

The Local Government Staff Commission for Northern Ireland

INTER AUTHORITY TRANSFER PROCEDURES

February 2000

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1.0 INTRODUCTION

The Commission in promoting co-operation between councils, the Northern Ireland Housing Executive, public bodies, government departments and educational institutions supports the use of Inter-Authority transfers as an opportunity for individual and organisational development.

Such transfers should be planned and co-ordinated in a manner, which takes into account the provisions of equality of opportunity legislation, employee relations legislation and the national agreement on pay and conditions of service (the Green Book).

2.0 PURPOSE

The main purpose of this procedure is to provide transfer opportunities for employees with genuine welfare difficulties or to meet career development needs. Whilst transfers outside these two main areas may be requested these will only be considered at the discretion of the employing Council.

The main aim of the Inter-Authority Transfer Procedure is to promote the transfer of employees (with their consent) and develop a more flexible workforce able to deliver a quality local service.

This procedure provides guidelines on two separate transfer arrangements:

- Secondments
- Employee transfers on welfare grounds or career development reasons

3.0 SCOPE

This Inter Authority transfer procedure will apply to all employees of district councils covered by the National Joint Council for Local Government Services.

Permanent employees in all councils and the Staff Commission will be eligible to apply provided they have six months' continuous service.

Temporary staff or those on fixed term contracts will also be eligible to apply for secondments or employee transfers provided they were recruited by public advertisement, in accordance with the provisions of the Commission's Code of Procedures on Recruitment and Selection and have six months continuous service.

The recognised trade unions must be consulted, as appropriate by the employing council prior to a secondment or employee transfer being agreed. The Staff Commission should be informed of the intention to proceed with an Inter-Authority transfer. If requested the Commission may assist with the administration of the transfer process.

SECONDMENT PROCEDURE

1.0 PURPOSE

The purpose of this Procedure is to provide councils and their employees with information and guidelines about secondments within local government and to other organisations.

It will also give councils and their employees the opportunity to consider secondments as part of personal development.

1.2 DEFINITION OF SECONDMENT

A range of definitions exist to describe a secondment; for the purpose of this procedure a secondment is taken to be:

- The voluntary temporary transfer of an individual employee to any organisation (including other local authorities) or within their 'parent' council and that the appointment satisfies the principles, which are outlined in this procedure.

1.3 PRINCIPLES AND BENEFITS OF SECONDMENT

The principle aims of a secondment are:

- to enable employees to gain broader experience and to develop new skills which will be of benefit to their council and/or local government
- to promote mutual understanding between different types of organisations (including those in the private sector) particularly those with whom local government has a working contact
- to provide a means for promoting co-operation and realising the maximum benefits for local government in Northern Ireland
- to exchange management expertise and innovative techniques; and
- to provide a flexible means of developing employee resources.

1.4 DURATION OF SECONDMENT

A secondment period will normally last from three months to three years, but may be extended by mutual agreement following consultation between the three parties involved and the recognised trade unions.

The general principle is that the secondment should be for a sufficient time for all parties involved to gain the maximum benefit.

1.5 ELIGIBILITY

Secondment is a voluntary process therefore no employee is obliged to apply for or accept an offer of a secondment.

Individuals should indicate their interest in a period of secondment through their line manager. Where an employee does express interest in being seconded they should indicate the basis of such interest and, where possible, the type of secondment in which they are interested and the reasons for their preference(s).

Secondment is subject to the individual meeting the criteria required for the appointment and subject to experience gained being of benefit to the council and to release being agreed. Whilst a period of secondment is not an automatic entitlement, individuals who are not selected for secondment may wish to seek an explanation from their line manager.

In all cases, councils have a responsibility to ensure that the principles outlined in this procedure are met before approving a secondment.

Secondment is not restricted to any grade or discipline though, regard to the maximum benefit principle will be a factor in approving a particular secondment.

1.6 ROLES AND RESPONSIBILITIES

There are three parties involved in the secondment process:

- secondee the employee who is seconded
- seconder the organisation who permanently employs the secondee
- host organisation the employer who receives the secondee for the secondment period

The secondee will carry out the duties of the seconded post to agreed standards and will represent and maintain appropriate contact with the seconder.

The seconder will attempt to facilitate any potential secondee in agreeing release from their present duties. Appropriate contact will be maintained during the period of secondment between the secondee and the host organisation.

The seconder will also ensure that the secondee is allowed to return to their original post, or an agreed suitable alternative at the conclusion of the secondment period.

The host organisation will appoint secondees on the basis of experience, qualifications and ability. A proper induction will be provided and the secondee will be supported throughout the period of secondment according to best management practice.

Human resource departments within the seconder and host organisations have a responsibility to ensure that secondments are progressed in a fair and consistent manner and will provide advice to line managers in the identification of secondment opportunities. In addition advice should be provided, when requested, to secondees on the operation of secondments.

1.7 CREATING A SECONDMENT OPPORTUNITY

Secondment opportunities may arise either through the seconder identifying an organisation with which it has a business relationship and to which it feels a secondment would be useful. Alternatively, the potential host organisation may identify a secondment opportunity.

In either case, consultation will take place with recognised trade unions having regard to the particular requirements of the opportunity available, for example:

- The job description
- Grading
- Working arrangements
- Any other relevant matter

Once a secondment has been arranged, the seconder will determine, following consultation with recognised trade unions, the most appropriate method to be used to cover the temporary vacancy created. This may include one of the following:

- A mutual secondment of staff between seconder and host organisation
- A further secondment with another organisation
- 'acting-up' arrangements in conjunction with a temporary appointment

Management will ensure that, where a secondment takes place, suitable acceptable arrangements are made to cover any shortfall created by the secondment.

In all other respects, the appointment of a secondee will be in accordance with the Commission's Code of Procedures on Recruitment and Selection.

The secondee will receive a full induction into the host organisation, including on the job training.

1.8 CONTACT DURING A SECONDMENT

The three parties to the secondment will agree, at the outset, the contact arrangements which will be maintained throughout the secondment. This may include:

- Regular informal contact
- Preparation of brief reports for the seconder on the progress of the secondment and the secondee's performance
- Formal meetings between the three parties, at appropriate intervals

The seconder will ensure that the secondee is provided with any appropriate information relating to changes which occur within that organisation/department, throughout the secondment. This information may include:

- Revised terms and conditions of service
- Permanent and temporary vacancies
- Staff changes
- Changes in relevant working arrangements

Prior to the completion of the period of secondment, suitable arrangements should be made by the seconder for the returning employee to ensure an effective return to the organisation/department.

All proposed secondment arrangements will require consultation in advance with the recognised trade unions. The seconder will be responsible for consultation with trade unions.

1.9 CONDITIONS OF SERVICE DURING A SECONDMENT

Secondments may last from three months to three years and when the period of secondment is finished the secondee will return to their original post, or by agreement to alternative equivalent posts.

Remuneration

The secondee will receive either the remuneration of the secondment post or the rate of remuneration of their substantive post, whichever is the greater. Throughout their secondment secondees will maintain all the contractual terms and conditions of employment of their substantive post.

The seconder and host organisation will agree, in advance, whether all or only part of the salary and/or superannuation costs will be met by the host organisation.

The seconder and host organisation will arrange suitable mechanisms to ensure that the secondee receives the appropriate remuneration for the usual pay period.

Relocation Costs

Host organisation will meet initial relocation costs (at the start of the secondment), if appropriate; the seconder will meet any relocation costs that occur at the end of the period of secondment.

Expenses

Travelling and subsistence expenses incurred in the course of business duties during secondments will be paid in accordance with the secondee's appropriate contractual entitlement and will be met directly by the host organisation.

Leave Entitlement

The sickness and holiday leave entitlement of the secondee will remain those specified in their conditions of service. However, they will receive public and statutory holidays according with the working practices of the host organisation.

Staff Appraisal

Where a host organisation or seconder operates a formal Staff Appraisal system, the appraisal arrangements for a secondee will be agreed between the three parties in advance of the secondee taking up the secondment position.

Security

A secondee should be given details of the security arrangements, if appropriate, prior to the commencement of the period of secondment. In this regard what is the nature of this security clearance and the relevant arrangements.

1.10 Review

Secondments may be subject to review after a specified period agreed between the three parties. Normally, either the seconder or host organisation must give at least three months notice before terminating a secondment early.

EMPLOYEE TRANSFER PROCEDURE

1.0 SCOPE

This procedure outlines the arrangements and criteria, which will be considered for employees seeking transfers.

The purpose of the procedure is:

- To consider applications by employees for transfers for welfare reasons.
- To enable employees to broaden their experience and provide for career planning.
- To facilitate mutual employee transfers for welfare or career planning reasons
- To ensure that all requests for transfer requests meet the needs of the Council as well as the needs of the individual.

2.0 TRANSFER CATEGORIES

The main transfer categories are as follows:

- Transfers on welfare grounds, which will include equal opportunity considerations.
- Transfers for career development or other substantive reasons.

2.1 Welfare Transfers

Welfare transfers are designed to assist employees with genuine and urgent welfare needs. Consideration of alternative methods of support may also be appropriate such as flexible working time and career breaks.

2.2 Career Development Transfers

Career development can be managed in a number of ways. Employees may become involved in in-house training, training programmes, a temporary secondment or project work. A permanent career development transfer should only be considered as only one method of broadening experience.

3.0 CONFIDENTIALITY

At all stages of the procedure, staff involved in any way with an employee transfer shall be personally responsible not to disclose any details to any person who does not have a proper interest in this matter. Failure to ensure this high level of confidentiality may lead to appropriate disciplinary action.

4.0 REVIEW

This procedure will be jointly reviewed by management and trade unions one year after the date of the first transfer under this procedure.

5.0 GENERAL PRINCIPLES

Employees will usually only be considered for a transfer on welfare grounds if:

- They have completed at least six months continuous service, unless there has been a significant and unforeseen change in personal circumstances since taking up appointment.

Employees will usually only be considered for a career development transfer if:

- They have been in their current post for a minimum period of six months. In cases of employees who have been re-deployed to a new post (of the same grade) and who have been in post for less than six months, length of time in the grade will be the determining factor.

In addition:

- The recognised trade unions must be consulted, as appropriate by the employing council prior to an employee transfer being agreed.
- Employees can only transfer to a post of equivalent grade to their substantive grade and only to a specialist post where they fulfil the specialist requirements for that post.
- Employees transferred to a different post of equivalent grade will, on taking up post, complete an induction process with their new line manager. The induction will enable familiarisation with the new duties and responsibilities and any necessary training and development identified.
- A transfer applicant can request a meeting with their Head of Department / Director to elaborate on a request which has been refused. At this meeting, the employee can be accompanied by a trade union representative or work colleague, if they so wish.

6.0 TRANSFERS ON WELFARE GROUNDS

Employees who wish to transfer to another location for urgent domestic or other welfare reasons should, in the first instance, lodge a transfer request in writing with their line manager / supervisor outlining the reasons for the request. Employees may wish to discuss the matter with the Personnel Manager before lodging the transfer request.

In cases of transfer on welfare grounds, the line manager / supervisor will meet with the Personnel Manager and the Head of Department / Director and together will determine the most appropriate action to take.

The employing Council must determine whether:

- The employee has an exceptionally strong case for transfer
- The employee has a case which is somewhat less urgent.
- The employee has a case which should be considered within the career development transfer process

Once a request for transfer has been accepted the Head of Department / Director will lodge the request with the appropriate Human Resource Officer(s) dependant on location(s) specified. It is the responsibility of the employing council to consult with the recognised trade unions, where appropriate.

Urgent cases will be actioned by the respective Council as soon as possible and less urgent cases as soon as an appropriate opportunity occurs.

Requests for transfers will be facilitated wherever possible within the terms of this scheme, but where a request for transfer is refused an employee will have the right of appeal under the Council's Grievance Procedure.

7.0 TRANSFER REQUESTS FOR CAREER DEVELOPMENT OR OTHER REASONS

Career development transfers should be identified in the following way:

- Line managers / supervisors and employees discussing development needs and methods of meeting these.

For career development transfers the principle consideration at this stage is that the employee will benefit from a move to broaden their experience and develop their career and in doing so, the Council will equally benefit from such a move.

In considering such transfers, the line manager / supervisor and employee should take account of skills, experience, training and qualifications where appropriate, of the individual and the requirements of the post(s) in question.

Managers / supervisors should also have regard to attendance levels and disciplinary penalties in force or pending, although it may be considered in some cases that a transfer may be appropriate with regard to the circumstances.

Prior to a transfer being approved, a requirement for further development may be identified and the line manager / supervisor should be prepared to assist employees in these areas to support their request.

7.1 Lodging a Request

Employees seeking a transfer should in the first instance, lodge a transfer request in writing with their line manager / supervisor outlining the reasons for the request. Employees may wish to discuss the matter with the Human Resources Department before lodging the transfer request.

The line manager will outline their support or otherwise, along with their reasons for doing so and indicate the benefits to be gained by both the Council and employee. The line manager / supervisor should discuss their recommendations with the applicant.

7.2 Consideration of a Request

All transfer requests will then be passed to the Head of Department / Director for consideration with assistance from the Human Resources Department.

If there are any reservations regarding the transfer request, these should be discussed with the applicant. Alternative methods may also be considered to deal with the development need. The recognised trade unions need to be consulted.

8.0 REVIEW OF DECISIONS

Should an employee be aggrieved at a decision of his/her Head of Department, that a transfer request is not granted, he/she may seek a review of the decision by the Town Clerk and Chief Executive.

The Town Clerk and Chief Executive will use the grievance procedure for the hearing of appeals as the basis of presentation of a review, with the Head of Department presenting first.

9.0 CONDITIONS OF APPOINTMENT

Transferred employees will be entitled to the normal terms and conditions, including salary or pay, attaching to the post shared on a pro rata basis according to the proportion of the normal working week for the job that they hold.

10.0 REVIEW

The terms of this Employee Transfer Procedure shall apply on a permanent basis, although it will be possible for any signatory to it to seek a review of any part of the Agreement at any time and upon request.