

Frequently asked questions

These are provided for guidance or quick reference guide only, so always refer to the policy

1. Definitions

1.1 What is a secondment?

The temporary transfer of an employee to a different post or area of NHSBT or to another organisation, for a specific purpose, for a specific time, to the mutual benefit of the employee and the organisation. The employee will return to their substantive post if within two years. There is no guarantee of the post being held open beyond this point.

1.2 What is a secondee?

The employee taking up the secondment opportunity.

1.3 What is a 'seconding manager'?

The manager of the person fulfilling a post prior to their secondment to another.

1.4 What is a host manager/organisation?

The manager/organisation during the period of the secondment.

NB. a seconding manager and host manager may be the same person

1.5 What is the definition of a fixed term contract?

It is a contract to cover a temporary need and where the employment is due to end when:

- An employee's contract lasts for a specified period of time **AND**
- Ends when a specified task has been completed **OR**
- When a specified event does or does not happen **OR**
- funding for the post comes to an end
- Any external person recruited to fulfil a temporary post will be recruited on a Fixed term contract.

1.6 How do you define 'short term' for a period of secondment or fixed term or for an extension?

Short term for the period of a secondment or fixed term would be considered to be three to 24 months. Short term for the period of an extension would be considered to be one to six months.

2. Assessing the need for a secondment or fixed term

2.1 Is there a short-term need to back fill another secondment?

If so, this role would normally be advertised as open competition internally. This would be considered as a secondment.

2.2 Is there a role to support a specified project?

All roles should be advertised internally via the vacancy bulletin as a minimum.

2.3 Has the internal recruitment process been exhausted or following some research, it is established that there are not an appropriate number of existing employees with the skills required?

If this is the case, you may need to consider advertising this opportunity externally on a fixed term basis. This will be identified at the 'Recruitment request' stage. Should an external appointment be made to such a position, this will be considered to be on a fixed term basis.

3. Secondment

3.1 What will I receive as confirmation of a secondment?

The seconding manager will be responsible for completing a secondment checklist and confirming the details in writing including:

- confirm the arrangements to the secondee
- obtain your written agreement to the arrangements
- confirm the required arrangements for your return to work
- detail the arrangements for keeping in touch with the you during your absence
- completing 'Change to contractual details form' (see 'forms' in People First) and submitting to NHSBT Pay Support
- making any financial arrangements with the external organisation or area in which you will be working (you will remain on your current budget during the secondment)
- making any required arrangements to cover the secondment
- making the required arrangements for your return to your substantive post or agreed role
- arrangements for conducting and documenting review meetings (at least quarterly) with interested parties to include host and seconding manager it is recommended that this occurs no later than 6 weeks before the expiry date of your secondment)
- any other pre-existing working condition specific to you e.g. pre-booked holidays/personal commitments. Normally this would not include previous job specific allowances e.g. driving allowance, away from base, and on call etc.
- contractual position in terms of your substantive post – you should expect your substantive post to remain open for you to return within 24 month period.

3.2 How do I apply for a temporary vacancy

Temporary vacancies will be advertised, and should you wish to apply, you should discuss the vacancy with your line manager, and especially before attending any interviews. Where an internal applicant is successful at interview for a temporary post and has the support of their manager, this will be considered a secondment.

3.3 What happens if my manager will not agree to a Secondment?

Managers are encouraged to think broadly and creatively and be open to considering how to support employees wishing to take up a temporary post on a secondment. Any application must be considered on a case-by-case basis.

However, before applying for an advertised temporary post you **must** discuss this with your manager. Your manager will consider the following:

- Can your substantive role be easily filled and in what timescale
- The training requirements of a replacement
- Will the secondment support your career development/pathway

- The operational impact
- Any costs to the department or organisation

*This list is not exhaustive

The organisation expects every effort to be made to allow you to go on a secondment, and to look for compromise wherever possible. If, however, they ultimately will not support this, they must provide a clear justification as to why you are unable to be released.

Should you be unsatisfied with the reasons provided, you will need to refer to the Grievance Policy.

If you resign from your permanent post to take up a fixed term appointment, your vacated post may have to be back filled for operational reasons. In these circumstances you do not retain the right to return to that post and at the end of the fixed term contract, your continuing employment could be at risk. It is important to note that as you have voluntarily placed your employment at risk you may not qualify for contractual redundancy payments.”

3.4 Who is responsible for finalising secondment arrangements?

The seconding manager will discuss and agree the arrangements for the secondment with the potential host manager.

3.5 What happens if my secondment is only for part of my normal working week?

The same will apply. However should you be on a higher rate of pay for that secondment your manager will liaise with [HR Direct](#).

3.6 As a manager, how do I ensure that recharge arrangements take place?

Recruitment will provide you with an ‘Information Record for Secondment into NHSBT’ for you to complete. This will ensure that Finance and NHSBT Pay Support are informed of the secondment so that the necessary recharge arrangements can be made with the host organisation. Normally the host organisation is recharged in full for the cost of the secondment including direct salary costs and other expenses.

3.7 What happens at the end of my secondment?

If within 24 months, you would normally return to your original area of work. Where an extension is granted, it may not be possible to return to your substantive post, however, a post of the same grade would be kept available. Where it is not possible, the Seconding Manager will arrange to meet with you at least **six weeks** before the end of the secondment to discuss the details of returning to your substantive role or equivalent post. Reference will be made to your original meeting and confirmation you had prior to your secondment. The outcome will be confirmed in writing to you.

Prior to any extension being granted, a manager must be able to demonstrate:

- Why is it required
- How long for
- Could the role be made permanent
- The impact on the individual on secondment
- The impact on those covering the duties, for example a person covering the seconded person and their substantive department.

3.8 When my secondment ends, will I receive redeployment support?

No. You will not automatically receive this. In most cases, you will return to your substantive role or a role at the same band. Should you be affected by organisation change, you will receive redeployment support as appropriate to that particular change programme.

3.9 As a substantive employee, what happens if I am offered another temporary position while in an existing one?

If you are on a secondment, and you are offered another, firstly, is this supported by the seconding and host managers? If yes, then the host manager will review and terminate your secondment. This will allow the new host manager to discuss with your original seconding manager, a new secondment. The seconding manager reserves the right not to support the secondment.

Should you have already been on a secondment for two years, or if the new one takes you out of that role for over two years, then your manager may decide to back fill your substantive post permanently. In this situation, you would return to a post of the same grade as your substantive post.

3.10 If my secondment is extended beyond 2 years, do I have a right to the post permanently?

Regardless of the amount of time spent in a secondment, you do not have the right to the post permanently. Therefore, it is important that you participate in regular discussions about the future of the post. Should the post go beyond 24 months, your manager should be considering whether the post should be permanent. Any extension must be fully quantified by the manager, and you must understand the risk to you, should you accept this extension.

4. External secondments

4.1 For what purpose would I be seconded to another non-NHS organisation?

The NHS and Community Care Act 1990 allows the organisation to second employees to other (non-NHS) bodies:

- Either where you or the organisation may be undertaking research with that organisation
- Or where your training, in connection with NHS, is being undertaken by a University or other body (normally another NHS organisation)

4.2 If I am seconded to another NHS organisation, what can I expect to be paid?

NHS secondment opportunities should be treated in the same way as direct employment or employment with that organisation, and therefore must have a detailed job description, person specification, supported by a job evaluation assessment of an AfC pay band (with the panel made up of one management and one staff side representative for roles of less than 12 months duration). If the secondment is in excess of 12 months the full job evaluation process will apply.

4.3 Will I be able to claim travel expenses if I am seconded to another Organisation?

As a rule, the secondee will not be eligible for travelling expenses from NHSBT. In exceptional circumstances, we will review individual cases and where agreed, these will be paid at public transport or lease car rate, as appropriate.

4.4 If I am seconded to another organisation, will I be able to keep any NHSBT property?

You would normally be required to surrender all NHSBT property such as your lease car, mobile phone, laptop etc as soon as the secondment starts, unless they are required for business use in the seconded role. There may be occasions when you wish to retain a lease car, in which case they should contact the lease car administrator to discuss options.

5. Fixed Term

5.1 Can I apply for a fixed term post that has been advertised, if I am a permanent employee?

Fixed term posts for existing employees are normally considered as a secondment as long as your manager agrees to release you. If not, you will need to decide if you want to take up the role. If you are successful you should be clear that because this is a Fixed Term position and not a secondment you may not be able to return to your permanent post at the end of the contract. In fact, if other employment is not available for you then your employment could end at the end of the Fixed Term period.

5.2 If I am on a fixed term contract, can I access and apply for Permanent Vacancies?

Yes. These are accessible on the NHSBT weekly [Vacancy Bulletin](#). Your Manager should ensure you are informed of how to access this during your induction.

5.3 How long will my fixed term contract last?

Your Fixed Term contract of employment will contain an end date and a reason why the employment is fixed term. It is advisable for managers to keep the length to a minimum, preferably under 12 months.

If you know that the length of the fixed term contract is likely to be longer than 12 months, you should where possible fix this for the known period i.e. 12, 18, 24, 36, 48 months etc. This means that at the end of the fixed term period, redundancy will not apply.

However, should you start short and continue to make extensions to the contract, it is likely you will be liable for redundancy costs at the end of the contract period.

5.4 If I am on a fixed term contract what is my notice period?

This will be in your contract of employment. The date your contract is due to end will be stated in the contract or letter if extended.

5.5 What is the dismissal process for my fixed term contract?

The date specified in your contract is the date that your contract will end, unless it has been extended, in which case you will receive confirmation in writing. Your manager must meet with you to review your work, and discuss any extension, handover, etc. Prior to the termination date, you will be asked to attend a meeting with your manager where you will be issued formal contractual notice of dismissal in line with your contract end date. During your contractual notice period, you will be offered redeployment support as an alternative to dismissal.

5.6 Can my fixed term contract be terminated early?

Yes, this can happen, for example, if a permanent employee returns to work early, or if the work has been completed early. Your manager will meet with you to explain the reasons for early termination, terminate your contract on grounds of early termination, and provide you with the appropriate contractual notice. You should discuss with your manager what support may be available to you to seek alternative employment and have access to redeployment support.

5.7 At what point, if any, is my fixed term contract considered to be made permanent?

If your contract is renewed *after* 4 years of continuous service, this should be on a permanent basis, unless NHSBT has a good business reason not to do so, or a collective agreement removes the right.

If, however, your contract is set at four years or more, and not renewed after four years, this will not apply.

5.8 When my fixed term contract ends, will I go on the Redeployment Register?

No. This is reserved for those affected by organisational change.

However, you will be provided access to the [NHSBT Vacancy Bulletin](#), reasonable time to search for work may be granted, as well as to attend any interviews. This must be considered in line with operational requirements.

6. Maternity Leave

6.1 If I am pregnant or adopting a child, how will this impact my secondment or fixed term contract?

If you are an employee on a secondment or on a fixed term contract, the benefits under the Parents Policy will apply, provided the eligibility criteria are met. You must have 12 months continuous service with an NHS employer to receive paid and unpaid occupational mat leave and Occupational Maternity Pay.

Secondment - If you become pregnant during a secondment, the host department or Organisation will make the necessary arrangements as if you were in a Permanent post. A secondment opportunity must not be refused or terminated because you are pregnant.

Fixed term - Maternity entitlements will be dependent on the expiry of your fixed term contract and the expected date of childbirth (EWC). If you have a fixed term contract that is due to expire after the 11th week before the EWC and no later than 6 weeks after the baby is due, then your contract may be extended to enable you to receive maternity leave and any maternity pay you are entitled to. This is dependent on your level of service (as above)

7. Organisation change

7.1 How does organisation change impact me if I am on secondment and my substantive post is the subject of change?

If your substantive role is to be affected by organisational change during or immediately after your secondment, you will be fully informed of the process and, unless there is an agreement otherwise, you will be treated as if you are working in your substantive post. Your managers (seconding and host) will liaise with HR Consult, so that the appropriate formal consultation with employee representatives can take place.

If you are on a fixed term contract, you will still receive appropriate formal consultation. This may result in an early termination of your contract; redundancy should you qualify; an extension to your contract; or you may be considered for any vacancies that arise once any permanent employees impacted have been through a recruitment process.

7.2 How does organisation change impact me if I am on secondment and my seconded role is the subject of change?

If your seconded role is to be affected during your secondment, you will be fully informed of the process. You will again receive appropriate consultation. Normally if a post is affected, you would return to your substantive post early with 4 weeks notice. Should there be roles available in the new structure that has not been filled by others at risk; you may have the opportunity to apply within the pooling arrangements or through open competition. If you have been in a seconded post for more than 12 months, you may be considered to be slotted into that post or placed in the appropriate pool for consideration for that post or similar.

8. Lease cars

8.1 How will a secondment affect my lease car arrangements?

You must carefully consider the implications of sacrificing salary when considering a secondment and you are urged to seek advice on whether this type of scheme is appropriate for your own circumstances. Refer to the Lease Car Scheme for details.

9. Training

9.1 As a fixed term employee or seconded, am I still required to carry out mandatory training?

Yes, all employees must undertake mandatory training. You will be treated as eligible for in house training and development support on the same basis as a permanent employee. All other cases e.g. requests for funding for further education will be considered on their own merit. Refer to the Support for Personal & Professional Development Policy for more details. It is unlawful to deny training on the basis of fixed term status only.

10. Pension

10.1 If I am on a fixed term contract, am I still able to join a pension scheme?

Yes. All employees will automatically join the NHS Pension Scheme, regardless of length of contract. Scheme rules are available from the NHS Pensions Agency. You will be provided with details of the NHS Pension Scheme on appointment by the Recruitment & Resourcing Department.

11. Other

11.1 Does this policy apply to Agency workers?

No. It does not apply to agency workers, or students on work placements or temporary work schemes specifically designed to provide training.

11.2 Can a fixed term contract be used as a probationary period?

No. Not under any circumstances. A 6-month probation period applies to all permanent and Fixed term employees. Refer to the Recruitment and Induction policy and Knowledge (FAQ's) in People First for more information.

11.3 Can I automatically move an employee from secondment/fixed term to permanent, with the required authorisation?

This cannot happen automatically, as you need to demonstrate a robust recruitment process. If you have trained them in a specific skill e.g. a Donor Carer, you will naturally want to try to keep that person. You would, however, need to consider if your need is for additional hours or for a person. If your need is for hours, you would need to consider opening an expression of interest to your existing and/surrounding team as there may be individuals who wish to change their hours. If your need is additional people, you will still need to explore with your team who may wish to change their hours, and then consider an expression of interest to your and /or a surrounding team to fill that vacancy. Should the only applicant be the person on the fixed term contract or secondment, you would not need to formally interview them for the role. However, you would be advised to consider their performance to date, to ensure you are happy for them to continue in a permanent capacity.

12. Policy Approval and Review

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|------------------------|----------------------------------------------------------------|
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13. FAQ's Section Details

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