



SECONDMENT, ACTING UP AND JOB SHARE POLICY

Policy reference –HR05

SUMMARY	This policy facilitates the secondment of the Organisations staff both internally within the Organisation and externally within the wider NHS and exceptionally with other non NHS Bodies. It is also designed to encourage staff from external organisations to take up a secondment where available within the Organisation, for the mutual benefit of both organisations.
AUTHOR	Human Resources
VERSION	Version 3 - FINAL
EFFECTIVE DATE	3 rd July 2017
APPLIES TO	Single shared management policy revised, amended and applicable to all NHS Airedale, Wharfedale and Craven, Bradford City and Districts CCGs employees
APPROVAL BODY	Senior Management Team of the CCG
RELATED DOCUMENTS	Annual and Special Leave Policy Grievance Policy Maternity, Adoption and Shared Parental Leave Policy Organisational Change Policy Recruitment and Selection Policy
REVIEW DATE	July 2020

CCGs working together

Airedale, Wharfedale and Craven CCG
Bradford City CCG
Bradford Districts CCG

THIS POLICY HAS BEEN SUBJECT TO A INITIAL EQUALITY IMPACT ASSESSMENT

VERSION CONTROL SHEET

Version	Date	Author	Status	Comment
Draft	January 2014	Alison Ewart	HR Lead	The EIA has been supplied to the Equality and Diversity Team
Draft	January 2014	Alison Ewart	HR Lead	Consultation with the Trade Unions via the Collaborative Social Partnership Forum
Final	March 2014	Alison Ewart	HR Lead	Ratified
Final	June 2014	Alison Ewart	HR Lead	SMT (previously approved at SMT on 14 th October 2013)
Revised	July 2015	Tazeem Hanif	HR Lead	Amendments made to the policy and taken to the West Yorkshire HR Policy Sub Group on 04.08.2015 to consult on changes.
Final	02.12.2015	Tazeem Hanif	HR Lead	Ratified at the Social Partnership Forum
Draft	28.06.2017	Tazeem Hanif	HR Lead	AWC CCG and Bradford City and Districts policies merged to reflect single shared management arrangements. Change in logo and front sheet, part 1 – 1.2, part 2 – 1.1, 2.1, 2.3, 2.4, 2.6, 3.0, 4.3, 4.4, 10.1, 11.1, 11.2, 13.0 and 14.0 Amended policy consulted with Trade Unions at the HR Policy Workshop and comments incorporated.
Final	03.07.2017	Tazeem Hanif	HR Lead	Ratified at SMT

CONTENTS

Section	Topic	Page Number
Part 1.		
1.0	Policy Statement	Page 4
2.0	Equality Statement	Page 4
3.0	Monitoring, Review and Consultation	Page 4
Part 2.		
1.0	Principles	Page 5
2.0	Procedure for Internal Secondments	Page 5
3.0	Procedure for External Individuals Undertaking Secondments with the CCG	Page 6
4.0	Procedure for the Secondment of Staff to External Organisations	Page 7
5.0	Procedure for Acting Up	Page 9
6.0	Procedure for Job Share	Page 11
	Appendices	
	Appendix 1 - The Secondment Process for CCG Employees	Page 13
	Appendix 2 - Equality Impact Assessment	Page 15

PART 1

1. POLICY STATEMENT

- 1.2 The purpose of this policy is to set out the CCGs procedure on handling Secondments, Acting Up and Job Share within the context of assisting with individual development needs as a result of an appraisal or a specifically requested project work where specific skills or specialist knowledge are required.
- 1.3 This Policy will apply to all employees within the Organisation.

2. EQUALITY STATEMENT

- 2.1 In applying this policy, the Organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation.

3. MONITORING, REVIEW AND CONSULTATION

- 3.1 The policy and procedure will be reviewed periodically by Human Resources in conjunction with managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.
- 3.2 The implementation of this policy will be audited on an annual basis by the Senior Management Team of the organisation.
- 3.3 The HR Policy Workshop which is composed of management, staff side and HR representatives considers all draft HR policies and guidance. All members have the opportunity to make comments and suggestions on the document content which is debated within the group and amendments made and agreed.
- 3.4 The CCGs Senior Management Team and/or other relevant Committees ratify the final HR policies. The role of the Staff Partnership Forum is to discuss and minute the policies and procedures that are submitted to the HR Policy Workshop.

Part 2

1.0 PRINCIPLES

- 1.1 A secondment will be applied when there is a need to complete a specific task/assignment or project, or as a development opportunity to benefit both the employee and the service. A job description and person specification must be drawn up prior to the advertisement of the secondment and must be evaluated in accordance with the agenda for change job evaluation handbook which will determine the pay band for the secondment.
- 1.2 Secondment requests will be considered in line with business needs and may be refused on that basis.
- 1.3 Staff who enter into an external secondment agreements will be asked to sign a secondment agreement outlining the terms and parameters of the secondment in advance of the secondment starting and/or any pre-employment checks requested by the receiving organisation.
- 1.4 Any individual who agrees to undertake a secondment will be expected to keep any information, which may be made available to them as a direct result of the secondment, (e.g. personnel, salary, business sensitive information) confidential.
- 1.5 Employees on secondment with an external organisation will retain all of their continuity of service rights with the employing organisation
- 1.6 Staff who undertake a secondment will be entitled to return to their substantive post on completion of the secondment. Should the substantive post be subject to organisational change this will be dealt with in line with the normal Organisation procedure and the Organisational Change Policy.
- 1.7 The duration of a secondment will vary depending on the circumstances. However the minimum is 3 months and a maximum 12 months with exceptions to be arranged with the relevant line manager and support from Human Resources.
- 1.8 Guidance and support will be provided to line managers in the implementation and application of this policy

2.0 PROCEDURE FOR INTERNAL SECONDMENTS

- 2.1 Where a department within the Organisation identifies that a secondment opportunity exists, consideration should be given to the length of the secondment, any training required and the skills set or specialist knowledge required of staff undertaking the secondment. All parties must be clear as to the objectives of the secondment and what the benefits are.
- 2.2 Depending on the nature of secondment, the vacancy will either be advertised in line with the organisation's Recruitment and Selection policy, or, a request will be made directly to the relevant department if the secondment requires specialist skills or knowledge.

2.3 There is no explicit obligation on the manager to release an individual but proper consideration should be given to such a request. Any refusal to allow an individual to uptake a secondment opportunity should be carefully considered and the potential long term benefits to the Organisation should not be overlooked. An explanation should be given to the employee if a request is turned down and the following considerations taken into account:-

- The impact on the service
- How the service will be covered during the secondee's absence
- Duration of the secondment
- The right to return to their substantive post or a post of an equivalent level
- Skills and experience gained by the individual which may be useful when returning from the secondment
- Individual's appraisal and development plan

2.4 Once agreed, the line manager will liaise with the departments to facilitate an agreement and agree what parameters will be applied to it. The line manager will then liaise with the HR representative to discuss the details of the secondment agreement and completion of paperwork.

2.5 If the secondee is from an external organisation, the individual's line manager will liaise with the organisation to facilitate an agreement and agree the parameters involved, detailing very clearly the agreed funding arrangements. The individual's line manager will then liaise with the HR representative to develop the secondment agreement and check for pre-employment checks.

2.6 A secondment can at any time be terminated by any party providing that four weeks written notice is given.

3.0 PROCEDURE FOR EXTERNAL INDIVIDUALS UNDERTAKING SECONDMENTS WITHIN THE CCGs

3.1 Where the secondment cannot be filled within the CCG, it may be necessary to advertise the secondment externally. When an individual applies who is not a CCG employee, the Recruiting Manager must consider that:

- *The individual has discussed this opportunity with their original line manager and employer and that they are supportive of these arrangements.*
- *The individual understands that on completion of their Secondment they will return to their existing employer.*
- *If successful for the Secondment, the individual will remain an employee of their original employer and not of the CCG.*

As it may not be possible to meet with the individual prior to the Secondment interview, the appointing manager must ensure that notes from the interview detailing the above are placed on the employee's personal file.

The salary paid to the individual will be that as determined by Agenda for Change evaluation.

A Secondment Agreement will be sent out to the successful applicant from their Employer and a copy supplied to the Human Resources team. Human Resources will share the Secondment Agreement with the CCGs Finance department to inform them of the individuals Secondment into the CCG, and to enable the payment of invoices for the applicants salary recharges plus any on costs.

All successful seconded applicants to the CCG must undertake the CCGs local induction, this will be arranged with the recruiting manager and organised by Human Resources.

4.0 PROCEDURE FOR THE SECONDMENT OF STAFF TO EXTERNAL ORGANISATIONS

- 4.1 Where an individual manager is approached by an external organisation regarding a secondment opportunity for an employee, advice should be sought from the HR representative. If the secondment is feasible, the line manager will facilitate the agreement between all parties involved, and then liaise with the HR Representative to develop the secondment agreement.
- 4.2 Where an employee wishes to pursue a secondment opportunity with an external organisation they should approach their manager or put in writing, indicating that they wish to apply for an external secondment.
- 4.3 The Line Manager and employee will need to take the following into consideration before anything is agreed:-
- The impact on the service
 - How the service will be covered during their absence.
 - The duration of Secondment.
 - The skills and experiences the individual will gain.
 - Reason and objectives of the Secondment.
 - The individual understanding that upon completion of their Secondment they will return to the CCG either to their substantive post or a post of equal value. It is important that this is discussed, agreed and a record of this discussion is put in writing.
 - If successful the individual will remain an employee of the CCG and not of the employment in which they are seconded to.
- 4.4 Details of the discussion should be sent to the employee following the meeting and placed on their personal file. Providing there is no detriment to the service by the individual undertaking a secondment, there should be no reason why the secondment cannot be approved. Agreement must also be reached on how the individual's salary will be paid and which body will be responsible for meeting any additional expenses such as travel and subsistence allowances.
- 4.5 During the period of the secondment the individual's Terms and Conditions will remain the same and continue to be subject to the employing organisations policies and procedures. Exceptions to this will be agreed in advance between the host organisation and the secondee/Organisation.
- 4.6 Secondees are responsible for reporting any reasons for absence directly to both the seconding line manager in the external organisation and the line manager in the host organisation in accordance with their own absence management policies.

4.7 Whilst on any secondment employees will continue to accrue annual leave entitlements and be permitted to take annual leave to their entitlement limit with the agreement of the host organisation. Where an employee takes a period of Maternity Leave during the course of the secondment accrual of her annual leave entitlements will continue to apply (In accordance with the provisions of the Maternity, Adoption and Shared Parental Leave Policy).

4.8 Funding Arrangements

4.9 Prior to the secondment taking place the appropriate manager(s) must liaise with HR and Finance to agree who will be funding the secondment and how the payment arrangements are to be facilitated. Depending on the individual agreements it may be appropriate to submit a change form or arrange for a debtors invoice to be raised.

4.10 Where the grade of the secondment post is higher than the grade of the employee's substantive post, the full salary cost will be paid by the Organisation and recovered from the host organisation. On return to the Organisation the employee will revert to their substantive grade and salary.

4.11 Working Arrangements

4.12 For the duration of the secondment or work placement the individual will be required to comply with the working/cover arrangements of the department or host employer. Any agreement to exceed/reduce their contractual working hours will be subject to agreement at the initiation of the secondment and the conditions of Working Time Regulations.

4.13 Communication

4.14 When on secondment it will be agreed by all parties, that three way communication between the secondee, host organisation and the employer is maintained

4.15 Any secondee from Organisation should be kept informed of and consulted about any organisational change that takes place during their period of secondment through the formal process involving the relevant Line Manager.

4.16 Manager's responsibilities

For managers who are accountable for managing the secondee it will be their responsibility to outline at the start what their objectives are for the duration of the secondment. Managers must also conduct performance reviews/appraisals in line with local policies

4.17 The substantive line manager will provide all the appropriate information (payroll change forms) to the HR representative who will then produce the secondment agreement.

4.18 Termination or Extension of Secondment

- 4.19 A request for an extension of an existing secondment should be considered in accordance with the needs of the service, and be mutually agreed by all parties and confirmed in writing. If an extension is refused, an explanation should be given to the employee.
- 4.20 The secondment may be terminated by either party in writing with the previously agreed notice period laid out in the secondment agreement.

4.21 Secondment resulting in Permanent Appointment

- 4.22 Secondment arrangements will not automatically convert into a permanent appointment, in order to make the post permanent it will need to be advertised internally and be subject to the CCGs Recruitment and Selection Policy.
- 4.23 If a full recruitment process was not followed then a recruitment and selection process will need to be carried out.

4.24 Performance in Secondment positions

- 4.25 The line manager responsible for the secondment position will ensure that the member of staff is fully supported and receives regular supervisions giving the employee the opportunity to discuss their performance.
- 4.26 Any Secondment arrangements are subject to satisfactory performance.

4.27 APPEAL

- 4.28 An employee may use the Grievance Procedure if they feel that they have been treated unfairly in relation to application of this policy.

5.0 PROCEDURE FOR ACTING UP

- 5.1 An employee can only Act Up into an existing vacant established position within the agreed structure.
- 5.2 An employee can only Act Up into a higher banded post where it is necessary to fill a post on a temporary basis when a vacancy is unfilled, but being advertised, or the post is being held for someone who is on long term absence and is due to return. This should be for a minimum of four weeks or a maximum duration of 6 months. If it is likely to be longer than this, consideration should be given to advertising the post as a fixed-term contract and / or Secondment opportunity.
- 5.3 There may be a suitable group of candidates in an area or work section, therefore, the Acting Up opportunity can be limited, and advertised only, to the relevant department (ring-fencing).

- 5.4 However, if there are suitable candidates external to the department it may be necessary to advertise through internal vacancies. This will ensure that internal applicants can compete equally. Successful applicants must have the relevant skills and experience to fulfil the position.
- 5.5 In accordance with Agenda for Change terms and conditions pay should be set at either the minimum of the new pay band, or, if this should result in no pay increase, the first pay point in the band which will deliver an increase in pay. Where Acting Up results in only one extra pay point the increment date remains the same. Where temporary movement results in more than one extra pay point the incremental date for the period of the temporary movement becomes the date the movement began.
- 5.6 Where successful applicants are on a different set of terms and conditions, for the purpose of Acting Up they should be assimilated onto Agenda for Change terms and conditions based on their annualised pay not including enhancements. When the Acting Up period is complete the employee should revert back to their previous terms and conditions of employment.
- 5.7 In some circumstances where two or more candidates meet the requirements of the vacant post the manager may choose to share the opportunity in order to give suitable staff the experience of working in the higher position. Where this is appropriate the position should be shared on a rotation of not less than four week's duration.
- 5.8 The recruiting manager is responsible for ensuring a written record of these discussions is given to the individual and shared with Human Resources for the employee's personal file.

5.9 Employees taking on extra responsibility

- 5.10 Managers and teams should jointly consider the most effective and fair way of covering any additional responsibilities and duties required by their service, ensuring individuals have appropriate workloads.
- 5.11 In circumstances where an individual is asked to take on extra responsibilities, Agenda for Change Job Evaluation will determine the job weight. There is no provision to pay extra pay (e.g. responsibility allowances) within the same band.
- 5.12 Job Evaluation may place a post with extra responsibilities in the same pay band as the current job of the person being considered for the role. In this case the person concerned should be encouraged to take on the extra responsibilities and supported to take advantage of the development opportunity.

5.13 Ending of Acting-up arrangements

- 5.14 At the end of the Acting Up arrangement the individual will return to their original or agreed post and their original salary and terms and conditions.
- 5.15 The CCG reserves the right to end the Acting Up arrangement at any time by giving four weeks' notice in writing.

5.16 Performance in Acting-up positions

- 5.17 The line manager responsible for the Acting up position will ensure that the member of staff is fully supported and receives regular supervisions giving the employee the opportunity to discuss their performance.
- 5.18 Any Acting Up arrangements are subject to satisfactory performance.

5.19 Permanent employment

- 5.20 Acting Up arrangements will not automatically convert into a permanent appointment, in order to make the post permanent it will need to be advertised internally and be subject to the normal recruitment and selection procedures.

5.21 Contractual documentation

- 5.22 For Acting Up opportunities it is the responsibility of the manager to ensure that the appropriate assignment change is completed.

6.0 PROCEDURE FOR JOB SHARE

- 6.1 A job share commonly refers to two or more members of staff fulfilling one job role in a shared amount of hours.
- 6.2 A job share can either be filled by existing members of staff requesting a job share in line with the Flexible Working Policy or new members of staff being recruited to a job share through the recruitment process.
- 6.3 A job share is dependent on a suitable job share partner being found and a job share must not have an adverse effect on service delivery.

6.4 Recruiting to a Job Share

- 6.5 A post should be advertised using the recruitment process and stipulate that a job share could be made available. Candidates who wish to job share will be required to state whether they are making a joint application (i.e. they have a specific job share partner with whom they wish to work) or whether they would be prepared to work with any partner.
- 6.6 All short listed candidates who wish to work a job share should receive details at interview of the specific requirements for working arrangements and should receive a copy of the Flexible Working Policy.
- 6.7 When selecting job sharing partners, account should be taken of the mix of their experience / skills compared against the job description and person specification.
- 6.8 If only one partner is suitable for the job share post, the manager will need to consider whether to fill the post on a part time basis and re-advertise or offer subject to appointment of a satisfactory partner after re-advertising. If this will mean an adverse effect on service delivery the recruiting manager can refuse the job share and recruit one person to fill the position.

6.9 Existing employees requesting a Job Share

6.10 Existing members of staff can request to work a job share in line with the Flexible Working Policy, should an existing member of staff request a job share and reduce their hours the remaining amount of hours must be filled by the member of staff's job share partner or partners.

6.11 It is the responsibility of the existing member of staff to find a job share partner and then present this to management.

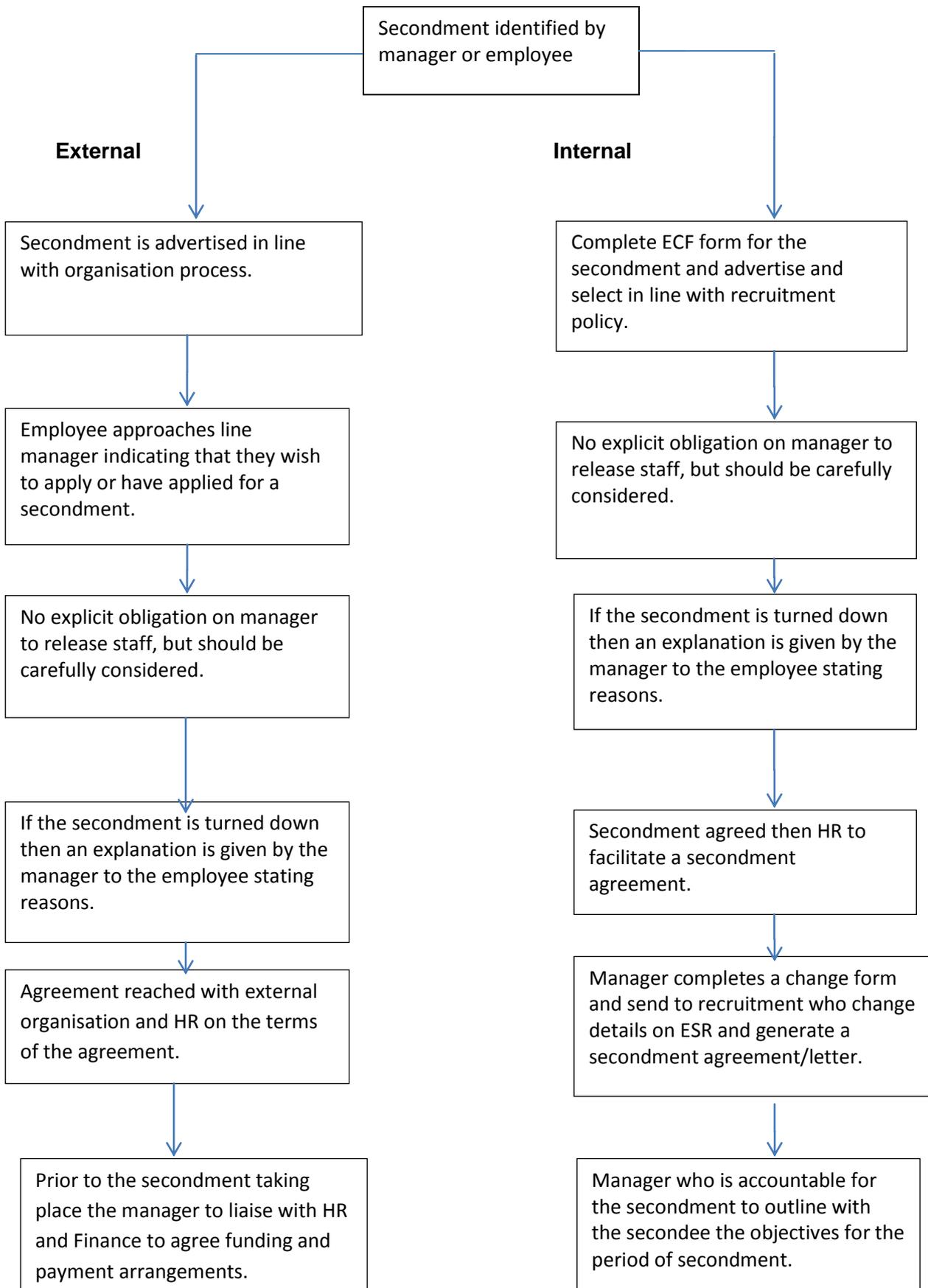
6.12 The end of a Job Share

6.13 If an employee's job share contract comes to an end the manager will then need to fill the remaining hours in order for there not to be an adverse effect on service delivery. The options available are:

- The remaining job share partner can work the full hours of the post.
- The job share can be re-advertised through the recruitment process.

6.14 If the above options fail, the full hours of the position will be re-advertised and the employee working the job share will be transferred into another available position of similar hours.

The Secondment Process for CCG employees



Manager completes a change form and send to recruitment who change details on ESR and generate a secondment agreement/letter.



Manager who is accountable for secondment to outline with secondee the objectives for the period of secondment



If an employee feels that they have been unfairly treated in relation to the policy then they can use the grievance procedure to appeal any decision.

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Equality Impact Assessment

Title of policy	Secondment, Acting Up and Job Share Policy (HR05)	
Names and roles of people completing the assessment	Tazeem Hanif – HR Advisor Lynne Carter – E&D Lead	
Date assessment started/completed	Started 26.06.2017	To be reviewed July 2020

1. Outline

Give a brief summary of the policy	This Policy facilitates opportunities for staff both internally and externally within the wider NHS and exceptionally with other non NHS Bodies. It is also designed to encourage staff from external organisations to take up a opportunities where available within the Organisation, for the mutual benefit of both organisations.
What outcomes do you want to achieve	This Policy enables an employee to apply for individual development, as a result of an appraisal or specifically requested for project work where specific skills or specialist knowledge are required.

2. Analysis of impact

This is the core of the assessment, using the information above detail the actual or likely impact on protected groups, with consideration of the general duty to; eliminate unlawful discrimination; advance equality of opportunity; foster good relations			
	Are there any likely impacts? Are any groups going to be affected differently? Please describe.	Are these negative or positive?	What action will be taken to address any negative impacts or enhance positive ones?
Age	Yes, candidates of a younger age may potentially be adversely affected if the job description states x amount of years' experience.	Negative	Job description templates are in place which do not use x years of experience in terms of language.
Carers	No		
Disability	Nationally disabled people are much less likely to be employed than non-disabled	Negative	We operate a guaranteed interview scheme to begin to

	people		redress this inequality We will use the national Workforce Disability Equality Standard when it is introduced
Sex	No		
Race	BME staff and job applicants experience significant inequalities across the NHS. They are under-represented especially in senior roles, less likely to be appointed once shortlisted and report poorer experience at work.	Negative	We are committed to making the most effective use of the Workforce Race Equality Standard as possible and have reviewed the Recruitment and Selection Policy (see section 9)
Religion or belief	No		
Sexual orientation	No		
Gender reassignment	No		
Pregnancy and maternity	No		
Marriage and civil partnership	No		
Other relevant group	No		
<p>If any negative/positive impacts were identified are they valid, legal and/or justifiable? Please detail.</p>		<p>No anticipated positive or negative impact on any equality group. The policy is applicable to all employees and adheres to the NHS Litigation Authority Standards, statutory requirements and best practice. The policy makes all reasonable provision to ensure there is an open and transparent process in place that facilitates equality of access to all employees. There are no statements, conditions or requirements that disadvantage any particular group of people with one or more protected characteristic.</p> <p>The policy clearly indicates should an employee feel that they have been treated unfairly in relation to application of this policy they may use the Grievance Procedure.</p>	

3. Monitoring, Review and Publication

How will you review/monitor the impact and effectiveness of your actions	ESR will record those employees on secondment, Acting Up and Job Share. It is the appropriate manager's responsibility to monitor the effectiveness of these arrangements and liaise with HR on any areas of concerns or extensions. These arrangements will follow internal or external processes for consistency; applications can be reviewed as necessary to check for any trends regarding any of the protected groups.		
Lead Officer	Tazeem Hanif	Review date:	July 2020

4. Equality and Diversity Sign off

Equality Lead Officer	Lynne Carter		
		Date approved:	26.06.2017

5. Sign off

Lead Officer	Fiona Jeffrey		
Director	Associate Director of Corporate Affairs	Date approved:	July 2017