employee, including written confirmation of the terms and conditions that will apply during the secondment.

6.0 Conduct and Capability

6.1 The host manager (internal) 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 partial secondments to an external organisation, East Herts policies will still apply. Where an employee is seconded full-time to an external organisation the policies and procedures of the host organisation will prevail. However, as stated in section 1.3, the council will not normally support full-time external secondments.

6.2 The East Herts Code of Conduct will apply to secondments within East Herts and partial external secondments. For full-time external secondments the code of conduct for the receiving organisation will apply.

7.0 Returning to the Substantive Post

7.1 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.

- 7.2 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.
- 7.3 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.
- 7.4 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.