

Heddlu Dyfed-Powys Police



**External Secondment
Policy**

Police Officers and Police Staff

POLICY IDENTIFICATION PAGE

THIS POLICY HAS BEEN DRAFTED IN ACCORDANCE WITH THE PRINCIPLES OF HUMAN RIGHTS LEGISLATION, PUBLIC DISCLOSURE IS NOT APPROVED UNLESS WHERE OTHERWISE INDICATED AND JUSTIFIED.

Policy Title: External Secondment Policy -
(Police Officers and Police Staff)

Policy Reference No: 07/08

Police Ownership: Dyfed Powys Police

Portfolio / Business-area Owner: HR

Department Responsible: HR

Person Responsible: Margaret Waller

Links or overlaps with other policies:

Policy Implementation Date: April, 2008

Required Frequency of Review: Annually

Date Policy Last reviewed: Implemented April, 2008

Policy Review Date: April, 2009

CERTIFICATE OF COMPLIANCE

This policy has been drafted in accordance with the Human Rights Act and has been reviewed on the basis of its contents and the supporting evidence and it is deemed compliant with that Act and the principles underpinning it.

Name: **Sam Gainard**

Department: **Legal Services**

Signed:S. Gainard (Force Solicitor)

REVIEW

This policy is due for review on: April, 2009

Dyfed-Powys Police

External Secondment Policy

1. Introduction

- 1.1 Dyfed-Powys Police supports the use of secondments to provide career and personal development opportunities for police officers and police staff, as well as meeting the professional and development needs of the Force.
- 1.2 This policy applies to all levels and grades of police officers and police staff, Special Constables and Police Community Support Officers, for the purpose of ease of reference these groups of workers are referred to as staff in the policy and procedure.
- 1.3 Dyfed-Powys Police recognises that secondments can be:
 - 1.3.1 Developmental for the individual;
 - 1.3.2 An additional means of advancing career paths;
 - 1.3.3 Used to add to the skills base of the Force;
 - 1.3.4 An opportunity to build or develop further strong relationships with other organisations;
 - 1.3.5 Used to support other local or national policing priorities or initiatives;
 - 1.3.6 Used to support the Force as a learning organisation.
- 1.4 Secondments can vary in type and circumstance, a fair and consistent procedure is used for all secondment arrangements across the Force.
- 1.5 Secondment opportunities normally arise externally with outside organisations such as Her Majesty's Inspector of Constabulary (HMIC) or collaborative working with other police forces or government bodies / departments.

2. Definition

For the purposes of this policy, the definition of a secondment is the temporary transfer of a police officer or a member of police staff to work for another employer without losing their status as an officer / employee with Dyfed-Powys Police.

This document supplements the Police Assistance Overseas where the provisions of the Overseas Deployment Manual for Police Officers should be applied.

Where the provisions of the Overseas Deployment Manual are silent on a particular subject, this Policy will apply.

3. Procedure re Agreeing Secondments

- 3.1 All secondments will be advertised internally on Force Routine Orders and will include details of the duration, 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.

- 3.2 Each advertisement will state if the relevant organisation is willing to accept applications to the higher rank / grade from suitably qualified candidates who wish to be considered for a temporary promotion. For police officers, such temporary promotion shall be in accordance with Force Policy and the Police (Promotion) Regulations, 1996 (see paragraph 3.8 for guidance on returning to Force).
- 3.3 All completed applications must be submitted to the respective HR Manager so that the record of the officer / member of staff may be assessed prior to it being submitted to the respective Divisional Commander / Head of Department who will indicate whether or not the application is supported together with their written reason. Any member of staff who has disciplinary performance or conduct record which is of concern to the Force or who has an unacceptable level of sickness will not be supported for secondment. The Divisional Commander / Head of Department should also consider how and if the resulting vacancy can be filled and whether there is the likelihood of the temporary post holder being fully effective for the duration of the secondment. Temporary police staff employees should be informed that the reason for their appointment is to cover the secondment of the permanent employee. Please see guidance on the Issue, Extension and Termination of Fixed Term Contracts.
- 3.4 Those applications that are supported should be forwarded to the Head of Human Resources for final approval. If the application is approved by the Head of Human Resources having due consideration to the criteria below the application will be forwarded to the recruiting external organisation.
- 3.5 Whilst Dyfed-Powys Police aims to meet the career and development aspirations of its staff, 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 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;
 - The secondment must be for a minimum period of 6 months and no longer than 5 years.
- 3.6 Applicants should be mindful of this consideration process when applying for external secondments as it will require them to complete their application well in advance of the closing date. If sufficient time is not allowed for the Force to fully consider the application, then it will not progress. Staff will be allowed to attend interviews in duty time but will be expected to pay for any costs associated with the interview, i.e. travel

and subsistence.

- 3.7 Where a member of staff is successful in their application consideration will be made as to which financial and other benefits they will continue to receive from the Force. Where applicable, entitlement to housing allowance will be maintained.
- 3.8 When a member of staff is seconded to a role which is of a higher rank or grade, when they return to Force they will immediately revert to their substantive rank or grade, regardless of the length of the secondment unless they have, in the meanwhile, been promoted having passed the Force Promotion Board.
- 3.9 When a police officer or member of staff is seconded their current post may not be kept open for them. For police staff the same provisions as per the Career Break Scheme provisions will apply, i.e. there will be an entitlement to return to the same post, where practicable (i.e. unless due to restructuring or reorganisation during the employee's absence, the post no longer exists). Each case will be considered by the Divisional Commander / Head of Department and Head of Human Resources on its merits and the officer / member of staff will be advised as soon as possible whether their post will be kept open for their return. If it is not to be kept open and a member of police staff accepts a secondment, the provisions of the Redeployment Procedure will apply on their return.
- 3.10 Those members of staff who have previously been on secondment are not eligible to apply for another secondment until they have completed two full years back in Force.
- 3.11 There is no automatic right to an extension of a secondment. All requests for an extension should be made to the Head of Human Resources as soon as the member of staff is aware of the opportunity to extend by the host organisation, or in any event three months ahead of their planned return to Force. Any extension to a secondment can only be approved subject to the considerations outlined in Section 3 and is subject to the approval of the respective Divisional Commander / Head of Department and the Head of Human Resources.

4. Successful Applicants

- 4.1 Successful applicants should inform the recruiting organisation that the formal request for release should be made to the Head of Human Resources. The request should confirm the duration of the secondment and proposed start date.
- 4.2 The HR Manager will also confirm with the Divisional Commander / Head of Department whether the application is still supported and seek confirmation of a convenient release date, which should be at least 28 days. Final confirmation of release will be subject to the Divisional Commander / Head of Department approval, satisfactory Professional Standards Department checks, organisational and operational needs. It should be noted that in some cases it may be required to postpone the release date until a suitable replacement or cover is found.
- 4.3 Once a decision is made, the HR Manager will notify the external organisation accordingly together with the convenient release date and inform the member of staff accordingly, which will also be confirmed in writing.

5. Conditions of Service

- 5.1 Successful applicants should receive direct from the external organisation, details of their terms and conditions of their secondment prior to their transfer date. It is the

responsibility of the individual to clarify any outstanding matters before their date of transfer.

- 5.2 Notification from the external organisation should be received by the Force detailing procedures for claiming reimbursement if Dyfed-Powys Police is to remain the salary paying body, prior to the transfer taking place. The secondment may be delayed if these matters are not agreed in advance.
- 5.3 Staff will receive a letter from the Human Resources Department prior to the secondment taking place, confirming:
- Start date;
 - Duration of secondment;
 - Expected date of return;
 - Details of the provision of liaison support and contact with the Force whilst seconded externally;
 - Confirmation of any reduction in or continuation of financial or other benefits during the secondment or on return;
 - Where a promotion is involved, it will state its duration (normally the length of the secondment) and confirm that the individual will revert to their substantive grade when they return to Force unless promoted by the Force before their return.
 - Staff will be reminded to notify any change of address to the Force.
- 5.4 The Divisional Commander / Head of Department will appoint a liaison person for the seconded member of staff to ensure regular communication is maintained regarding developments and so that they are kept abreast of current issues and maintain contact with their Division / Department. The Human Resources Manager will be responsible for sending Routine Orders to the individual. The role of the liaison person should be performed concurrently with their normal duties and no additional remuneration will be payable. Ultimately, it is the responsibility of the seconded officer / member of staff, to maintain regular contact with the Force.
- 5.5 With regard to Performance Development Review, seconded officers will be sent (at the time of the Force PDR) a PDR Review form 10a and should return within the specified deadline.
- 5.6 The Human Resources Department will ensure all the relevant departments are notified to deal with the following matters:
- Pay and allowances associated with the secondment;
 - Welfare provision;
 - Occupational health arrangements.
- 5.7 The Human Resources Manager will write to the recruiting organisation outlining the information which the Force needs re the secondee and any other pertinent issues, namely:

- Paragraph 5.5 – Career Development;
- Paragraphs 6.3 & 7.1 – Training;
- Paragraph 9 – Unfit for Duty;
- Paragraph 10 – Misconduct;
- Paragraph 11 – Return to Force.

6. During Secondment

6.1 Whilst on an external secondment, staff are entitled to apply for Force vacancies when they are advertised in Routine Orders, on the understanding that if their application is successful, they are to take up the appointment within a timescale which is acceptable to Dyfed-Powys Police.

6.2 The Force will continue to maintain its duty of care for staff whilst they are on their secondment. However, the primary responsibility for monitoring the seconded person's working hours in line with European and domestic legislation regarding working time rests with the external receiving organisation.

6.3 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;
- Value for money and overall cost;
- 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;

Such training is separate to training provided by the receiving external organisation, this is detailed in paragraph 7.1.

6.4 From time to time the Force may require a secondee to attend a seminar, meeting, training or development course(s). The secondee must attend, when required, the cost of attendance will be met by Dyfed-Powys Police.

6.5 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 solely as a result of their secondment from the Force.

7. Training

- 7.1 The receiving external organisation will be responsible for ensuring staff are trained to undertake duties required of them whilst on secondment. Details of training undertaken whilst on secondment should be forwarded to the Human Resources Manager, Dyfed-Powys Police to ensure accurate personal records are maintained. It is the secondee's responsibility to ensure this notification takes place.

8. Requests for Extensions

- 8.1 Any request to extend the duration of a secondment will be processed by the respective HR Manager and will be subject to the approval of the Head of Human Resources. 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 as outlined in paragraph 2.3.

9. Unfit for Duty while on Secondment

- 9.1 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 Dyfed-Powys Police of all sickness absence accordingly.
- 9.2 Should a seconded member of staff be likely to return to Force for this reason, then the external organisation hosting the secondee should contact Dyfed-Powys Police in order to mutually agree a return date and discuss organisational and operational issues so that the matter may be managed effectively in Force.

10. Unsatisfactory Performance and Misconduct

- 10.1 In the event that unsatisfactory performance issues arise then the receiving external organisation should notify the Human Resources Manager. 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 respective HR Manager 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.
- 10.2 Allegations of misconduct for **police officers** 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 Dyfed-Powys Police will be agreed in consultation with the external organisation. Dyfed-Powys Police Professional Standards Department will act as liaison team during any investigation.
- 10.3 Allegations of misconduct for **police staff** should be notified to the Head of Human Resources immediately. The Head of Human Resources will have the authority to assess the issue and agree further action, where necessary, in liaison with the external organisation. The police staff member may be required to return to Force whilst the allegations are investigated. Arrangements to return to Dyfed-Powys Police will be agreed in consultation with the external organisation. Dyfed-Powys Police Human Resources Department will act as liaison team during any investigation.

11. Return to Force

- 11.1 For secondments of 12 months or more, approximately 6 months prior to the completion of the external secondment the Human Resources Manager will formally write to the individual (copy to the external organisation and relevant Dyfed-Powys Police Line Manager) confirming their return. The individual will be required to contact the relevant HR Manager to arrange a meeting to discuss their return and any required development / training. There may be a requirement to apply a return to work programme dependant on the role into which the secondee is to return, such a programme could include general training, specialist development / training and work shadowing. The degree of required development shall be decided on by the Force.
- 11.2 The meeting with the HR Manager will cover the following areas:
- Skill levels achieved by the individual whilst on secondment;
 - Confirm date of return to Force;
 - Discuss the area into which they may return including their preference;
 - Provide information on organisational developments;
 - Provide information on current organisational and operational needs;
 - To ensure the individual can assimilate back into the Force with relative ease, an action plan will be developed to ensure development needs are addressed;
 - Redeployment / Redundancy considerations, where applicable including any necessary reasonable adjustments;
 - Any other matters which the member of staff or the organisation may wish to raise.
- 11.3 When a secondee is returning to Dyfed-Powys Police having completed their secondment, then the Force will accept the person back, subject to the provisions affecting police staff with a contract of employment which is outlined in paragraph 3.9. With regard to police officers however, there is no guarantee that the role into which they will be placed will be the same as the one they originally left and there may also be a change in geographical location within the Force area. However, in managing the return of staff, the Force will consider a number of factors including:
- The preference of the individual;
 - Welfare matters;
 - Divisional / Departmental views;
 - Skills and experience of the person;
 - Operational and organisational needs;
 - Development needs of the individual;

- Appropriate role opportunity and vacancy;
 - Succession planning requirements.
- 11.4 Paramount in the decision-making criteria is the organisational and operational need of the Force. Should there be a disagreement between the member of staff and the Divisional Commander / Departmental Head, then the final decision regarding placement upon return rests with the Head of Human Resources.
- 11.5 Should a returning member of staff require training in order to perform the role into which they are to be placed, or to receive updates on Force developments, then they are required to attend the training within a period determined by the Force, there is no discretion in this respect.
- 11.6 Police officers who spend over 3 years on an external secondment and wish to return to their Division / Department into a specialist role, will have to successfully participate in the relevant corporate selection process in order to be considered when a suitable vacancy arises.
- 11.7 If a seconded member of staff requests to be considered for transfer to a different Division / Department from the one they left pending their return to Force from secondment, a decision will be made between the Divisional Commander / Head of Department from the original and proposed work areas. For succession planning reasons the request should be submitted not less than 12 months before the individual's return to Force. Where there is a failure to agree, the matter shall be referred to the Head of Human Resources for the final decision.

12. Monitoring

- 12.1 All decisions regarding the application of this policy will be monitored to ensure equality and reported at least annually to the Force Equality group.

13. Redress and Review, Appeals

- 13.1 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.
- 13.2 All appeals regarding any stage of the policy must be made to the Chief Officer with responsibility for Human resources matters.
- 13.3 The member of staff must provide the Chief Officer with the grounds of appeal in writing within 15 working days of receiving confirmation of the decision. The written grounds of appeal must set out fully the member of staff's reasons for appealing the decision.
- 13.4 The Chief Officer will consider the grounds of appeal and provide the member of staff with a decision in writing within 15 working days of receipt of the grounds of appeal. If a meeting with the member of staff is required, then the decision will be communicated in writing within 15 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. (a) **Legislative Basis and Legitimate Aims** (list all legislation relied upon and legitimate aims identified under the Human Rights Act)

- Employment Rights Act, 1996
- Sex Discrimination Act, 1975 (as amended 1986 and 1999)
- Race Relations Act, 1976 (as amended 1986)
- Disability Discrimination Act, 1995
- Discrimination on Grounds of Sexual Orientation, 2003
- Discrimination on Grounds of Religion and Belief, 2003
- Discrimination on Grounds of Age, 2006

(b) **Equality Impact Assessment**

The policy proposal is designed to achieve:

Clarity and equality in the administration of secondments.

Reason

The policy needs a full impact assessment to ensure equality in its application.

Signed: M.A. WALLER. Dated: 10/03/2008

2. **If the answer to question 1 is yes, or if you are not sure, consider the evidence of the impact of your policy on the groups outlined below:**

2.1 What relevant quantitative or qualitative data has been considered (national or local) (age, disability, gender, race, religion / belief, sexual orientation, Welsh Language)? *

No relevant data is available.
.....
.....

** Delete whichever does not apply.*

2.2 What gaps in data / information were identified (national or local)?

Data on who is accepted for or rejected for secondments at Force level and the reasons for it.
.....
To enable monitoring to take place.
.....
.....

- 2.3 Is further research necessary? If so please outline. If you need to monitor the impact of your policy because you cannot foresee its outcome clearly, detail your monitoring and review arrangements.

Results of monitoring will be impact assessed twelve months after the implementation of this policy.

3. Consult formally

- 3.1 Has the policy or will the policy be subject to consultation (national or local)? If no, please state why not. If yes, state which individuals and organisations were consulted and what form the consultation took. Were Welsh Language organisations consulted?

The policy has been consulted upon internally with staff associations and unions. External consultation is not appropriate.

- 3.2 What was the outcome of the consultation?

Several additions were made – clarification of discipline issues and return of disabled officers.

Delete whichever does not apply.

- 3.3 Has the policy been reviewed and / or amended in light of the outcomes of consultation?

Yes – see 3.2.

3.4 Have the results of the consultation been fed back to the consultees?

No.

4. Publication and Freedom of Information / Training (NB after FOI exemption process)

The policy will be published on the Force Website.

Is any staff training necessary and if so, how is this to be delivered?

None.
