

Welsh Government HR Guidance and Procedures

Secondments and Loans

[For the Secondments and Loans Policy click here](#)

(Ctrl/f to search document)

Contents:

1. Roles and Responsibilities

2. Introduction

Non- Welsh Government employees

3. Inward Secondments (non-Civil Service staff) details

4. Inward Loans (Civil Service staff) details

Welsh Government employees working outside WG

5. Outward Secondments (to non-Civil Service bodies) details

6. Outward loans (to Civil Service bodies) details

Annex A - Civil Service Commission Recruitment Principles

Annex B - Government of Wales Act 2006 – Section 83

Annex C - OUTWARD Secondment/Loan Proforma for CSSC

Annex D - Glossary of Terms

Useful links

Link to E- Form for Inward Secondment/Loan Approval and Business Case:

<http://crmttools/dd3/Loader.aspx?wizardid=WIZ-10142-01111>

[Civil Service Commission Recruitment Principles](#)

[Civil Service Recruitment Internet site](#)

[Academi Wales](#)

[gov.uk –Civil Service Secondments and Loans](#)

[Performance Management Policy and Resources](#)

[Business Appointment Rules](#)

[Recruitment Policy and Procedures](#)

1. ROLES AND RESPONSIBILITIES

Inward Secondments and Loans

WG Receiving Division/Line management is responsible for:

- Identifying the secondment/loan opportunity
- Obtaining approval to recruit via this means for a maximum of two years from the business area's Resourcing Panel and the External Resourcing Panel via a Business Case,
- Using the Inward Secondments and Loans [E Form](#) to submit details of the arrangement and the secondee or loanee to the Corporate Shared Service Centre (CSSC)
- advertising internally as appropriate via the CSSC

- Making the secondment/loan opportunity known to relevant bodies and Government Departments
- Sending a copy of the Policy and this guidance to the Parent Organisation
- Meeting salary and other job related costs (including travel and subsistence) for secondees and loanees from DRCs or Programme monies
- Ensuring the secondee is aware of the principles of the Business Appointment rules and any specific conditions relating to conflicts of interest before signing the Secondment Agreement
- Providing the CSSC with any specific conditions of the secondment or loan (relating to principles of the Business Appointment Rules) which must be included in the Agreement
- arranging IT equipment via the IT Helpdesk and ensuring that the secondee/loanee provides the Personal Details required by the CSSC
- Ensuring the secondee/loanee attends an induction session and appropriate training e.g. line management training if applicable
- Using the agreed Performance Management Reporting system and ensuring reviews are carried out
- Maintaining contact with the Parent Organisation
- Arranging payment of Invoices for salary costs from the Parent Organisation
- Ensure that all notes, memoranda and records (written or electronic) produced by the inward secondee or loanee, in carrying out the services specified for their secondment or loan are returned to the WG at the end of the secondment term.
- Liaising with the CSSC on seeking assurances as required by HMRC regarding income tax and NI from the Employer
- Submitting Business Cases for extensions to the Resourcing Team in HR for approval by Director of Corporate Services, OFMCO.

HR Resourcing Team¹ is responsible for:

- Arranging for the Business Case for extensions to existing inward secondments/loans to be endorsed
- Submitting any internally authorised inward Secondment/Loan extension requests to the Civil Service Commission for authorisation after the extension has been approved by the Deputy Director, Expert Services and People
- Recording any proposed extensions to existing Secondments and Loans, monitoring and regulating the Secondment/Loan programme and ensuring compliance with policy, procedures and legislation
- Taking forward any taking decisions on requests for consideration of eligibility for WG recruitment campaigns from employees out on secondment or loan
- Monitoring and regulating Secondments and Loans

HR Business Partners (HRBPs) are responsible for:

- Providing advice and guidance on the Secondment and Loan Policy, Guidance and Procedures and the Civil Service Commission rules

¹ The **HR** Resourcing Team provides a range of expert advice which includes compliance with legislative and governance requirements, equality benchmarking, routine recruitment audits, recruitment process improvements and implementation of new recruitment initiatives.

- Ensuring that a signed secondment/loan agreement is in place **before** the arrangement starts, including delaying the start date until the agreement is completed if necessary
- Checking and ongoing monitoring to ensure that the Secondment or Loan is compliant with the Secondment and Loan Policy, this guidance and Civil Service Commission Recruitment Principles
- working with the business area's Resourcing Panel, including submitting requests for extensions to the HR Resourcing Team for approval by the Director of Corporate Services, OFMCO
- Ensuring that line managers are taking action to end secondments/loans at the appropriate time
- Submitting inward secondment requests to the External Resourcing Panel
- Liaising with Recruitment Team Leaders in the CSSC to deal with any queries or issues

Case Advisory Team (CAT) is responsible for:

- Supporting Line Managers on issues relating to performance, attendance, conduct and discipline for any inward Secondments and Loans

Corporate Shared Service Centre (CSSC) is responsible for:

- Advising on and liaising with the Receiving Division regarding the processes
- Producing Secondment and Loan Agreements using data provided by the Receiving Division
- Issuing a Secondment/Loan pack for signatures (including copies of the Official Secrets Act, security forms and relevant policies), advising it is to be returned within 10 working days and that the arrangement cannot start before a signed agreement has been received
- Reminding the individual, Line Manager and HR Business Partner if a signed agreement is not received within 11 working days of issue and asking for a revised start date
- Escalating the matter to the Team Leader if a signed agreement is not received within 15 working days of issue who will advise the Deputy Director HR Expert Services of the situation
- Undertaking vetting and security processes.
- Monitoring Secondments and Loans.
- Collating all personal details to incorporate into HR computer systems, including a scanned copy of all agreements saved in the person's virtual file and any extension letters
- Transferring individuals on Inward Loans onto the WG payroll.
- Sending reminders to the line manager at 90 days and 30 days, and also to the employee at 30 days prior to the agreed end date of each Secondment or Loan
- Actioning routine leaver arrangements
- Collating the WG's HMRC returns regarding deduction of Income Tax and NI returns for secondees and notifying [the VAT and Tax Team in Finance](#) of notification from employers

Deputy Director Expert Services and People is responsible for:

- Monitoring Secondments and Loans via the HR Resourcing Team
- Sanctioning delays in start dates if a signed agreement hasn't been received

Resourcing Panels in business areas are responsible for:

- Working with HRBPs and considering whether to agree the Business Case for a Secondment or Loan based on funding and resourcing requirements and considering any subsequent requests for extensions where possible

HR Policy Team is responsible for:

- Maintaining and updating the Secondment and Loan Policy, Guidance and Procedures
- Handling queries referred from the CSSC and the Resourcing Team in relation to secondments and loans

Outward Secondments and Loans

Employees are responsible for:

- Securing agreement in principle from line management before applying for a secondment or loan outside the Welsh Government
- Applying for Outward Secondment or Loan
- Submitting a Business Case, including details of the secondment or loan, requesting approval from the Line Manager to undertake the opportunity if an application is successful
- Considering whether the secondment may pose a conflict with their Civil Service role and following the procedures set out by the [Financial Dealings and Conflicts of Interest policy](#) where this is the case
- Agreeing the remuneration and length of a Secondment or Loan up to a maximum of two years in consultation with the WG Employing Division, CSSC and the Host Organisation (the government department or other body to which they will be seconded or loaned)
- Making themselves available to discuss the experience if required
- Ensuring that the Host Organisation produces and returns the signed Secondment or Loan Agreement to the CSSC
- Submitting a Business Case to support any extension proposal to their Departmental Resourcing Panel
- Notifying the CSSC of any change of personal/contact details whilst on secondment/loan
- Applying for posts at least 3 months before the end of the secondment or loan (if post not being kept open) and contacting their HR BP for assistance through this process

WG Employing Division/Line Management is responsible for:

- Approving in principle or refusing a request for an outward secondment or loan

- If approved, agreeing the remuneration and length of Secondment/Loan (up to a maximum of two years), in consultation with the Employee, CSSC and the Host Organisation
- Confirming whether the current post is to be held open until the end of the secondment or loan
- Liaising with the Host Organisation regarding the employee's performance management (including assessment of a performance category) whilst on secondment
- Agreeing 'keeping in touch' arrangements and ensuring they are acted on during the term of the Secondment or Loan.
- Considering any proposed extensions to the term of the Secondment or Loan, and forwarding to the relevant HRBP for consideration
- Providing a copy of the policy and this guidance to the Host Organisation
- In exceptional circumstances, producing a business case for consideration by the Chief Security Officer and Deputy Director, ICT Services, about possible retention of an office pass and IT profile by the employee.

HR Business Partners (HRBPs) are responsible for:

- Providing advice and guidance on Secondments and Loans policy and procedures
- Considering whether to endorse Business Cases, including submitting requests for extensions to the HR Resourcing Team and, where appropriate, the HR SCS Team for approval.
- Liaising with the employee, advising them on securing a post to return to on return from secondment or loan where their post has not been kept open, or arranging a temporary post in their Business Area if applications have not been successful by the return date
- Liaising with Recruitment Team Leaders in the CSSC to deal with any queries or issues

HR Case Advisory Teams (CAT) are responsible for:

- Supporting line managers on issues relating to performance, attendance, grievance and discipline for outward loans and secondments

Corporate Shared Service Centre (CSSC) is responsible for:

- Advertising Secondment/Loan Opportunities on the Job Vacancy Intranet pages
- Notifying secondees of keeping in touch arrangements
- Once notification of an outward secondment or loan is received, writing to the host organisation to request a draft agreement by 10 working days before the start date
- If a draft is not received by this time, requesting it again and reminding the host organisation that the employee will not be able to start until a signed agreement is in place and the start date may need to change, copied to the HR Business Partner
- If no response received within 3 working days of the start date, escalating to the Team Leader who will advise the HR Business Partner, copied to the

Deputy Director, HR Expert Services, that the person cannot start without a signed agreement

- Collating copies of Agreements and extension letters
- Arranging with IT services to delete the Employee IT Profile, unless agreed otherwise by WG Employing Division/Line Manager
- Taking payroll leaver action for outward loans
- Invoicing Host Organisations for full Seconded salary costs + 20% VAT
- Sending reminders to the line manager and HR Business Partner at 100 days prior to the agreed outward Secondment/Loan end date

Deputy Director or Director in the relevant business area is responsible for:

- Agreeing the Business Case for an outward Secondment/Loan opportunity and any extension requests before seeking formal approval from their Resourcing Panel.
-

Deputy Director Expert Services and People is responsible for:

- Sanctioning delays in start dates if a signed agreement hasn't been received

2. Introduction

- 2.1 Secondments and loans into and out of the WG can help to develop and improve links with UK and devolved governments and departments and with both private and public sector organisations. Secondments and loans usually last from a few months to a normal maximum of two years. See Civil Service Commissioners Recruitment Principles.
- 2.2 The organisation offering the Secondment or Loan opportunity is responsible for producing the Secondment or Loan Agreement which is a legal document.
- 2.3 A Secondment or Loan agreement cannot be used where one public body is undertaking the functions of another under section 83 of the Government of Wales Act 2006 (Agency arrangements and provision of services). If section 83 is invoked a Service Level Agreement must be drawn up by WG lawyers and put in place to cover the arrangement.
- 2.4 Non Welsh Government staff employed on duties related to s83 arrangements to exercise a specific function of either their employing authority or the WG cannot use the WG IT system without the specific permission of the WG Security Adviser. Full security clearance is necessary if permission is granted to use the WG IT system. (Annex C)
- 2.5 General questions regarding secondments and loans should be addressed to the CSSC in the first instance.

3. INWARD SECONDMENT

Identifying an inward secondment opportunity:

- 3.1 When the need for an inward secondment opportunity has been identified by the Receiving Division, initial discussions must be held with the relevant Director or their delegated managers to confirm availability of finance and accommodation. The Receiving Division must also seek advice and guidance from their HR Business Partner to ensure that an inward secondment is the most appropriate way of resourcing the role. A business case must be produced for the consideration of the business area's Resourcing Panel and then the External Resourcing Panel.

Arranging an inward secondment:

- 3.2 If the post is at SCS level, the Receiving Division must present a Business Case to the Director, Corporate Services, OFMCO. Where necessary the Director, OFMCO, will present a Business Case to the SCS Remuneration Committee for approval.
- 3.3 The Receiving Division should complete a New Post Form for evaluation by the HR Organisational Development and Job Evaluation Team before advertising a post to ensure it is being advertised at the correct level.
- 3.4 Appointments must comply with the Civil Service Commission Recruitment Principles. The revised Principles were published in 2015 (Annex A). Inward secondments of up to 2 years can be arranged without forming a field of candidates. If, at the outset, the inward secondment is expected to be for a longer term or it is considered that there may be a need to extend the secondment beyond 2 years then a fair and open recruitment exercise must be held.
- 3.5 Inward secondments usually last from a few months to two years. Even with extensions a secondment must never last for longer than 4 years.
- 3.6 The Receiving Division is responsible for making the opportunity known to potential applicants through those with whom they have links. This can include notifying local authorities or voluntary groups or the wider public through the WG internet recruitment pages where there is a need to satisfy the fair and open competition criterion. As a minimum, the opportunity should be advertised on the People Exchange Cymru Portal. The HRPB can provide guidance to the Receiving Division on advertising inward secondment opportunities more widely and on what should be contained in the advertisement, e.g. the terms of the secondment, and how to reflect details of the Civil Service Competency Framework.
- 3.7 Where an inward secondee is not recruited through fair and open competition (see Annex A) and an extension to the initial two year term is needed, then specific written approval from the Civil Service Commissioners must be secured before any extension is granted.
- 3.8 Applicants for a secondment into the WG should, wherever possible, be shortlisted and interviewed in accordance with the WG's Recruitment Policy and

in line with workforce planning data. HRBPs should be consulted whenever the Recruitment Policy is not used for shortlisting and/or interviewing. The HRBP and the HR Resourcing Team can advise on the recruitment and selection process.

- 3.9 The terms of attachment for any foreign nationals must not conflict with the Civil Service Nationality rules.
- 3.10 The majority of secondees move laterally so they remain on the same pay they receive from their Parent Organisation. It is only in exceptional cases, e.g. where the secondment post banding level equates to a temporary promotion in terms of pay, that there can be flexibility on pay.
- 3.11 The Receiving Division must notify the CSSC of the inward secondee using the E Form available on the Intranet. Inward secondees to the WG must complete and sign a personal details form, a pre-employment form 1 (Security and Vetting) and sign a copy of the Official Secrets Act. These are issued by the CSSC. Security checks must be completed in line with the WG Security Policy and prior to the secondee commencing work for the WG. Depending on the nature of the secondee's role, additional security clearance may be required, including Disclosure and Barring Service (DBS) checks.
- 3.12 The E Form supplies the required information to allow production of the Secondment Agreement for signature by the parties to the Agreement (the WG responsible person, the Parent Organisation and the Secondee). The line manager in the Receiving Division liaises with the HRPB, the secondee and the Parent Organisation to explain the details of the Agreement. It must be made clear to the Parent Organisation and the Secondee at the outset that the Agreement template, which is a standard legal document template, cannot be altered by either party. The CSSC completes the blank fields on the Agreement Template, arranges signing and issues copies to key parties, keeping a record.
- 3.13 The CSSC will write to the Parent Organisation, explaining they have 10 working days in which to return the signed copy of the agreement to WG. If the agreement has not been received within 11 working days, the CSSC will send out a reminder to the individual, the recruiting Line Manager and the HRBP explaining that they will not be able to start the secondment until a signed agreement is in place. The reminder will ask for a revised start date. If there is no response within 5 working days of the reminder, the CSSC will forward the case to the CSSC Team leader, providing a full trail of all actions. The Team Leader will contact the HRBP, copying in the Head of HR Resourcing and Head of HR Strategy and Policy. The secondee will not start until a signed agreement is in place and therefore no ICT account will be created or activated. The Deputy Director HR Expert Services will also be copied in so that they are aware of the situation and can confirm they are content for the start to be delayed until such time as a signed agreement is received.

Terms and Conditions of Service

3.14 Inward secondees to the WG retain the Terms and Conditions of Service of the Parent Organisation. However, as a condition of their secondment, they are required to observe the principles of the Business Appointment Rules (Acceptance of Outside Appointments Policy) when the secondment ends in that they must not use sensitive information, commercial or otherwise, gleaned through their secondment to WG, to influence any gain to their employer or their own private interests. This is referred to in the Secondment Agreement and the WG line manager should discuss this with the secondee and the employer before the Agreement is signed and also ensure that any specific conditions, relating to any potential conflict of interest that might occur following the end of the secondment period, are included in para 15.2 of the Secondment Agreement.

3.14.1 - **Leave:** inward secondees retain their contractual annual leave and privilege holiday allowance as stated in their employment contract with the Parent Organisation. They continue to accrue annual leave during the term of the secondment. Inward secondees are not entitled to WG privilege holidays and where they have no similar entitlement must either take annual leave on a WG Privilege day or work at home by agreement with the WG line manager if the WG office base is normally closed.

3.14.2 - **Sickness Absence/Family leave:** arrangements are in accordance with the standard procedures of the Parent Organisation. Inward secondees are required to let their WG line manager know by 10am on the first day of absence if they are not able to attend work due to illness and the estimated length of the absence. For family leave, such as maternity, paternity or adoption leave, etc., the terms of the employer apply. Attendance issues must be dealt with by the WG line manager. Formal proceedings are dealt with jointly with the HR Department of the employer. Support can be requested from the Case Advisory Team (CAT).

3.14.3 - **Pay and expenses:** Inward secondees remain on their Parent Organisation's payroll. The latter must invoice the Receiving Division quarterly for the agreed salary costs. The inward secondee is subject to the WG Travel and Subsistence Policy and Procedures during the secondment period as the WG meets T & S costs. Claims for T & S must be authorised in the normal way by the line manager in the Receiving Division. It is a requirement of HMRC that the WG seeks assurance from the employer that, where an inward secondee earns £220 per day or more, income tax and NI is deducted by the employer, and, since 6 April 2017, that all earnings are subject to tax and NI as appropriate. The CSSC Helpdesk will carry out this function and may require the support of the Receiving Division to liaise with the employer. The CSSC will notify the [VAT and Tax Team in Finance](#) when the assurance is received.

3.14.4 - **Pension:** Secondees cannot join the Civil Service Pension Scheme by virtue of being seconded to WG and, if a member of a pension scheme, will remain in their current pension scheme. Auto-enrolment to the Principal Civil Service Pension Scheme will not apply to inward secondees.

3.14.5 - Injury Benefit Arrangements: the line manager, HRBP and the Parent Organisation must agree the arrangements for injury benefit cover before any Secondment commences. Secondees are usually covered for injury benefit cover as part of their employer's pension scheme or private insurance policy. The secondee and the Receiving Division must check what injury benefit arrangements are in place before the secondment commences. The Receiving Division can decide whether the WG will cover injury benefit only if it is made a condition of the Secondment taking place.

3.14.6 - Performance and Training: The Receiving Division is responsible for arranging an induction programme, agreeing the Performance Management monitoring system and completing and documenting timely reviews. The inward secondee is entitled to use the Core Training programme offered by the WG. Requests for training not covered by the programme must be authorised and funded by the line manager and Receiving Division respectively. Performance issues must be dealt with informally in the first instance by the WG line manager. If underperformance issues persist and it becomes necessary to take formal action it may also be necessary to terminate the Agreement giving the appropriate notice. Support can be requested from the Case Advisory Team.

3.14.7 - Grievance and Discipline: Inward secondee disciplinary and grievance matters must be dealt with in accordance with the Parent Organisation's procedure. Matters must be raised with the WG line manager in the first instance. They will contact the Case Advisory Team for guidance, before contacting the HR department of the Parent Organisation to discuss the matter further. The Parent Organisation will then take appropriate action in accordance with their procedures, keeping the WG informed. WG staff who have information or are involved in any discipline or grievance matter relating to an inward secondee must be advised of, and co-operate with, the employer's procedures.

3.14.8 The WG may terminate the secondment without notice if the secondee commits any act of gross misconduct or repeats or continues any serious breach of their duties which would justify dismissal without notice of the secondee under their own Terms and Conditions. For the purposes of this policy and guidance, an act of gross misconduct has the same meaning as within standard terms and conditions of employment. The WG will liaise with the employer to agree and take next steps.

3.14.9 The WG must assist and co-operate with the employer in conducting any disciplinary investigations/proceedings relating to the inward secondee and must make all relevant data available provided it is appropriate and legal to do so. If Data Protection or confidentiality issues (e.g. politically sensitive, protected policy or personal information) arise in managing conduct or discipline matters with the employer further advice should be sought through the Case Advisory Team which considers the propriety and legal implications and advises accordingly.

Legal Requirements – The Secondment Agreement

- 3.15 The Secondment Agreement between the WG, the Parent Organisation and the inward secondee is a legal document which is completed and provided by the CSSC when an inward secondment is being arranged. The Agreement **must** be completed and signed before the security vetting arrangements are completed and the secondee commences work for the WG.

Health and Safety

- 3.16 The WG is responsible for the Health and Safety of the inward secondee while they are seconded to the WG. It is the responsibility of the Receiving Division to arrange the initial DSE assessment when the secondee starts and on a regular basis as required. Where the inward secondee is located in non WG premises, the Receiving Division must obtain written agreement from the Host Organisation that they will:
- inform the secondee of emergency and any other procedures relating to H &S for the building
 - provide furniture/equipment to the required standards and arrange a DSE assessment
 - treat the secondee as an employee in relation to H&S generally.

Keeping in Touch during the Secondment Period

- 3.17 The inward secondee should keep in touch with their Parent Organisation to ensure that they are aware of all staff notices, job opportunities, etc., that arise during their absence. The WG line manager must make contact with the Parent Organisation on a regular basis to advise of attendance, performance and any other relevant issues, and at the end of the secondment period regarding the return to the Parent Organisation.

Notice Periods

- 3.18 At any time the WG, the employer or the inward secondee may give four weeks' notice in writing that the Secondment Agreement is to be terminated and that the inward secondee will resume duties with the Parent Organisation. The line manager must confirm the return date with them and notify the CSSC accordingly. The WG may terminate the secondment without notice in certain circumstances such as gross misconduct.

Extension of inward secondment period

- 3.19 Approval **must** be given by the Civil Service Commission for any extension of the secondment period for secondees recruited under Exception 3 of the Civil Service Recruitment Principles (see Annex A). The Receiving Division must produce a comprehensive Business Case for an extension for consideration by the Resourcing Panel and the Director of Corporate Services, PSG. The Deputy Director, HR Expert Services and People, will consider the extension request, and if they consider it reasonable, will instruct the HR Resourcing Team to send

the case to the Civil Service Commission for agreement. Without a fully approved extension, the secondee must return to the Parent Organisation on the date agreed in the initial Secondment Agreement. Agreement to an extension to a secondment must be secured at least three months before the original end date of the secondment (see para 3.4).

Monitoring and escalation arrangements at the end of the secondment period

3.20 The inward secondee's line manager and the HRBP will receive automated prompts from the CSSC at 90 days, 60 days and 30 days before the agreed secondment end date, to facilitate reviewing the secondment arrangements and to take appropriate extension or leaver action. If the Receiving Division does not liaise with the HRBP by the 60 day point, the HRBP will liaise with the Head of the Operations Team to discuss next steps. If there is no response to the CSSC by the 30 day point, the CSSC will take appropriate routine leaver action, involving the removal of the IT profile, recovery of the building pass and termination of pay arrangements.

4.5. INWARD LOAN

Identifying an Inward Loan opportunity

4.1 When the need for an inward loan opportunity has been identified by the Receiving Division initial discussions must be held with the relevant Director or their delegated managers to confirm the availability of finance and accommodation. The Receiving Division must also seek advice and guidance from their HRBP to ensure that an inward loan is the most appropriate way of resourcing the role.

Arranging an inward loan – the Process

4.2 If the post is at SCS level, the Receiving Division must present a Business Case to the Director of Corporate Services, OFMCO who, where necessary will present a Business Case to the SCS Remuneration Committee for approval. In all cases, once it has been agreed that an inward loan is the way forward the Business Case must be submitted to the HRBP for approval.

4.3 The Receiving Division should complete a New Post Form for evaluation by the HR Organisational Development and Job Evaluation Team before advertising a post to ensure that it is being advertised at the correct level.

4.4 If approved, it is the Receiving Division's responsibility to advertise the post, and arrange the inward loan with the support of the CSSC. The opportunity must be publicised to UK Government Departments and other devolved administrations. The HRBP can provide guidance to the Receiving Division on what should be contained in the advertisement, e.g. the terms of the loan, and Civil Service Competency Framework details.

4.5 When the loanee has been selected, the Receiving Division must notify the CSSC using the E Form available on the Intranet. The CSSC is responsible for

producing the inward Loan Agreement. The Receiving Division Line Manager, in consultation with the HRBP, the Employer and the inward loanee, must also liaise with the CSSC as required to help them prepare the Loan Agreement for signature by the parties to the Agreement (the WG responsible person, the Parent Department and the inward loanee). The Line Manager liaises with the HRBP, the loanee and the Parent Department to explain the terms of the Agreement. It must be made clear to the Parent Department and the loanee at the outset that the Agreement is a standard legal document and its Terms must not be altered. The CSSC issues copies of the signed Loan Agreement to key parties, keeping a record. **In order to ensure a signed Agreement is received before the start date, the process set out in 3.13 above will apply.**

- 4.6 CSSC issues the relevant security vetting forms, details of the Official Secrets Act and a personal details form to be completed by the inward loanee. The Receiving Division must ensure that all notes, memoranda and records (written or electronic) produced by the inward loanee, in carrying out the services specified for their loan, are returned to the WG at the end of the loan term.

Terms and Conditions of Service

- 4.7 Inward loanees transfer to the WG's Terms and Conditions of Service.

4.7.1 - **Annual Leave and Time Off:** the inward loanee is entitled to leave in accordance with the WG's Annual Leave Policy, Public and Privilege Holiday Policy and the family leave policies.

4.7.2 - **Sickness Absence:** The inward loanee's service, including sickness records, transfers with them during the period of the loan. Absence is managed in line with WG policies and procedures. The loanee must inform their WG line manager before 10 am by telephone on the first day of any sickness absence. See Attendance Management Policy. The WG line manager must also keep the Parent Department aware of sickness absence.

4.7.3 - **Pay and Expenses:** Inward loanees are put on the WG's payroll for the period of the loan. The WG meets the costs of business related Travel and Subsistence during the loan term. The loanee claims T& S through the normal WG internal systems.

4.7.4 - **Pension:** During the term of the loan the inward loanee remains in their normal civil service pension scheme, unless they have opted out of a pension scheme. **Inward loanees should be vigilant in checking Pensions Benefit Statements annually to ensure that pensions records show continuity of reckonable service.**

4.7.5 - **Injury Benefit:** The loanee is covered by the WG's injury benefit scheme for the duration of the loan period for a qualifying injury that occurs during the term of the loan.

4.7.6 - Performance and Training: Performance Management objectives (in accordance with the WG Performance Management system) must be agreed between the loanee and the WG line manager at the start of the loan period with performance reviews carried out at agreed intervals. The WG line manager must arrange an induction programme/training and agree any appropriate line management training for the inward loanee. The loanee is entitled to use the Core Training Programme offered by the WG by agreement with their line manager.

4.7.7 - Grievance and Discipline: Any discipline or grievance matter relating to the inward loanee is handled in accordance with the WG's policies and procedures. The line manager should immediately take advice from the Case Advisory Team, prior to contacting the Parent Department to inform them of the matter at the earliest opportunity. The WG will take appropriate action in accordance with the relevant procedure and keep the Parent Department fully informed.

4.7.8 – Promotion- Inward loanees cannot apply for promotion in the WG as they were recruited on loan to carry out a specific role.

Legal Requirements – The Loan Agreement

4.8 The Loan Agreement between the WG, the Parent Department and the inward loanee is a legal document which is completed by them, having been provided by the CSSC when an inward loan is being arranged. The Agreement **must** be completed and signed before any necessary security vetting arrangements are completed and the loanee commences work for the WG.

Health and Safety

4.9 The WG is responsible for the Health and Safety of the inward loanee while they are on loan to the Welsh Government. It is the responsibility of the Receiving Division to arrange the initial DSE assessment when the loanee starts and on a regular basis as required. Where the inward loanee is located in non WG premises, the Receiving Division must obtain written agreement from the Host Organisation that they will:

- inform the loanee of emergency and any other procedures relating to H & S for the building
- provide furniture/equipment to the required standards and arrange a DSE assessment
- treat the loanee as an employee in relation to H& S generally.

Keeping in Touch during the inward loan period

4.10 The inward loanee should keep in touch with their Parent Department to ensure that they are aware of all staff notices, job opportunities, etc., that arise during their absence. The WG line manager must make contact with the Parent Department on a regular basis to advise of attendance, performance and any

other relevant issues, and at the end of the loan period regarding the return to the Parent Department.

Notice Periods

- 4.11 At any time, the WG, the Parent Department or the inward loanee may give four weeks notice in writing that the Loan Agreement is to be terminated and that the inward loanee will resume duties with the Parent Department. The line manager must confirm the return date with the Parent Department and notify CSSC accordingly. The WG may terminate the loan period without notice if the loanee commits an act of gross misconduct which would justify dismissal without notice. The Receiving Division, with the support of the HRBP/Case Advisory Team, must liaise with the Parent Department to agree and take next steps.

Extension of the Inward Loan Period

- 4.12 A Business Case to extend a loan period must be authorised by the business area's Resourcing Panel. An extension must not be granted to a loanee without the express permission of the HR Resourcing Team. Agreement to an extension of a loan period should be secured at least three months before the original end date of the loan.

Monitoring and escalation arrangements at the end of the loan period

- 4.13 The inward loanee's line manager and the HRBP will receive automated prompts from CSSC at 90 days, 60 days and 30 days before the agreed loan end date to facilitate reviewing the loan arrangements and the taking of appropriate action for extension or leaver action. If the Receiving Division does not liaise with the HRBP by the 60 day point, the HRBP will liaise with the Head of the Operations Team to discuss next steps. If there is no response to the CSSC by the 30 days point, the CSSC will take appropriate routine leaver action, involving the removal of the IT profile, recovery of the building pass and termination of pay arrangements.

5. OUTWARD SECONDMENTS

Eligibility and Finding an Outward Secondment opportunity

- 5.1 To be eligible to seek an outward secondment opportunity, an employee **must** satisfy the following criteria:
- be permanent and have passed probation
 - have been in their current post for at least 12 months
 - not be classed as an underperformer in the performance management system
- 5.2 When an employee is interested in applying for an outward secondment opportunity they must first discuss the details, how it was advertised or notified to them, and their interest, with their line manager to assess whether release to take up such an opportunity is feasible. It may not be possible to release an

employee if their current post is business critical: if so, the line manager must explain to the employee the specific business reasons why they cannot be released. If agreement in principle is given to the employee at the initial discussion stage, they may then apply for the secondment opportunity.

- 5.3 Outward secondment opportunities may be advertised through **Civil Service Recruitment**. A contact point, along with the application procedure is normally provided with the advertisement.

Arranging an Outward Secondment – the process

- 5.4 If successful in obtaining an outward secondment opportunity, the employee must formally submit a comprehensive Business Case to their line manager and Director. This must state the benefits of the opportunity to both the WG and the employee and reference any potential issues or conflicts of interest that may arise as a result of the secondment. Secondments must not be used as a means of temporarily placing staff whose performance is of concern: such staff should be performance managed within their Division.
- 5.5 If, at this stage, it becomes apparent that there is no real benefit to the WG, if there are now specific business reasons why the employee can not be released or if an identified conflict of interest presents difficulties the request can be refused. There is no appeal process when a request to apply for secondment is refused. However, if the employee believes they have been treated unfairly, they can pursue the matter through the Grievance Policy.
- 5.6 If the request is authorised, the Employing Division must decide, based on business needs and the nature of the benefits of the outward secondment, whether the post will be kept open for the employee on their return. For secondments of up to 12 months, the post should be kept open, and the Division has discretion on whether the post can be kept open for longer secondments. Where it is agreed that the post will be kept open, the employee can return to that post at the end of the outward secondment. The outward secondment should not last for more than two years. Where a post is not being kept open, see para 5.14.
- 5.7 When the line manager has formally agreed that the secondment can take place, the employee can formally accept the secondment offer and must provide CSSC with full details of their Host Organisation, job description, starting dates etc. using the Proforma at Annex D. Any conflicts of interest that are a result of the secondment but have been deemed acceptable should still be recorded in line with the Financial Dealings and Conflicts of Interest policy. Where the outward secondment is to last more than six months, the line manager should ensure that the employee's IT profile is deleted for the duration of the secondment. The content of the employee's mailbox can be stored locally on iShare. Advice about transferring data can be obtained from the ICT Service Desk. In exceptional circumstances, it may be possible for the IT profile to be maintained so that the outward secondee can retain access to WG systems and for an office pass to be retained for access to WG buildings. The line manager must set out the reasons

for such a proposal and obtain the express permission of the Chief Security Officer and the Deputy Director, ICT Services for such exceptions to be agreed.

- 5.8 An outward secondment agreement must be agreed and signed before the secondee can commence the arrangement. Once notification is received by the CSSC that a secondment is to take place, they will write to the host organisation asking them to provide a draft agreement, giving a date that is 10 working days before the start date for the draft to be received. If the agreement has not been provided by this time the CSSC will write to the host organisation, copied to the HRBP, reminding them to provide the agreement, stating that the employee will not be able to start their secondment without a signed agreement being in place and that, if the agreement is not forthcoming, the start date must be changed. If there is no response within 3 working days of the start date, the CSSC will forward the case to the CSSC Team Leader providing a full trail of all actions. The Team Leader will liaise with the HRBP, copying the information to the Head of HR Resourcing and the Head of HR Strategy and Policy. The Deputy Director HR Expert Services will also be copied in so that they are aware of the situation and can confirm they are content for the start to be delayed until such time as a signed agreement is received.

Terms and Conditions of Service

- 5.9 Employees on outward secondments do not cease to be civil servants and the Civil Service Code, Terms and Conditions of Service rules relating to civil servants, including those on disclosure of information, Business Appointments, acceptance of outside appointments and conduct/discipline, continue to apply.

5.9.1 - **Leave:** The outward secondee must apply for leave through the line manager in their Host Organisation and must be able to show the record of annual leave taken when they return to the WG. They are entitled to public and privilege holidays in accordance with their WG terms and conditions of employment. The Host Organisation must advise the WG of any special leave without pay, or family leave of any kind which is authorised.

5.9.2 - **Sickness Absence:** The normal WG sickness absence rules apply. The Host Organisation must inform the WG of any sickness absence that occurs during the period of secondment and must ensure that Fit Notes are sent to the CSSC once they have recorded them internally. The Host Organisation must liaise with the WG regarding management of any long term sickness absence, i.e. over 28 days. The WG Employing Division or Case Advisory Team (where a post is not being held open) will manage sickness absence issues.

5.9.3 - **Pay and Expenses:** The outward secondee remains on the WG payroll. The CSSC must invoice the Host Organisation quarterly in arrears for reimbursement of salary costs plus VAT. The outward secondee must claim any T & S relating to the secondment role through the Host Organisation's policy and T & S system. In very exceptional circumstances where the employee seconds to a Voluntary Sector organisation, the WG may absorb the costs, if this has been agreed by the Director or their delegated managers for the Employing Division or

the Permanent Secretary. In such cases, there is no VAT liability. The secondment agreement must indicate that there is no cost, other than incidental T&S costs, to the seconding organisation in relation to the secondment.

5.9.4 - Pension: unless they have opted out of a pension scheme, the outward secondee remains in their normal pension scheme and continues to pay contributions through the WG payroll. The Host Organisation reimburses the WG through payment of the invoices raised by the WG. If the Host Organisation agrees a rate of pay higher than the substantive one for the duration of the secondment, both employer and employee pension contributions are based on the **substantive rate of pay** and not the rate agreed for the secondment.

5.9.5 - Injury Benefit: the Host Organisation should provide injury benefit cover for the period of the outward secondment. In cases where the Host Organisation does not have Injury Benefit arrangements the employee must decide whether to accept the secondment without such cover. In these circumstances the employee may wish to take out private insurance against loss of earnings due to injury sustained during the outward secondment. The Injury Benefit arrangements must be outlined in the Secondment Agreement.

5.9.6 - Performance and Training: If an outward secondment is for less than 12 months, the employee must arrange a final check-in conversations and agree and review their performance category with their Employing Division. For secondments of over 12 months, the WG's Performance Management procedures are applied by the Host Organisation. Training must be provided to the line manager in the Host Organisation. This should be outlined in the Secondment Agreement. The outward secondee is entitled to continue utilising the Core Training programme offered by the WG provided the Employing Division, or the CSSC where the post is not being held open, endorses the request for training. The outward secondee must submit a written request explaining the benefits of such training. Any other training required during the outward secondment period must be funded by the Host Organisation. If the outward secondee is continuing with WG assisted learning and development, such as a degree course or other qualification, during the period of secondment, arrangements for any relevant payments must be agreed with the Employing Division before commencement of the secondment.

5.9.7 – Progression: If the outward secondee applies for any WG progression campaign during their secondment period, their eligibility will be based on their last WG Performance Assessment. This is to avoid any disadvantage caused by a dip in performance assessment caused by the newness and learning curve of the secondment role. Requests for consideration of eligibility will be taken forward and considered on a case by case basis by the Head of HR Resourcing.

5.9.8 - Grievance and Discipline: Discipline and/or Grievance issues for outward secondees must be handled in accordance with the WG's policies and procedures, but any matter must be raised in the first instance by/with the Host Organisation. The WG and the Host Organisation must work together to resolve such issues at all formal stages.

Legal Requirements – The (outward) Secondment Agreement

- 5.10 The Secondment Agreement between the Host Organisation, the WG and the outward secondee is a legal document which is drawn up by the Host Organisation when an outward secondment is being arranged. The Agreement **must** be completed and signed by all parties before the employee commences the outward secondment. The Secondment Agreement is explicit in that it is for a specific role, time period and notice periods.

Health and Safety

- 5.11 The Host Organisation is responsible for Health and Safety for the outward secondee during the term of the secondment.

Keeping in Touch arrangements during the Outward Secondment

- 5.12 The outward secondee is responsible for notifying the WG of any change of personal details, such as home address or bank details. At the outset the CSSC will provide e links to the WG Internet Newsroom pages and the Appoint (recruitment) system. Where the secondee's previous post is being kept open, the line manager must also keep in touch to update the secondee on business developments and other general issues. The security pass should be returned for the period of the secondment unless, exceptionally, working from a Welsh Government building forms part of the Secondment Agreement, in which case arrangements should be made with Security.

Notice periods

- 5.13 At any time the Host Organisation, the WG, or the outward secondee may give four weeks notice in writing that the Secondment Agreement is to be terminated and that the outward secondee will return to the WG. (See para 5.14 below re returning)

Extension of Outward Secondment Period

- 5.14 When an extension is required, the outward secondee must submit a written Business Case to the Employing Division, or, where applicable, to the CSSC, stating the benefits to the WG of extending the secondment, the duration and the reason(s). The case must be endorsed by the Host Organisation. If authorisation is approved by the business area's Resourcing Panel, the extension must then be cleared by the HR Resourcing Team. Without a fully approved extension the outward secondee must return to the WG on the date agreed in the initial outward Secondment Agreement. The CSSC should be notified by the HR Resourcing Team and must confirm the extension in writing to the outward secondee. Agreement to an extension of a secondment period should be secured at least three months before the original end date of the secondment. (See para 5.15 re returning)

Returning from Outward Secondment

- 5.15 When a post is not being kept open, the outward secondee will need to contact the CSSC and apply for posts at least 3 months before their date of return. If the secondment is to end earlier than expected, the secondee must contact the CSSC as soon as they are aware. If a new post is not secured by the time the outward secondee is due to return, they will be required to undertake a temporary role in their originating department, funded by that department's DRCs, until a more suitable posting can be secured. The HRBPs will discuss arrangements with the returning employee and the originating department.
- 5.16 When the Employing Division is keeping the post open the outward secondee should return to the WG on the date agreed in the Secondment Agreement, unless an extension has been formally agreed. The Employing Division must arrange for the IT profile to be re-instated and make other relevant domestic arrangements. The Employing Division must advise the CSSC when the date of return is confirmed, the post reference and any other relevant details.

Post Outward Secondment

- 5.17 An employee returning from secondment is required to be available to discuss the benefits of their experience with other employees who may be interested in taking up an outward secondment opportunity. They must also write a short report about the skills and knowledge and benefits that they have acquired during their secondment for the information of other staff.

6. OUTWARD LOAN

Eligibility and finding an Outward Loan opportunity

- 6.1 To be eligible to seek an outward loan opportunity to another government department or agency, an employee **must** satisfy the following criteria:
- be permanent and have passed probation
 - have been in their current post for at least 12 months
 - not be classed as an underperformer in the performance management system
- 6.2 When an employee is interested in applying for an outward loan opportunity they must first discuss the details of the opportunity, how it was advertised, and their interest with their line management to assess whether release to take up such an opportunity is feasible. It may not be possible to release an employee if their post is business critical and line management must formally explain the sound, specific, business reasons why they can not be released, to the employee. If agreement in principle is given to the employee at the initial discussion stage, they may then apply for the loan opportunity.
- 6.3 Outward loan opportunities may be advertised through **Civil Service Recruitment**. A contact point, along with the application procedure is normally provided with the advertisement.

Arranging an Outward Loan – the process

- 6.4 If successful in obtaining an outward loan opportunity, the employee must formally submit a comprehensive Business Case to their line manager and Director or their delegated managers. This must state the benefits of the opportunity to both the WG and the employee. Loans must not be used as a means of temporarily out placing staff whose performance is of concern. Such staff should be performance managed within their Division.
- 6.5 If, at this stage, it becomes apparent that there is no real benefit to the WG or if there are now specific business reasons why the employee cannot be released, the request can be refused. There is no appeal process when a request to apply for a loan opportunity is refused. However, if the employee believes they have been treated unfairly, they can pursue the matter through the Grievance Policy.
- 6.6 If the request is authorised, the Employing Division must decide, based on the business needs and the nature of the benefits of the outward loan, whether the post will be kept open for the employee on return. For loans of up to 12 months, the Employing Division should keep the post open, and has discretion on whether the post can be kept open for longer loans. Where it is agreed that the post will be kept open, the employee can return to that post at the end of the outward loan. The outward loan should not last for more than 2 years. (see para 6.13 re return)
- 6.7 When the line manager has formally agreed that the loan can take place, the employee can formally accept the loan offer and must provide the with full details of their Host Government Department or Agency, job description, starting dates, etc., using the Proforma at Annex D. Where the outward loan is to last more than six months, the Line Manager must ensure that the employee's IT profile is deleted for the duration of the loan. The content of the employee's mailbox can be stored locally on iShare. Advice about transferring data can be obtained from the ICT service Desk. Administrative arrangements are generally managed in the same way as a transfer to another government department or agency. In exceptional circumstances, it may be possible for the IT profile to be maintained so that the outward loanee can retain access to WG systems and for an office pass to be retained for access to WG buildings. The line manager must set out the reasons for such a proposal and obtain the express permission of the Chief Security Officer and the Deputy Director, ICT Services for such exceptions to be agreed.
- 6.8 **In order to ensure a signed Agreement is received before the start date, the process set out in 5.8 above will apply.**

Terms and Conditions of Service

- 6.9 The outward loanee will transfer to the Host Government Department's Terms and Conditions of Service from the date of commencement of the loan.

6.9.1 - **Leave:** the annual leave entitlement for the period of the loan, and the public and privilege holiday entitlement and any other family leave, are in accordance with the Host Department's policies and procedures. A full record of annual and other leave must be provided to the WG at the end of the loan period.

6.9.2 - **Sickness Absence** – sickness absence arrangements are managed by the Host Department and a full record of sickness absence must be provided to the WG at the end of the loan period. The Host Department must inform the CSSC of any sickness absences and in particular, where formal attendance management procedures are being followed.

6.9.3 - **Pay and Expenses:** the outward loanee transfers to the Host Department's payroll for the duration of the loan period. The CSSC will make arrangements with the Host Department for the transfer of personal and payroll details. Travel and subsistence arrangements during the period of the outward loan are made in accordance with the Host Department's system and terms and conditions.

6.9.4 - **Pension:** the outward loanee remains in their normal pension scheme for the duration of the loan. If that scheme is a non PCSPS scheme, then arrangements must be made between the CSSC and the Host Department to continue payments of employer's and employee's contributions to the relevant pension scheme, e.g. Rhondda Cynon Taf Pension Scheme for ex-WDA employees. **Outward Loanees should be vigilant in checking Pensions Benefit Statements annually to ensure that pensions records show continuity of reckonable service.**

6.9.5 - **Injury Benefit:** the outward loanee is covered by the Host Department's Injury Benefit Scheme for the duration of the loan period. This must be specified in the Loan Agreement.

6.9.6 - **Performance and Training:** The outward loanee is subject to the Host Department's performance management system for the duration of the loan. Any training required during the outward loan period must be organised and funded by the Host Department. If the outward loanee is continuing with WG-assisted learning and development, such as a degree course or other qualification, during the period of the loan, arrangements for any relevant payments must be agreed with the Employing Division before commencement of the loan.

6.9.7 – **Promotion:** If the outward loanee applies for any WG promotion campaign during their loan period, they will need to undergo the assessment procedures in place for the promotion grade at the time of application.

6.9.8 - **Grievance and Discipline:** Any issues related to the outward loanee are dealt with in accordance with the Host Department's terms and conditions and procedures. The Host Department must inform the WG at the outset of any formal procedures being undertaken. This must be outlined in the Loan Agreement.

6.9.9 – **Salary Sacrifice:** If the Host Department does not operate a Salary Sacrifice Scheme through their payroll and the outward loanee uses the WG scheme, they will not be able to continue in the scheme once the loan commences.

6.9.10 - **Legal Requirements:** The Outward Loan Agreement between the Host Department or Agency, the WG and the outward loanee is a legal document which is drawn up by the Host Department when an outward loan is being arranged. The Agreement **must** be completed and signed by all parties before the employee commences the outward loan.

6.9.11 -- **Promotion:** Where a WG employee on loan to another government department is successful in a formal promotion exercise leading to a substantive promotion, the WG will honour their promotion on return.

Health and Safety

6.10 The Host Department is responsible for the Health and Safety of the loanee for the duration of the loan.

Notice periods

6.11 At any time the Host Department, the WG, or the outward loanee may give four weeks notice in writing that the Loan Agreement is to be terminated and that the outward loanee will return to the WG. (see para 6:14 re return)

Keeping in Touch arrangements during the Outward Loan

6.14 If the post is being kept open for the outward loanee to return to, the outward loanee and the Employing Division must keep in touch with each other on a regular basis. The outward loanee is responsible for notifying the CSSC of any change of personal details, such as home address or bank details. At the outset the CSSC will provide e links to the WG Internet Newsroom pages and the Appoint (recruitment) system. The Host Department must keep the WG informed of sickness absence, other leave, and any formal conduct, discipline or grievance issues that arise. The security pass should be returned for the period of the loan unless working in a WG building is, exceptionally, part of the Loan Agreement, in which case arrangements must be made with Security.

Extension of Outward Loan Period

6.13 When an extension is required, the outward loanee must submit a written Business Case to the Employing Division, or, where applicable, to the CSSC, stating the benefits to the WG of extending the loan, the duration and the reason(s). The case must be endorsed by the Host Department. Authorisation must be given by the Resourcing Panel in the business area and cleared by the HR Resourcing Team. Without a fully approved extension the outward loanee must return to the WG on the date agreed in the initial outward Loan Agreement (see 6:14). The CSSC should be notified by the HR Resourcing Team and must

confirm the extension in writing to the outward loanee. Agreement to an extension of a loan period should be secured at least three months before the original end date of the loan.

Returning from an Outward Loan

- 6.14 When a post is not being kept open, the outward loanee will need to contact the CSSC and apply for posts at least 3 months before their date of return. If the loan is to end earlier than expected, the loanee must contact the CSSC as soon as they are aware. If a post is not secured by the time the outward loanee is due to return, then they will be required to undertake a temporary role in their originating department, funded by that department's DRCs, until a more suitable posting can be secured. The HRBP will discuss this with the returning employee.
- 6.15 When the Employing Division is keeping the post open, the outward loanee should return to the WG on the date agreed in the Loanee Agreement, unless an extension has been formally agreed. The Employing Division must arrange for the IT profile to be re-instated and make other relevant domestic arrangements. The Employing Division must advise the CSSC when the date of return is confirmed, the post reference and any other relevant details

Post Outward Loan

- 6.16 An employee returning from a loan may be required to be available to discuss the benefits of their experience with other employees who may be interested in taking up an outward loan opportunity.

Exception 3 Secondments

Departments may make inward secondments from outside the Civil Service of up to two years. Any proposal for a longer secondment at the outset, or to extend the appointment beyond two years, or to appoint an individual on a second secondment within 12 months of an earlier secondment, requires the prior approval of the Commission. Please click for the Civil Service Commission Recruitment Principles.

Fair and Open Competition (from Recruitment Principles)

THE LEGAL REQUIREMENT

The legal requirement is for selection for appointment to the Civil Service to be made on **merit** on the basis of **fair** and **open** competition. All three elements have to be met for the appointment to be lawful.

Merit means the appointment of the best available person judged against the essential criteria for the role. No one should be appointed to a job unless they are competent to do it and the job must be offered to the person³ who would do it best.

Fair means there must be no bias in the assessment of candidates. Selection processes must be objective, impartial and applied consistently.

Open means that job opportunities must be advertised publicly. Potential candidates must be given reasonable access to information about the job and its requirements, and about the selection process. In open competitions anyone who wishes must be allowed to apply.

1

GOVERNMENT OF WALES ACT 2006 (as amended)

Functions - Supplementary

Section 83 - Agency arrangements and provision of services

- (1) Arrangements may be made between the Welsh Ministers and any relevant authority for—
- (a) any functions of one of them to be exercised by the other,
 - (b) any functions of the Welsh Ministers to be exercised by members of staff of the relevant authority,
 - (c) any functions of the relevant authority to be exercised by members of the staff of the Welsh Government, or
 - (d) the provision of administrative, professional or technical services by one of them for the other.
- (2) Any arrangements under paragraph (a), (b) or (c) of subsection (1) for the exercise of functions of the Welsh Ministers do not affect the responsibility of the Welsh Ministers; and such arrangements for the exercise of any functions of a relevant authority do not affect the responsibility of the relevant authority.
- (3) The references in subsections (1) and (2) to functions do not include functions of making, confirming or approving subordinate legislation contained in a statutory instrument.
- (4) In this section “relevant authority” means any Minister of the Crown or government department, any public authority (including any local authority) in England and Wales or the holder of any public office in England and Wales.
- (5) This section applies to the First Minister and the Counsel General as to the Welsh Ministers.

Explanatory Note to the original Act as approved in 2006

304. This section empowers the Welsh Ministers (and the First Minister and Counsel General) and any Minister of the Crown, government department, public authority or holder of a public office in Wales, to enter into an arrangement under which each (including their respective staffs) exercise the functions of the other. Functions to which such arrangements may relate may not, however, include functions of making, confirming or approving subordinate legislation contained in a statutory instrument. The fact that a party to such an arrangement has made arrangements under it for the other party to exercise a function on its behalf does not relieve the former of its legal responsibility in relation to the exercise of that function.

Annex C

Business Case for Outward Secondment or Loan To be completed by the Employee.

Once this form has been completed and signed by your line manager, please forward it for authorisation by your HR Business Partner. They will then return this to the CSSC – Shared Service Helpdesk for action.

Name:	Grade:
Please check details held on U-Access before commencing the secondment/Loan to ensure that contact details are up to date, if they have changed, please outline changes below	
Home Address:	Telephone Number:
	Contact Email:
Division:	Cost/Management Code:
<p>A loan is where an individual moves to another Government Department or Government Agency (with Civil Service Status) on a temporary basis, please tick this box if this is a loan rather than a secondment: <input type="checkbox"/></p> <p>I have secured an outward secondment/loan with:</p> <p style="text-align: center;">Please note that whilst on Secondment you will remain on the Welsh Government Terms and Conditions and Payroll and your Host Organisation will be invoiced by the WG</p> <p style="text-align: center;">Employees going on Loan take the Terms and Conditions of the Host Department and go on their payroll</p>	
SECONDMENT/LOAN DETAILS	
Please attach a copy of the Advertisement/Job Description	
Job Title:	
Start Date:	End Date
Salary: £	Allowances Payable: £
Division Code from which Salary is payable from :	Please indicate if eligible to claim from the Host Organisation: Amount £ Excess Fares: <input type="checkbox"/> Relocation Expenses: <input type="checkbox"/> Detached Duty: <input type="checkbox"/>
Name, Address, Telephone Number and Email Address of Host Organisation Contact:	Name, Address, Telephone Number and Email Address of Host Line Manager Details (if different from contact details):
Name:	Name:
Address:	Address:
Telephone Number:	Telephone Number:

Glossary of Terms

Outward Secondment	A temporary move of a WG employee to another public sector, voluntary sector or private employer for a limited period under the terms of a Secondment Agreement
Inward Secondment	A temporary move of an employee of another public sector, voluntary sector or private employer into the WG for a limited period under the terms of a Secondment Agreement
Loans	Temporary moves of civil servants between UK and devolved Government Departments, Executive Agencies and other government bodies under the terms of a Loan Agreement
Outward Secondee	WG employee who is on Secondment to another public sector, voluntary sector or private employer
Outward Loanee	WG employee who is on Loan to a UK or devolved government body.
Inward Secondee	An individual who seconds from an outside organisation under a Secondment Agreement to the WG for a specified period of time
Inward Loanee	An individual who joins the WG on loan from another UK or devolved government department or agency with civil service status, under a Loan Agreement for a specified period of time
HRBP	HR Business Partners– general advice and business planning etc
CAT	HR Case Advisory Team – attendance, grievance and discipline issues
Civil Service Commission	The Commission is independent of Government and of the Civil Service. It is an executive Non-Departmental Public Body sponsored by the Cabinet Office and regulates recruitment to the Civil Service, provides assurance that appointments are on merit after fair and open competition, and helps promote the Civil Service values of Honesty, Integrity, Objectivity and Impartiality.
Business Case	A comprehensive request outlining the benefits of a Secondment/ Loan opportunity
Employing Division	The WG Division from where the employee is being Seconded or Loaned.

Receiving Division	The WG Division which the inward secondee/loanee is working for
Host Organisation/ Government Department	The external organisation which the outward Secondee/Loanee is working for
Secondment/Loan Term	Length of the Secondment/Loan
Parent Organisation/Department	The legal employer of the Secondee/ Loanee
Injury Benefit Cover	<p>The Civil Service Pensions Injury Benefit Scheme provides benefits to staff who suffer reduced earning capacity as a result of injury at work suffered in the course of official duty.</p> <p>It is a 'no fault' scheme and entitlement to benefits does not mean that the member of staff necessarily has a personal injury compensation claim that is likely to succeed.</p> <p>It should also be noted that if a member of staff successfully pursues a claim for compensation against the employer and is in receipt of injury benefits, they have to be repaid upon settlement of the personal injury claim.</p> <p>There are a number of stringent criteria that have to be met before benefits are awarded. To be eligible for cover the member of staff must have a qualifying injury and their earnings capacity impaired as a result of the injury.</p>