

SECONDMENT PROCEDURE



SUMMARY

'STAFF ARE REMINDED THAT THIS SUMMARY IS STRICTLY AN OVERVIEW OF THE KEY ELEMENTS OF THE DOCUMENT AND FOR A MORE COMPREHENSIVE EXPLANATION THE WHOLE OF THE DOCUMENT SHOULD BE READ'

Gwent Police is committed to the development of all staff throughout their career. Where appropriate, opportunities will be made for Police Staff to be seconded to temporary vacancies within the force and for Police Officers and Police Staff to be seconded to other organisations supported by the force.

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.

INDEX

1.0 Guidance, Procedures, Tactics

1.1 Risk Assessments and Health & Safety Considerations

1.2 Specific Instructions and Procedures

- 1.2.1 Definition of a secondment
- 1.2.2 Considerations
- 1.2.3 Abstraction from force – External secondments
- 1.2.4 Eligibility Criteria for Extern secondments
- 1.2.5 Authorisation and advertisements of External Secondments
- 1.2.6 Application process for External secondments
- 1.2.7 Successful applicants
- 1.2.8 Substantive postings whilst on external secondment
- 1.2.9 Unsuccessful candidates
- 1.2.10 During secondment
- 1.2.11 Expenses and Overtime payments
- 1.2.12 Sickness management
- 1.2.13 Welfare
- 1.2.14 Promotion
- 1.2.15 Unsatisfactory performance and misconduct
- 1.2.16 Force seminars
- 1.2.17 Work shadowing
- 1.2.18 Performance Development Reviews (PDR)
- 1.2.19 Period of Secondment
- 1.2.20 Requests for extensions
- 1.2.21 Resignation or Retirement during secondment
- 1.2.22 Returning to force
- 1.2.23 Appeals

1.3 Internal secondments – Police Staff only

- 1.3.1 Eligibility for an internal secondment
- 1.3.2 Duration of secondment
- 1.3.3 Application process
- 1.3.4 Seconded's substantive post during the secondment period
- 1.3.5 Terms and Conditions during secondment
- 1.3.6 Performance Development Review (PDR)
- 1.3.7 Training needs
- 1.3.8 Performance issues during the secondment
- 1.3.9 Secondment terminating early
- 1.3.10 Return from secondment
- 1.3.11 Secondment post vacancy
- 1.3.12 Appeals

2.0 Procedure Statement & Intentions

- 2.1 Principle & Scope of Procedure
- 2.2 Aims of Procedure

3.0 Introduction

- 3.1 Origins / Background Information
- 3.2 Motivators / Driving Forces
- 3.3 The Legal Basis and Legitimate Aims

4.0 Implications of the Procedure

- 4.1 Financial Implications
- 4.2 Human Resources / Training
- 4.3 Strategic Plan Links

5.0 Human Rights Consideration Certification

- 5.1 Auditing for Potential Interference and Discrimination
- 5.2 Key Human Rights Principles
- 5.3 Rights, Publication, Audit and Inspection
- 5.4 Certificate of Compliance
- 5.5 Legal Vetting

6.0 Promotion and Distribution

7.0 Monitoring / Review

8.0 Procedure Identification Page

1.0 Guidance, Procedures, Tactics

1.1 Risk Assessments and Health and Safety Considerations

The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel required or requested.

1.2 Specific Instructions, practices and procedures

SECONDMENT PROCEDURE

1.2.1 Definition of a secondment

A secondment is defined as an opportunity for a member of police staff or police officer in Gwent Police to gain skills and experience within another department or organisation. Secondments can assist with the development of staff both laterally and vertically and should therefore be encouraged.

Gwent Police recognises that secondments can be:

- Developmental for the individual
- An additional means of enhancing career paths
- Used to add to the skills base of the Force
- An opportunity to build or develop further strong relationships with other organisations
- Used to support other local initiatives

1.2.2 Considerations

Whilst Gwent Police aims to meet the career and development aspirations of its police staff and police officers, its primary responsibility is to provide an efficient and effective police service to the public. Recognising this and the organisational and operational demand this places on the management of its staff, the following restrictions on secondments will apply:

- The operational efficiency of the Force must be maintained
- The Force must be able to meet its targets and establishment requirements for police officers and police staff in Force
- The number of staff allowed to go on long term secondment out of Force should not reach excessive levels (over the 2% abstraction of all staff on secondment) and impact adversely on funding arrangements
- The secondment must be of benefit to the Force
- The secondment should not be of detriment to the Force collaborative working arrangements
- The member of staff should be considered suitable for the secondment via

a selection process

1.2.3 Abstractions from force – external secondments

In order for the Force to meet its targets and establishment requirements. Gwent Police will only allow a 2% abstraction of the total of actual police officers establishment; this includes both Police Officers and Police Staff on external secondments.

1.2.4 Eligibility Criteria for external secondments

Police Officers must have successfully completed their probationary period before applying for any external secondments.

Police Staff must have successfully completed their probationary period before applying for any external secondments. External secondments are only available to permanent members of Police Staff within Gwent Police.

1.2.5 Authorisation and advertisements of external secondments

Approval should be sought from the Chief Officer with the portfolio for People Services before a secondment opportunity is advertised. If the secondment is based overseas then approval will also need to be authorised by the Police Authority before the secondment is advertised.

Once the advertisement has been sanctioned it will be advertised in the Vacancy Bulletin. The advertisement will include details of the duration of the secondment, a brief description of the role, any allowances payable if applicable and the closing date. Details of how to obtain further information and an application pack will also be included.

Contractual obligations with organisations such as Tarian/WECTU, ACPO TAM will be fulfilled and will be advertised in the Vacancy Bulletin with full approval from the Chief Officer with the portfolio for People Services. .

A Resource Officer within People Services with the portfolio for the Vacancy Bulletin will be responsible for ensuring the advert for all authorised secondments is advertised.

If a member of police support staff or police officer identifies a secondment that has not been advertised within the Vacancy Bulletin i.e. the post has been advertised in Police Review, then the individual must seek approval from their Head of Department **and** the Chief Officer with the portfolio for People Services, **prior** to forwarding their application, who will consider whether the secondment is in the best interests of the Force.

1.2.6 Application Process for external secondments

Any individuals wishing to apply for a secondment opportunity which has not

been advertised in the internal vacancy bulletin will be required to contact the organisation advertising the secondment to obtain an application pack.

Police support staff and police officers wishing to apply for these vacancies must seek support and a recommendation from their Line Manager/ Head of Service Area/ Head of Department/ who will seek approval from a Chief Officer with the portfolio for People Services. This must be authorised **before** the individual submits their application for the post

If a secondment is based overseas an application must follow the application process prior to being forwarded to the Human Resource Strategy Group (HRSG) for approval by the Police Authority.

Once the individual has applied for the secondment, the individual will be required to notify the Resource Officer within People Services with the portfolio for secondments. This is to ensure that communication is maintained between the receiving organisation and the force, should the applicant be successful for the post.

1.2.7 Successful applicants

If an individual is successful at the selection process then it will be the individual's responsibility to speak with their Line Manager/Head of Service Area/Head of Department who will seek approval from the Resource Management Board (in the case of an Officer) to ensure approval and discuss a release date. At the same time the individual **must** ensure the HR Adviser is notified indicating the proposed start date. The individual will also need to contact the Resource Officer within People Services to ensure a contact name is recorded in the seconded organisation e.g. Line manager and Personnel Officer to ensure communication is maintained. The Resource Officer will obtain all information relating to secondment to ensure all records are maintained and up to date.

Once the secondment has been approved, the Human Resource Advisor will notify the Resource Officer who will action the Delphi amendment form and forward it to Establishment Officer who will forward to the Payroll department; they in turn will inform the Exchequer Services for purposes of claiming back any salary costs and expenses.

For establishment purposes, individuals who go on secondment will be moved from their original post number to a seconded post number. All individuals on secondment will not be included on Home Office returns.

If the secondment is based overseas, the Police Authority must be sent a copy of the contract.

The Resource Officer will write or email the receiving organisation to confirm the individual's release date as well as attaching a copy of the Gwent secondment procedure for information. At the same time the Resource Officer will also write to the individual to confirm approval of the secondment.

The Resource Officer will also arrange for General Orders to be sent to all individuals on external secondment as a way maintaining communication.

Before a member of staff is deployed, the Resource Officer will:

- Act as a link officer to co-ordinate health, welfare, salary and career development issues, prior to the secondment.
- Confirm the date the officer starts the secondment and the date they are due to return.

The personal files of all secondment staff will be retained by the Resource Officer with the portfolio for secondments. Any paperwork regarding secondments must be sent to the Resource Officer.

The Chief Officer with the portfolio for Human Resources will be responsible for staff overseas.

1.2.8 Substantive postings whilst on external secondment

If a member of **police staff** accepts a secondment which is for 12 months or less then the individual's post will be filled on a temporary basis via a secondment or agency member of staff. If the individual's post no longer exists due to organisational change then the organisational change procedure will apply. If this is the case then the individual will be contacted by the Resource Officer and provided with the same information and consultation opportunities as if they had been present in Force at the time.

If a **police officer** accepts a secondment then there is no guarantee that the officer will return to the same post as they originally left and there may also be a change in geographical location within the force area.

1.2.9 Unsuccessful Candidates

Unsuccessful candidates are encouraged to seek constructive feedback in relation to their unsuccessful application.

1.2.10 During secondment

All staff on external secondment will be entitled to apply for Force vacancies when they are advertised in the Vacancy Bulletin, on the understanding that if their application is successful, they are to take up the appointment within a timescale which is acceptable to Gwent Police.

The Force will continue to maintain its duty of care for staff whilst they are on their secondment. However, the primary responsibility for Health and Safety must

rest with the seconded organisation. This includes monitoring the seconded person's working hours in line with European and domestic legislation regarding working time rests.

Whilst on an external secondment, staff are entitled to apply for Force training. Such applications will be considered on the basis of the following:

- Force organisational need;
- Force operational need;
- Relevance of the training / development to the post previously held by the secondee in Force;
- Relevance of the training – development to the external organisation;
- Expected return on the investment to the Force;
- Relevance to the secondment placement;
- Relevance to the likely role the individual will take up when they return to Force;

For **police staff**, if during their secondment there is the possibility of redundancy, they should be contacted and provided with the same information and consultation opportunities as if they had been present in Force at the time, nor should they be chosen for redundancy as a result of their secondment from the Force.

Where a decision has been taken that all members of Gwent Police, or all members of a certain category of staff within the force, should receive specific training then Gwent Police will arrange for all seconded staff to be informed and arrangements made for such training to be provided. Receiving organisations should release staff to attend such training and Gwent Police would be responsible for negotiating the appropriate training provision.

Where certain training is required for Health and Safety or other legal reasons then it should be the responsibility of each seconded staff member to ensure that this is addressed through their Supervisor in the receiving organisation.

Ultimately the receiving organisation will be responsible for ensuring staff are trained to undertake duties required of them whilst on secondment.

Where it is impracticable for seconded staff to attend courses e.g. overseas secondments, or officers on short term secondments i.e. 6 months or less, they should be contacted nearing the end of their secondment in order to establish their training needs prior to returning to operational duties within force. This will be dealt with by the Resource Officer.

1.2.11 Expenses and overtime payments

All expenses and overtime payments must be signed off by the seconded member of staff's line manager. The line manager must provide Gwent Police Payroll department with a copy of their signature for audit purposes.

All claims must be forwarded to the payroll department by the 5th of each month in order for claims to be processed in time.

1.2.12 Sickness Management

Each receiving external organisation will have their own policies regarding sickness / managing absence. All staff joining such external organisations on secondment will be required to comply with the receiving external organisation's policies. It is the responsibility of the external organisation to maintain a full sickness record and notify Gwent Police of all sickness absence accordingly. The Resource Officer in Gwent will be responsible for ensuring sickness records from the external organisation for all staff on secondment is recorded and filed on personal files.

If a member of staff is sick for longer than **14 days** then the supervisor in the seconded organisation must make contact with the Resource Officer.

The Resource Officer will ensure that sickness absence for Police Officers over 14 days is notified to the Police Federation. After **28 days** the Resource Officer will make arrangements for the member of staff to attend Occupational Health. Further monitoring of sickness will be undertaken by the supervisor in the seconded organisation and the Resource Officer in Gwent Police.

Should a seconded member of staff be likely to return to Force for this reason, then the external organisation hosting the secondee should contact the Gwent in order to mutually agree a return date and discuss organisational and operational issues so that the matter may be managed effectively in Force.

1.2.13 Welfare

At all times when staff are away from Gwent Police, the seconded member of staff should be able to make full use of the provision of welfare services offered by Gwent Police. This is to ensure individuals have a confidential point of reference to assist them with any personal issues that may concern them or develop whilst they are on secondment.

Both Gwent Police and the receiving organisation have obligations to provide on-going support for the individual.

1.2.14 Promotion

If a **Police officer** is asked whilst on secondment to temporarily act up to the next rank, the receiving organisation must notify the Resource Officer in Gwent as soon as possible. The Resource Officer will contact the Head of People Services who will review the information and make a recommendation to the Chief Officer with the portfolio for People Services for approval. The seconded organisation must inform Gwent Police of when the acting period will cease in order to avoid over payments.

Police Officers will not be able to apply for posts to the next rank in the seconded organisation until they have been substantively promoted in Gwent.

Police Officers who are on secondment will be eligible to apply for promotion within Gwent Police. Individuals seeking promotion to the next rank should make

contact with Professional Development Manager within People Services at Gwent Police.

If an individual has passed the OSPRE process and wishes to attend the Gwent promotion boards, then the individual must comply with the Gwent Police Promotion procedure.

If a seconded officer is successful at the Gwent promotion board then the officer will appear on the promotion list. Individuals on secondment will not be treated less favourably than candidates in Gwent.

1.2.15 Unsatisfactory performance and misconduct

In the event that unsatisfactory performance issues arise, the receiving external organisation should notify the Head of People Services. The external organisation should assess whether the issues relate to generic policing competencies or those required for the post's specialism and should endeavour to address the issues by agreeing a structured action plan and performance standards required together with appropriate development opportunities. The Resource Officer will monitor the position and should be made aware of continued poor performance and will discuss with the external organisation the appropriate course of action.

Allegations of misconduct for **police officers or police staff** should be notified at the earliest opportunity to the Professional Standards Department. The Professional Standards Department will have the authority to assess the issue and agree further action, where necessary in liaison with the external organisation. The officer may be required to return to Force whilst the allegations are investigated. Arrangements to return to Gwent Police will be agreed in consultation with the external organisation. Gwent Police Professional Standards Department will act as liaison team during any investigation.

1.2.16 Force Seminars

Gwent Police may arrange seminars for all seconded staff; the seminars will be used to maintain a link between Gwent Police and seconded staff. All individuals should make every effort to attend this event. This event will be arranged by the People Services department.

When considered necessary any travelling or other expenses incurred by members of staff attending these seminars should be met by Gwent Police

Where it is impractical for seconded staff to attend such seminars, they will be supplied with all information in relation to the seminar.

1.2.17 Work Shadowing

Gwent Police and receiving organisations will allow staff to return to force for short periods (where this is practicable) as part of a structured development programme, for the purpose of shadowing any relevant aspects of the work of the

force. This may be particularly relevant for staff seeking continuous professional development.

1.2.18 Performance Development Reviews (PDR)

Prior to secondment the Resource Officer will check to ensure that the organisation offering the secondment operates some kind of performance appraisal system.

Whilst staff are on secondment, a copy of their annual PDR is to be forwarded to the Professional Development Unit within People Services. This document should be signed off by the line manager and forwarded to the Resource Officer so that it can be kept on the individual's personal file. A check on this will be kept by the Professional Development Unit. This will ensure that there are no issues with the member of staff's performance, and they are receiving suitable development and feedback.

1.2.19 Period of Secondment

This will be subject to an initial advertisement and agreed by Gwent Police before release. The length of time should always be **fixed** prior to the start of the secondment. In the event of a secondment terminating early, an action plan will be developed in consultation with the Resource Officer, the receiving organisation and the individual concerned to help integration back into force.

Any secondment must be for a minimum period of 6 months and no longer than 5 years.

Wherever possible members of staff accepting a secondment will complete the agreed contract period. This will allow the receiving organisation to plan their resources effectively and Gwent Police should support this. This contract period may be reviewed dependent upon the organisational needs of Gwent Police, the receiving organisation, or both, and it may be necessary for Gwent Police to terminate the secondment early.

1.2.20 Requests for extensions

If the seconded organisation wishes to extend a secondment, the organisation must write to the Resource Officer with the portfolio for secondments clearly outlining the reasons for the extension. The Resource Officer will then contact the Seconded's line manager in force to seek their views before sending a report to the Head of People Services. The Head of People Services will then review the information and make a recommendation to the Chief Officer with the portfolio for People Services.

Under normal circumstances the initial period of secondment should be between 3 and 5 years although there are exceptions to this with contracts of 12 months or less. This may be extended in exceptional circumstances by the Chief Officer. However, there is no automatic right to an extension and each request will be considered on its individual merit. Above all, the needs of the Force will be paramount.

1.2.21 Resignation or retirement during secondment

If a member of staff wishes to resign or retire during the seconded period then the individual should write to the Resource Officer with the portfolio for secondments as soon as possible. The Resource Officer will then action the request and make the necessary arrangements for the individual.

1.2.22 Returning to Force

The Resource Officer will contact individuals who are due to return to force approximately 6 months before the due date (unless this is impractical) where an interview will be arranged to discuss;

- Confirmation of date of return to force
- Information on organisational developments
- Discuss any matters which the member of staff or the organisation may wish to raise
- The skill levels achieved by the individual whilst on secondment in addition to the skills identified prior to the secondment commencing
- The individual's preference and/or options as to where they can work on return to force in conjunction with organisational need
- The agreement of a programme over the 6-month period to assist the individual's assimilation back into force (where considered relevant). This will cover welfare issues and any training needs identified relevant to their prospective posting. In addition to Health and Safety or other legal requirements for such training to be undertaken, it is unreasonable to expect individuals who have been away from certain duties to be asked to perform them again before an assessment of competence has been made and relevant training provided. Individuals have a responsibility to ensure that they have made best use of opportunities afforded them whilst away on secondment to update their knowledge and skills so that they remain able to fulfil their core tasks. Other areas may not be so urgent and may therefore feature in a longer-term action plan.
- Offer a confidential debrief with welfare officer / Federation Representative
- Identify any training requirements, i.e. operational safety, human rights etc
- Arrange a medical examination if applicable (e.g. for the role, sickness/disability issues)
- Discuss the possibility of the individual being assigned to a mentor when they return to force

The above arrangements are intended to allow a sensible and realistic programme for individuals returning to force duties. Both Gwent Police and the individual have responsibilities to ensure that the best results can be achieved.

If a police officer or member of police support staff is seconded to a role which is of a higher rank or grade, the individual will revert back to their substantive rank or grade when they return to force. This will be regardless of the length of the secondment unless in the meanwhile, a police officer has been promoted having passed the Force Promotion Board.

Police officers, who are on secondment and wish to return to force, will contact the Resource Officer, who in turn ensure the request is raised within the Resource Management Board (RMB) meeting who will consider where a returning officer will be posted. Reasonable adjustments made for disabled police officers and police staff on return to force including consideration of location of posting and consideration of restricted duties post where an officer is no longer able to fulfil full operational duties.

1.2.23 Appeals

It is hoped that given the fair and transparent manner in which applications for secondment will be treated and the way in which the Force intends to look after and treat seconded staff, the need to appeal any stage in the process will not be necessary. However, in the unusual event that an appeal may be made, the following process will apply.

All appeals regarding any stage of the policy must be made in the first instance to the Head of People Services who will ensure it is forwarded to the Chief Officer with responsibility for People Services.

The individual must provide the Chief Officer with the grounds of appeal in writing within 10 working days of receiving confirmation of the decision. The written grounds of appeal must set out fully the officer/employee's reasons for appealing the decision.

The Chief Officer will consider the grounds of appeal and provide the individual with a decision in writing within 10 working days of receipt of the grounds of appeal. If a meeting with the individual is required, then the decision will be communicated in writing within 10 days of that meeting. Such a meeting will be convened without unnecessary delay. The decision of the Chief Officer will be final; there is no further right of appeal.

1.3 Internal secondments - Police Staff only

1.3.1 Eligibility for an internal secondment

Any fixed term vacancies that are appropriate for the development of police staff will be advertised internally via the Vacancy Bulletin for members of police staff to apply for.

Staff that are still completing their probationary service will not be eligible to apply for secondments.

1.3.2 Duration of secondment

Secondments will be established for duration of **three to twelve months maximum**. A secondment may be extended in certain circumstances where the needs of the service require it, e.g. for the continuing management of key Force projects. If a line Manager or Head of Department wishes to extend a secondment then the "Secondment Extension form" has to be completed ([Appendix A](#)). This form has been devised to ensure all interested parties are involved in the decision making process.

Secondments must be reviewed before the end of the secondment period (e.g. 3 months before the end of a 12-month secondment). This is to ensure that there is appropriate time to deal with issues such as the need to re-advertise the secondment opportunity.

1.3.3 Application process

Advertisements for secondments will be advertised in the Vacancy Bulletin and have a closing date of two weeks and will be conducted in line with the force Recruitment and Selection Guidelines. Applicants will be short listed against the criteria within the person specification for the vacancy.

If only one member of staff applies for a secondment opportunity and they meet the short listing criteria, it will be at the discretion of the selection panel to decide whether they appoint the member of staff without an interview.

Police Staff who apply for a secondment will be required as per the Recruitment and Selection guide to seek recommendation from their Line manager. It is the responsibility of the line manager to state whether or not the application is recommended. Line managers must consult with their Departmental Head or Head of Service Area before making this decision. The primary aim of Gwent police is to provide an efficient and effective service to the public. If the loss of a member of staff on a secondment would negatively impact upon the ability to achieve this, then an applicant should not be recommended. Reasonable grounds for not recommending an applicant could include:

- The possibility of a resulting lack of stability within the division /department
- The exacerbation of staffing problems if , for example, other staff are on long term sickness, or several posts are filled by agency or temporary staff
- Difficulties associated with finding a suitably qualified replacement
- Developmental opportunities are not evidenced in the application form or are not considered valid

All non-recommendations must be supported by clear evidence, which will be examined by the Service Area HR Adviser.

Police Support Staff will not be eligible to apply for further secondment opportunities whilst on secondment.

If a secondment is advertised and no applicants apply for the post then the Service Area HR Adviser can make contact with the nominated recruitment agency to fill the post on a temporary basis, subject to agreement by HRSG. Or similarly the post can be advertised as a temporary contract for external candidates to apply. These options may be dependent on the recruitment guidance at the time.

1.3.4 Secondee's substantive post during the secondment period

The substantive post of the successful candidate will be filled on a temporary basis, either from within the service area/department on a temporary basis, or

where that is not possible by agency staff or staff recruited on a temporary basis. However if for operational reasons, the individual's substantive role has been backfilled on a permanent basis then every effort will be made to find suitable alternative employment in line with the organisational change procedure.

1.3.5 Terms and Conditions during secondment

The salary and all terms and conditions of the secondment will be in accordance with those for the vacancy applied for.

If an individual's substantive post attracts allowances e.g. shift allowance and the seconded post does not require the individual to work shifts, then the individual will not be allowed to retain their allowances for the seconded period.

Individuals will not be able to claim for any additional mileage incurred as a result of being appointed to the seconded post. The secondment is a voluntary move by the individual and not at the request of the organisation.

1.3.6 Performance Development Review (PDR)

The Secondee's line manager will be responsible for creating a new PDR for the member of staff during the secondment period.

The Secondee's old PDR must be signed off by the substantive line manager before they move to their seconded post.

1.3.7 Training needs

The secondment line manager will be responsible for identifying any training needs for the individual during the seconded period.

1.3.8 Performance issues during the secondment

If any performance issues arise during the period of the secondment then the Secondee's line manager should have a meeting with the individual and prepare an action plan if appropriate. If after the first meeting there is further evidence of poor performance, then the line manager must discuss the situation again with the individual. The outcome of the meeting may result in the individual returning to their substantive post. If this is the case, then the line manager should speak with their Service Area HR Adviser for the appropriate arrangements to be made.

1.3.9 Secondments terminating early

If an individual requests to return to their substantive post before the secondment has ended then the individual must speak with their secondment line manager. The individual must give reasons why they wish to return to their substantive post. The line manager must consider these reasons and seek advice/guidance from their Service Area HR Adviser, if required.

If the department wishes to terminate the secondment earlier than originally advertised due to funding or organisational change, then the line manager should speak with the individual to inform them of the situation. Arrangements will then

be made by the Service Area HR Adviser for the individual to return to their substantive post. The individual should be given a reasonable amount of notice before returning to their substantive post for purposes of completing work.

1.3.10 Return from secondment

The individual will return to their substantive post on completion of the secondment. If the individual's post no longer exists due to organisational change, then every effort will be made to find suitable alternative employment in line with the organisational change procedure.

1.3.11 Secondment post vacancy

If the secondment post becomes permanently vacant following the secondment period, then the person who was seconded to the post previously must apply for the post through the Recruitment and Selection process, unless it is considered to be suitable alternative employment under the organisational change procedure.

1.3.12 Appeals

It is hoped that given the fair and transparent manner in which applications for secondment will be treated and the way in which the Force intends to look after and treat seconded staff, the need to appeal any stage in the process will not be necessary. However, in the unusual event that an appeal may be made, the following process will apply.

All appeals regarding any stage of the policy must be made in the first instance to the Head of People Services who will ensure it is forwarded to the Chief Officer with responsibility for People Services.

The individual must provide the Chief Officer with the grounds of appeal in writing within 10 working days of receiving confirmation of the decision. The written grounds of appeal must set out fully the officer/employee's reasons for appealing the decision.

The Chief Officer will consider the grounds of appeal and provide the individual with a decision in writing within 10 working days of receipt of the grounds of appeal. If a meeting with the individual is required, then the decision will be communicated in writing within 10 days of that meeting. Such a meeting will be convened without unnecessary delay. The decision of the Chief Officer will be final; there is no further right of appeal.

2.0 Procedure Statement & Intentions

2.1 Principle & Scope of Procedure:

Gwent Police aims to support the career and development aspirations of its staff. Secondments can assist with the development of staff both laterally and vertically and should therefore be encouraged. Similarly the organisational needs and

requirements will also need to be considered when supporting such an opportunity.

2.2 Aims of Procedure

The aim of this procedure is to set out clear guidelines for members of staff on secondment both inside and outside of the organisation.

3.0 Introduction

3.1 Origins/Background Information

It is considered good practice to have a secondment procedure in order to ensure everyone is treated fairly and consistently throughout the organisation.

3.2 Motivators/Driving Forces

The motivating factor behind this procedure is to promote the organisations commitment to supporting the career and development aspirations of its staff.

3.3 The Legal Basis and Legitimate Aims

Police officers and police staff can take action under the following statutes:

- Disability Discrimination Act 1995 (police officers from October 2004)
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion and Belief) Regulations 2003
- Equal Pay Act 1970
- Health and Safety at Work Act 1974
- Maternity and Parental Leave Regulations 1999
- Part Time Worker (Prevention of Less Favourable Treatment) Regulations 2000
- Public Interest Disclosure Act 1998
- Race Relations Act 1976
- Sex Discrimination Act 1975
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Working Time Regulations 1998

Codes of Practice

The Equal Opportunities Commission (EOC) and Commission for Racial Equality (CRE), the Disability Rights Commission (DRC) and ACAS have produced Codes of Practice, giving guidance on good practice in respect of discrimination in the workplace. Infringements of the Codes are not in themselves unlawful; however they can be given as evidence to support claims of unlawful discrimination.

4.0 Implications of the Procedure

4.1 Financial Implications

Whilst Gwent Police aims to support the career and development aspirations of its staff, its primary responsibility is to provide an efficient and effective police service to the public.

4.2 Human Resources/Training

The Resource Officer within People Services will be responsible for the administration of external secondments and Service Area Human Resource Advisers will be responsible for the administration of internal secondments.

4.3 Strategic Plan Links

The Human Resources Strategy is committed to promoting widespread training and development opportunities throughout the organisation.

5.0 Human Rights Consideration Certification

5.1 Auditing for potential interference and discrimination

Q1. What articles of the Human Rights Act 1998 may be engaged?

- Article 3
- Article 6
- Article 8
- Article 9
- Article 10
- Article 11
- Article 14

Q2. Where individual rights are engaged what is the potential to discriminate against the parties involved?

" In the application of this procedure the Force will not discriminate against any persons regardless of sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status as defined under article 14 of the European Convention on Human Rights ".

5.2 Key Human Rights Principles

Q1. What is the legal basis for your procedure?

Section 3.3 refers

Q2. Does the procedure provide details of what could be considered as a legitimate aim for the potential interference with an individual's rights through the exercising of this procedure?

Restrictions on the rights protected in articles 8 - 11 in the Human Rights Act will be compatible with the convention only if they are aimed at protecting one of the interests listed in articles 8(2), 9(2), 10(2) and 11(2) respectively. The interests protected are broadly the same and generally include:

1. National Security
2. Public Safety
3. The protection of health or morals
4. The prevention of disorder or crime; and The protection of the rights of others.

Q3. How staff are made aware of the clearly defined decision making processes?

Section 1.2 refers

Q4. What are the minimum standards of documentation in relation to decision making?

Section 1.2 refers

Q5. How does your procedure provide guidance on the justification for assessment and actions as to whether the action is the least intrusive?

Section 1.2 refers

5.3 Rights, Publication, Audit and Inspection

Q1. Are there any sections of the document which should not be disclosed to the public on the Force Publication Scheme; because they consist of tactical or operational procedures, that would inhibit the apprehension or prosecution of offenders if publicly known, or would compromise the ability of the force to carry out its duties? Please outline the relevant sections that cannot be disclosed.

This procedure can be disclosed

Q2. What rights to make representation and appeal process are available?

Persons who wish to make representations regarding the operation of this procedure will have recourse to civil law. There is also the right to use formal, informal and organisational complaints procedures in respect to the operation of this procedure. Where dismissal is contemplated an individual has a statutory right to attend a hearing to discuss the matter. This includes a statutory right to be accompanied to the meeting by a trade union representative or a work

colleague. There is also a statutory right to appeal.

Q3. What internal review and audit process is in place or is proposed?

This procedure has been drafted in accordance with the principles and rights contained within the Human Rights Act 1998. It will be reviewed and continuously assessed in the light of any relevant changes and developments in the application of the Act.

Q4. What external independent scrutiny is recommended?

This procedure document can be scrutinised during Inspection undertaken by the Police Authority and HMIC.

5.4 Certification of Compliance

Consideration has been given to the compatibility of this procedure and related policies and procedures with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

5.5 Legal Vetting

There are no issues in this procedure under ECHR which cannot be resolved.

This procedure has been vetted.

6.0 Promotion and Distribution

In order to highlight the existence of this procedure to staff there will be the following :

- GO entry following ratification
- Publication on the Force Intranet and internet

7.0 Monitoring / Review

Monitoring of secondment applications will be undertaken by the People Services Department

8.0 Procedure Identification Page

Procedure Title: Secondment Procedure

Reference: 112/24 b issue 2

Procedure Ownership: People Services

Portfolio/Business Area Owner: Head of People Services

Procedure Written By: Resourcing Manager, People Services

Department Responsible: Central Recruitment

Procedure Lead: HR Manager

Links to other Policies/Procedures: Equal Opportunities Policy, Fairness at work procedure, Information Security, Data Protection, Police Regulations 2003. Organisational Change procedure, Re-deployment procedure, Promotion procedure, and Capability procedure

Procedure Implementation Date: 7th July 2011

Procedure Review Date: July 2013

APPENDIX A

AREA		LPU		DEPT	
REQUESTED BY					

<u>Name of the secondee:</u>			
<u>Name of the substantive post holder:</u>			
<u>Post Title</u>			
<u>Hours</u>		<u>Grade/Scale</u>	
Shift Allowance	%	Weekend Enhancement	%
Other Allowances	%		

Date of initial secondment	From:/...../..... To:/...../.....	No of months	
Proposed extension of secondment	From:/...../..... To:/...../.....	No of months	
Total length of contract			

What are the reasons for extending the secondment?		
What would be the risks if the secondment was not extended?		
Net Additional Financial Implications	£	Detailed calculations attached

Approvals:

NOT PROTECTIVELY MARKED

Requesting Manager
Signature: Date:

Head of Service Area /
Head of Department: Date:

Substantive Line manager of the post holder – agree / not agree (please circle)

Signature: Date:

Service Area/Department.....

If the substantive line manager of the post holder does not agree please state why below:

Human Resource Advisor recommendations:
Checklist to consider:

- Is the substantive post being covered by an agency member of staff?
- Is the substantive post being covered by a member of staff on a temporary contract?
- Will the extension of this secondment result in the person covering the post accruing Employment Rights?
- Does the person covering the post already have employment rights?
- Is there funding available for the secondment to be extended?

If no issues have been highlighted then the extension can be processed by the Human Resources Advisor. The secondment extension form should only be sent to ACPO if any Employment Law issues have been highlighted or the substantive line manager does not agree to the extension of the secondment.

Chief Officer approve / not approved

Comments:

Chief Officer: Date:

Form to be sent to Establishment Officer.

NOT PROTECTIVELY MARKED