

# SECONDMENT POLICY

## July 2015

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HR Policy:	HR30
Date Issued:	July 2015
Date to be reviewed:	Periodically or if statutory changes are required

<b>Policy Title:</b>	<b>Secondment Policy</b>	
<b>Supersedes:</b>	All previous Secondment Policies	
<b>Description of Amendment(s):</b>	New Policy for CCG employees	
<b>This policy will impact on:</b>	All staff.	
<b>Financial Implications:</b>	No change.	
<b>Policy Area:</b>	HR	
<b>Version No:</b>	1	
<b>Issued By:</b>	YHCS Workforce Team	
<b>Author:</b>	HR Policy Lead - adapted for local use by Yorkshire and Humber commissioning Support on behalf of Hull CCG	
<b>Document Reference:</b>		
<b>Effective Date:</b>	July 2015	
<b>Review Date:</b>	July 2018	
<b>Impact Assessment Date:</b>		
<b>APPROVAL RECORD</b>	JTUPF Sub Group	27 April 2015
	JTUPF	27 May 2015
	Governing Body	31 July 2015
<b>Consultation:</b>	All Staff via intranet	12 May 2014
	SLT Members Consultation:	28 March 2014

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## **1. POLICY STATEMENT**

- 1.1 This policy facilitates the secondment of NHS Hull Clinical Commissioning Group's staff (the CCG) 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 CCG, for the mutual benefit of both organisations.
- 1.2 A secondment may be arranged to assist with individual development needs as a result of an appraisal or be specifically requested for project work where specific skills or specialist knowledge are required.
- 1.3 The policy applies to all CCG employees and those employees from external organisations who plan/take up a secondment within the CCG.

## **2. PRINCIPLES**

- 2.1 Secondment requests will be considered in line with business needs and may be refused on that basis.
- 2.2 Staff who enter into secondment agreements will be asked to sign a secondment agreement outlining the terms and parameters of the secondment.
- 2.3 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.
- 2.4 Employees on secondment with an external organisation will retain all of their continuity of service rights with the CCG.
- 2.5 There will be explicit agreement of the grade and nature of post that a member of staff will return to upon completion of a secondment. Unless agreed otherwise, CCG employees will normally return to a post that is of the same grade and of a broadly similar function to their substantive post that they held prior to their secondment.
- 2.6 The duration of a secondment will vary depending on the circumstances. However the minimum is 3 months and a maximum 24 months with exceptions to be arranged with the relevant line manager and support from Human Resources.
- 2.7 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the website.
- 2.8 Training and support will be available to all Line Managers in the implementation and application of this policy

### **3. EQUALITY**

#### **3.1 Equality**

All policies require an assessment for their impact on people with protected characteristics. An Equality Impact Assessment has been undertaken for this policy and as a result of performing the analysis, it is evident that a risk of discrimination exists and this risk may be removed or reduced by implementing the actions detailed within the *Action Planning* section of the document. This screening can be found in Appendix 1.

In applying this policy, the CCG 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, in addition to offending background, trade union membership, or any other personal characteristic.

#### **3.2 Bribery Act 2010**

The relevance of the Bribery Act 2010 must be considered in respect of every policy. It is considered that it is relevant to this policy as it is possible that someone may be bribed into offering or supporting a secondment.

Under the Bribery Act it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
  - Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.
- These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG website) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist

### **4. MONITORING & REVIEW**

4.1 The policy and procedure will be reviewed periodically for the CCG in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

4.2 The implementation of this policy will be audited on an annual basis by YHCS Workforce Team and reported to the CCG's Governing Body.

## **PART 2 SECONDMENT PROCEDURE**

### **1.0 Identifying Secondments**

#### **1.1 Requesting and organisation of Internal Secondments within the CCG**

1.1.1 Where the CCG identifies that an internal 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.

1.1.2 Depending on the nature of secondment, the vacancy will either be advertised in line with the CCG's recruitment policy, or, a request will be made directly to the relevant department if the secondment requires specialist skills or knowledge. Any secondment opportunity that exceeds 6 months must be advertised in line with the recruitment and selection policy.

1.1.3 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 CCG should not be overlooked. An explanation should be given to the employee if a request is turned down.

1.1.4 Any disputes between managers regarding the release of an individual should be escalated to the Senior Leadership Team to resolve.

#### **1.2 Requesting and organisation of Externally Sourced Secondments**

1.2.1 Where the CCG identifies that a secondment opportunity exists, they may seek to fill it from an external source and the vacancy should be advertised in line with the CCG's recruitment policy.

1.2.2 In order to minimise risk to the CCG and safeguard the existing employment of an individual, where a short term vacancy arises, the CCG will seek to fill it through a secondment initially and will only offer a fixed term contract if a secondment is not possible.

1.2.3 Depending on the nature of the secondment and the role, it may be necessary to carry out recruitment checks or seek assurance from seconding employers that such checks have been carried out. For example where the requirements of the secondee's role differ from their substantive post and a DBS check is required.

#### **1.3 Requests for CCG staff to undertake secondments in external organisations**

1.3.1 Any requests from an external organisation to release an employee on secondment should be discussed with the Senior Leadership Team. Where an individual has been specifically identified they should be made aware of the request. Where the CCG

considers that they can support the request, agreement must be gained from the individual prior to making a final decision.

- 1.3.2 If an employee wishes to go on secondment to an external organisation they must discuss this with their line manager prior to making an application. The line manager must discuss the secondment with the Senior Leadership team at the earliest opportunity as early planning as to how cover will be provided will increase the possibility of the secondment being possible.

## **2.0 Administration**

- 2.1 Prior to the secondment taking place the appropriate manager(s) must liaise with the Finance team and the Workforce teams 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 'Variation form' (HR4) or arrange for invoices to be raised.
- 2.2 Agreement must be reached on how the secondee/placement individual's salary will be paid and which body will be responsible for meeting any additional expenses such as travel and subsistence allowances. Refer to agenda for change terms and conditions for further details.
- 2.3 Once a secondment has been agreed a signed agreement must be put in place to clarify the terms of the secondment. Contact should be made with the YHCS Workforce Team who will facilitate the production of the paperwork and advise as to which Payroll forms need completing.
- 2.4 Staff who enter into secondment agreements will be asked to sign a secondment agreement outlining the terms and parameters of the secondment.
- 2.5 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 CCG and recovered from the host organisation/department. On return to the substantive post the employee will revert to their substantive grade and salary (including any incremental increases which have occurred to their substantive role during their secondment).
- 2.6 The duration of a secondment will vary depending on the circumstances. However the minimum is 3 months and a maximum 24 months with exceptions to be arranged with the relevant line manager and with the agreement of the Senior Leadership Team and with advice from the YHCS Workforce Team.

## **3.0 Terms and Conditions**

- 3.1 During the period of the secondment the individual's Terms and Conditions will remain the same and continue to be subject to CCG policies and procedures. Exceptions to this will be agreed in advance between the host organisation and the secondee/CCG and must be recorded in the Secondment Agreement.

- 3.2 Employees on secondment with an external organisation will retain all of their continuity of service rights with the CCG.
- 3.3 Secondees are responsible for reporting any reasons for absence directly to both the external organisation and the host organisation in accordance with their own absence management policies. Secondees on internal secondments must report their absences to their host line manager who will record the absence via the administration office.
- 3.4 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. The substantive employers' policies will apply.
- 3.5 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 between all parties prior to any change taking place and is subject to the conditions of Working Time Regulations.

#### **4.0 Communication**

- 4.1 When a secondment is confirmed it must be agreed by all parties so that three way communication between the secondee, host organisation and the employer is maintained.
- 4.2 Any secondee should be kept informed of and consulted about any organisational change that takes place during their period of secondment.

#### **5.0 Termination or Extension of Secondment**

- 5.1 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.
- 5.2 The secondment may be terminated by either the CCG or the host employer in writing with the appropriate or previously agreed notice period.
- 5.3 Upon the termination of a secondment into another CCG department or external organisation the CCG employee will return to a post that is of the same grade and of a broadly similar function to their substantive post that they held prior to the secondment.

## **6.0 Secondment resulting in Permanent Appointment**

- 6.1 Where a full recruitment process was carried out for the secondment, the individual may be offered the post should it become permanent.
- 6.2 If a full recruitment process was not followed in securing the secondment then a recruitment and selection process will need to be carried out for the permanent appointment. Refer to the CCG's Recruitment and Selection Policy for further information.

## **7.0 Appeal**

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

# Equality Impact Assessment: Secondment Policy

## Equality Impact Assessment:

<b>Policy / Project / Function:</b>	Secondment Policy
<b>Date of Analysis:</b>	December 2014
<b>This Equality Impact Analysis was completed by: (Name and Department)</b>	Workforce Service
<b>What are the aims and intended effects of this policy, project or function?</b>	<ul style="list-style-type: none"> <li>This policy facilitates the secondment of Hull Clinical Commissioning Group's staff (the CCG) 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 CCG, for the mutual benefit of both organisations.</li> </ul>
<b>Please list any other policies that are related to or referred to as part of this analysis</b>	<ul style="list-style-type: none"> <li>NHS Agenda for Change Terms and Conditions of Employment</li> <li>Recruitment and Selection policy</li> <li>Grievance Procedure</li> </ul>
<b>Who does the policy, project or function affect ?</b>  Please Tick ✓	<p>Employees ✓</p> <p>Service Users</p> <p>Members of the Public</p> <p>Other (List Below)</p>

## Equality Impact Analysis:

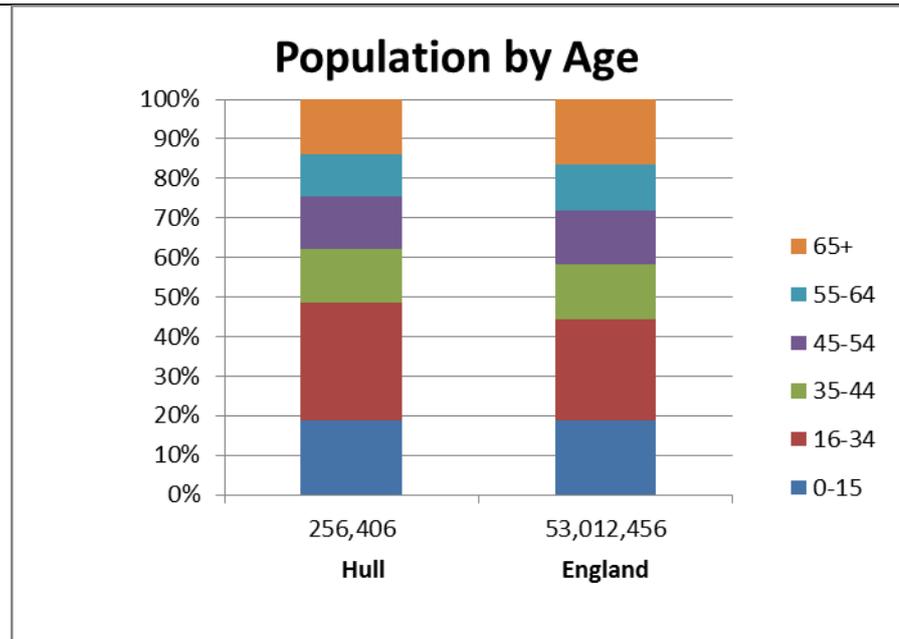
**Local Profile/Demography of the Groups affected** (population figures) Relevant data can be found in the attached Knowledge Management Toolkit (Employee data as at Jan 2014)

### General

There are 57 GP practices in the Hull area which spans 7,154 hectares and, as a city, has relatively tight geographical boundaries with most of the 'leafy suburb' areas outside Hull's boundaries in East Riding of Yorkshire. As a result, Hull has a relatively high deprivation score, as measured by the Index of Multiple Deprivation 2010, with Hull ranked as the 10th most deprived local authority out of 326 (bottom 4%).

The resident population of Hull is 256,406 based on the 2011 Census data and 265,369 residents based on estimates from the local GP registration file as at October 2011. This equates to approximately 37 residents per hectare. The Joint Strategic Needs Assessment (JSNA) identifies considerable inequalities in health between Hull and England, and between populations within Hull.

### Age



Compared to England, Hull has lower percentages of residents aged 10-19 years and 55+ years, but slightly higher percentages aged under 5, 20-34 years and 45-54 years. There is a relatively large difference between Hull and England for the age group 20-34 years, due to Hull's colleges and Universities.

There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010. The number of deaths occurring to Hull residents has decreased from 2,571 to 2,310 between 2001 and 2010. ONS estimated the resident population to be 243,596 in 2001 compared to 260,424 residents based on the GP registration file, with the difference between these estimates narrowing over time. So, whilst it is difficult to quantify the exact

	<p>increase in Hull's population, it has increased over recent years. Between 2010 and 2030, ONS estimate that Hull's population will increase from 266,100 to 311,900 residents, an increase of 17%.</p> <p>The figure above shows the population of Hull (2011 Census Data).</p>																		
<b>Race</b>	<p>The percentage of the population from Black and Minority Ethnic (BME) groups has increased substantially since 2001. For the 2001 Census, it was estimated that 3.3% of Hull's population was not White British or White Irish, whereas Census data shows that this figure increased to 10.2% for 2011. There is no single BME group in Hull with much higher percentages compared to other groups. The 2011 census data shows:</p> <p>White British - 89.7%  White Other - 4.4%  Mixed - 1.3%  Asian - 2.5%  Black - 1.2%  Other - 0.8%</p>																		
<b>Sex</b>	<p>The gender split in Hull is approximately 50.1% men and 49.9% women. For 2008-2010, life expectancy in Hull was 75.7 years for men and 80.2 years for women compared to 78.6 years and 82.6 years for men and women respectively in England.</p>																		
<b>Gender reassignment</b>	<p>No local information provided.</p>																		
<b>Disability</b>	<p>According to the 2011 Census, it is estimated that approximately 19.7% of the Hull population lives with a long term health problem or disability compared with 17.6% for England. This information can be broken down further (Source: Projecting Older People Population Information System and Projecting Adult Needs and Service Information) to include learning disabilities, physical disabilities, hearing impairments and visual impairments, as follows:</p> <table border="1"> <thead> <tr> <th>2012 Estimates</th> <th>Hull</th> </tr> </thead> <tbody> <tr> <td>Learning Disability (Age 18 – 64)</td> <td>4,078</td> </tr> <tr> <td>Learning Disability (Age 65 and over)</td> <td>762</td> </tr> <tr> <td>Physical Disability – Moderate (Age 18 – 64)</td> <td>12,222</td> </tr> <tr> <td>Physical Disability – Serious (Age 18 – 64)</td> <td>3,491</td> </tr> <tr> <td>Visual Impairment (Age 18 – 64)</td> <td>108</td> </tr> <tr> <td>Visual Impairment (Age 65 and over)</td> <td>3,263</td> </tr> <tr> <td>Hearing Impairment – Moderate or Severe (Age 18 – 64)</td> <td>5,765</td> </tr> <tr> <td>Hearing Impairment – Moderate or Severe (Age 65</td> <td>15,707</td> </tr> </tbody> </table>	2012 Estimates	Hull	Learning Disability (Age 18 – 64)	4,078	Learning Disability (Age 65 and over)	762	Physical Disability – Moderate (Age 18 – 64)	12,222	Physical Disability – Serious (Age 18 – 64)	3,491	Visual Impairment (Age 18 – 64)	108	Visual Impairment (Age 65 and over)	3,263	Hearing Impairment – Moderate or Severe (Age 18 – 64)	5,765	Hearing Impairment – Moderate or Severe (Age 65	15,707
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	and over)	
	Hearing Impairment – Profound (Age 18 – 64)	49
	Hearing Impairment – Profound (Age 65 and over)	402
<b>Sexual Orientation</b>	There are no local statistics for how many Lesbian, Gay or Bisexual (LGB) people live within Hull however, nationally, the Government estimates that 5% of the population are lesbian, gay, bi and transgender communities.	
<b>Religion, faith and belief</b>	According to the 2011 Census, 54.9% of the population have identified themselves as Christian and 3.1% of the population is made up of other religions. The remainder of the population did not state anything (7.2%) or stated 'no religion' (34.8%).	
	<b>Religion</b>	<b>2011</b>
	Christian	54.9%
	Buddhist	0.3%
	Hindu	0.2%
	Jewish	0.1%
	Muslim	2.1%
	Sikh	0.1%
	Other Religion	0.3%
	No Religion	34.8%
	Religion Not Stated	7.2%
<b>Marriage and civil partnership</b>	This protected characteristic generally only applies in the workplace. Data from the Office of National Statistics covering the period 2008-2010 indicates that there were 18,049 Civil Partnerships in England and Wales during this three-year period – 52% men and 48% women.	
<b>Pregnancy and maternity</b>	There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010.	

## Equality Impact Analysis:

<p><b>Is any Equality Data available relating to the use or implementation of this policy, project or function?</b></p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <p>1: Application success rates <i>Equality Groups</i></p> <p>2: Complaints by <i>Equality Groups</i></p> <p>3: Service usage and withdrawal of services by <i>Equality Groups</i></p> <p>4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></p>	<p>Yes employee data has been used to support the monitoring of the impact of this policy in the future. The employee data is not included due to the low number of CCG employees and concern around anonymity ✓</p> <p style="text-align: center;">No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p><b>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</b></p>	<p>Consultation has taken place both locally and nationally with Trade Unions and staff</p> <ul style="list-style-type: none"> <li>• SLT</li> <li>• CCG Employees</li> <li>• JTUPF Sub group</li> <li>• JTUPF</li> <li>• Governing Body (approval)</li> </ul>
<p><b>Promoting Inclusivity</b></p> <p>How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>This Policy does not directly promote inclusivity, but provides a framework for all staff to take up secondment opportunities</p>

## Equality Impact Assessment Test:

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
<b>Gender</b> (Men and Women)	x			This has been considered and has a neutral impact.
<b>Race</b> (All Racial Groups)	x			This has been considered and has a neutral impact.
<b>Disability</b> (Mental and Physical)			x	The policy does not specifically mention disabled staff. All staff are entitled to request secondment support where a seconded employee with a disability returns to the CCG, they will return to a ' <i>broadly similar function</i> '. This will help re introduce them to the CCG and to the new role. It is important that HR and Occupational Health advice is taken to follow the requirements of the Equality Act and ensure secure management of individuals with disabilities (see action plan). Meetings will be held with the individuals involved and will discuss any potential risks. The workforce data indicated that a very low number of employees in the CCG have declared a disability.
<b>Religion or Belief</b>	x			This has been considered and has a neutral impact.
<b>Sexual Orientation</b> (Heterosexual, Homosexual and Bisexual)	x			This has been considered and has a neutral impact.
<b>Pregnancy and Maternity</b>	x			This has been considered and has a neutral impact.

<b>Transgender</b>	x			This has been considered and has a neutral impact.
<b>Marital Status</b>	x			This has been considered and has a neutral impact.
<b>Age</b>	x			This has been considered and has a neutral impact.

## Action Planning:

**As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?**

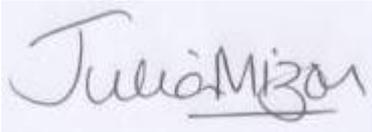
Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Employees with disabilities may return to a 'broadly similar function' which may require reasonable adjustments	HR and Occupational Health advice should be taken as well as discussions with the individual concerned	Line Manager/HR Lead	As this arises	Ongoing

## Equality Impact Findings:

Analysis Rating:	Amber
Red – Stop and remove the policy	
Red Amber – Continue the policy	
Amber – Adjust the Policy	
Green – No major change	

Brief Summary/Further comments	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>
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## Signatures

Other Comments	
Confirmed by (manager): (Name and Title)	 Julia Mizon Director of Commissioning and Partnerships
Date	19 March 2015