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# Secondment & Acting Up Procedure & Policy

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## 1 Introduction

Secondment and acting-up opportunities are recognised by the Governing Board as being valuable for both employee development and to cover posts. In addition, they offer benefits for all parties involved by:

- Allowing employees to be moved to areas of increased work to meet changing demands
- Providing unique development opportunities for employees to perform in challenging situations
- Enhancing employee motivation
- Allowing the transfer of employees skills and knowledge
- Giving employees an opportunity to gain a greater understanding of different services
- Supporting succession planning.

However employees do not have an automatic right to undertake a secondment or acting up opportunity.

## 2 Definitions

### 2.1 Secondment Opportunities

A secondment is an opportunity for an employee to undertake a different role to that of their substantive post. There are three types of secondment:

- **Internal Secondment:** An employee working in a different area of expertise in the school;
- **Outgoing Secondment:** A school employee working in a different organisation whilst retaining their substantive post within the school;
- **Incoming Secondment:** A school post that is being covered by an employee of another organisation who remains employed by them, who retains their substantive post with the employing organisation.

A secondment is typically made up of a number of factors including changes to:

- Work location/organisation,
  - The team within which an individual works,
  - Line management responsibility held by an individual, or
  - Key job role and responsibilities
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## **2.2 Acting-up Opportunities**

These differ from secondments, as they tend to be internal opportunities within a school. Acting-up normally occurs when an employee fills a vacancy, which is of a more senior nature than their substantive post, on a temporary basis.

Prior to the commencement of the acting-up arrangement an agreement must be reached on the scope of the role as follows:

- Will the acting up arrangement apply to 100% or just some of the posts duties?
- Purpose of the acting-up arrangement
- Competencies required or to be developed by the employee
- Job description
- Reporting lines including absence reporting
- Predicted timescale for the arrangement
- Terms and conditions of employment under the arrangement including remuneration

The employee will be notified of this prior to the commencement of the arrangement.

## **3 Secondment and Acting-up Arrangements**

### **3.1 Practicalities**

The Governing Board will actively support secondment and acting-up opportunities where it is reasonable and practicable to do so and where operational needs will not be adversely affected.

For secondment opportunities, employees must discuss their request with their Head Teacher/manager at the earliest opportunity and seek approval prior to applying for the post. Decisions on whether to allow an employee to apply will be made on an individual basis taking into account the wishes of the individual and impact on the running of the school.

### **3.2 Internal Secondments**

If the employee moves to another role within their school, HR Services will provide the employee with an offer letter (See Appendix A). It is the responsibility of the Head Teacher/individual's original manager to keep the employee informed of any key issues impacting on their substantive role. This applies in particular to any changes that may affect their substantive post to which they expect to return. In situations where the employee is filling the role of their manager this responsibility will pass to their new manager.

### **3.3 Outgoing Secondments**

Where an employee of the school is seconded to another organisation, HR Services will provide the employee with a Secondment Agreement (See Appendix B) and a secondment letter (See Appendix C). The Secondment Agreement will be signed by both the Governing Board and the host organisation and will cover the contractual arrangements of the secondment.

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### **3.4 Incoming Secondments**

For employees of other organisations being seconded to the school, it will be the responsibility of their employing organisation to provide a Secondment Agreement as outlined above. However, where appropriate the Governing Board may also follow this up with a letter (See Appendix D). A checklist is also provided highlighting key considerations (Appendix E). In addition, we would expect the secondee's employing organisation to ensure that the individual is kept informed of any changes to their substantive role or employment. The secondee does not become an employee of the Council/Governing Board.

### **3.5 Length of Arrangement**

For secondment opportunities, the exact nature and details of each secondment can vary dependent upon the needs of the post however they are normally for no longer than three years. In situations where an employee of the Council/Governing Board is seconded to another organisation this will be for a maximum of three years. Likewise where we intend to second an individual from an external organisation, that organisation may have limits on the length of time they are prepared to second their employee to the Council/Governing Board.

Acting-up opportunities will normally be for a specific period or to cover for a specific reason i.e. to cover maternity leave, long-term sickness or the period between an employee leaving and a post being filled. With this in mind there will be a 12 month limit on the length of an acting-up arrangement to be reviewed thereafter by the Head Teacher/manager.

### **3.6 Confirmation of Arrangements**

For secondment and acting-up opportunities, it is the responsibility of the employee's original Head Teacher to notify HR Services at the beginning and end of such agreements.

Copies of any paperwork relevant to the secondment should be forwarded to HR Services throughout the duration of the secondment.

### **3.7 Security of Employment**

During internal and outgoing secondments and many acting-up arrangements the employee's substantive post will normally be covered (perhaps by another secondee, further acting-up arrangements or fixed term employment) and therefore will remain open. The employee will return to their substantive post at the end of the secondment, or in the event of a reorganisation, a suitable alternative will be sought. If there is no suitable alternative post available, redeployment or the Council's ER/VR Scheme will be considered) The Council/Governing Board would expect that similar security be given to employees being seconded from other organisations to the school/Council.

## **4 Recruitment**

### **4.1 Secondment/Acting-up opportunities of less than 6 months**

Due to the nature and the urgency of some work, a secondment or acting-up opportunity for a period of less than six months may not need to be advertised in the normal way. The Head Teacher/manager with the opportunity, in conjunction with their Chair of Governors, may decide to offer this to an employee who

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they feel has the most appropriate transferable skills and experience. Where it is felt a number of employees have the appropriate skills, informal interviews will be held.

#### **4.2 Secondment/Acting-up opportunities of more than 6 Months**

For all secondments or acting-up opportunities for more than 6 months, the vacancy will be advertised in the normal way. Please refer to the school's Recruitment and Selection Policy for further information.

The advertising of secondments with other organisations can usually be found on national or local websites. However, it is sometimes the case that the school is approached by external organisations requesting support on a secondment basis in particular skill areas and this will be advertised to employees of the school.

#### **4.3 The post occupied by an employee on a secondment or acting-up opportunity becomes vacant and needs to be filled on a permanent basis**

If during the period of secondment or acting-up arrangement, the post occupied by the secondee becomes vacant, the post will be advertised in accordance with the school's Recruitment and Selection Policy unless a recruitment process has already been undertaken. The employee currently in post (either through secondment or acting-up) may choose to apply for this vacancy in the normal way. This is regardless of the duration of the secondment/acting up arrangement

### **5 Conditions of Service**

#### **5.1 Annual Leave and Time Off**

The employee should seek the approval from their Head Teacher/manager to take annual leave. In the case of a secondment or acting-up arrangement that ends part way through the annual leave year the Head Teacher/manager must pay due consideration to the individual being able to take an appropriate amount of leave by the end of the arrangement. For example, it would not be appropriate for an individual to return to a substantive post towards the end of their annual leave year with a lot of outstanding leave to be taken. It is the responsibility of the host Head Teacher/manager to approve leave for individuals seconded into the school.

This does not apply to teachers or staff working term-time where leave is taken during periods of school closure.

#### **5.2 Pay and Financial Considerations**

Please refer to Honoraria Policy for more information on remuneration for acting-up opportunities.

In the case of internal secondments, employees will be paid the relevant remuneration in line with the grading of the post. For secondments to the school of employees from other organisations, the employee will be paid by the employing organisation and this includes on-costs and any allowances such as travel and subsistence. The employing organisation can then claim these costs back in arrears or as agreed between both parties. Likewise, where an employee of the school is seconded to another organisation, the school would pay the salary, on-costs and expenses and re-charge the costs to the host organisation.

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Disturbance allowance will only be paid in situations where the secondment/acting up opportunity arose as a result of a restructure.

### **5.3 Continuation of Service**

As an existing substantive employee of the Council/Governing Board, any employee who is seconded to another Council will retain the employment rights afforded by continuous employment with the Council/Governing Board throughout the period of the secondment. There may be other organisations where this will also apply and further details may be obtained from the School HR Adviser.

### **5.4 Record Keeping**

The employee's Head Teacher/manager will maintain and make available to the employee's original Head Teacher/manager, on request, an attendance record in respect of the employee. This includes, in the case of incoming secondments, providing information to the individual's original employer. This responsibility requires the recording of:

- absence due to annual, sick or special leave;
- absence due to industrial action;
- unauthorised absences; and
- overtime

## **6 Misconduct/Poor Performance**

For internal secondments and acting-up arrangements, employees will continue to be subject to the School's Code of Conduct and employment policies and procedures (including those governing discipline and capability issues).

Incoming secondments will be subject to their organisation's Code of Conduct and behavioural standards. In the event that the Head Teacher/manager alleges misconduct on the part of the secondee or their performance is unsatisfactory then the Head Teacher/manager should immediately notify the employing organisation who will arrange for the appropriate disciplinary action, if any, to be taken. Any disciplinary hearing will be chaired by a representative(s) from the employing organisation and attended by the Head Teacher/manager and a representative of HR Services. Furthermore any disciplinary sanction taken by the employing organisation would also be recorded on the file held by the school.

Employees who are seconded to other organisations will be subject to the school's Code of Conduct. As the original employer, the school would be contacted to jointly address any issues of discipline or capability. Any disciplinary sanction taken by the Head Teacher/Governing Board would be recorded on the personal file held by the school/Council and copied to the host manager for information.

## **7 Termination**

Either party may terminate secondment and acting-up arrangements in line with the notice provision contained in the confirmation of such agreements. Where the disciplinary and capability procedures are followed, a secondment or acting-up arrangement may be terminated without notice by the host manager, if:

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- the employee fails or neglects to carry out efficiently and diligently the reasonable instruction of the host manager; or
  - the host manager considers that the individual's actions or behaviours represent gross misconduct.

Incoming secondment arrangements will be terminated immediately by the employing organisation if the secondee ceases (for whatever reason) to be employed by them.

## **8 Support and Guidance**

Support on secondments and acting-up arrangements can be obtained from HR Services.

**Please note advice should always be sought from Legal Services when using any of the appendices as individual circumstances will need to be reflected in supporting documentation.**

## **9 Equality and Diversity Statement**

The Governing Board and South Tyneside are committed to promoting equality and valuing diversity. An equality check was carried out in March 2019. No equality implications were identified in this policy.

Policy approved by Governors:	March 2021
Date of next review by Governors:	March 2022