

RESEARCH COUNCIL TRANSFERS AND SECONDMENTS POLICY

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Policy Statement

The Research Council is committed to supporting opportunities for secondments and recognises the facility for employees to transfer between Research Councils. This Policy sets out the arrangements that apply to secondments and inter-Council transfers.

This policy for transfers and secondments is agreed with the Trade Union Side and complies with legislation.

This policy applies to all employees of the Research Council. This includes those employed on temporary or fixed term contracts but excludes Visiting Workers, students or those workers provided by a third party agency.

For employees holding limited leave to remain and/or right to work limitations, implementation of this policy may be subject to Home Office immigration rules. Before making decisions or taking any action relating to this policy advice must be sought from your retained HR Team.

The UK Shared Business Services (UK SBS) provides HR services across the Research Council. However some employees are deployed at establishments/facilities/ships that do not access services from UK SBS. In these cases reference to UK SBS or System (Employee Self Service) will not apply and employees should refer to their Research Council HR team for assistance.

Whether a worker is deemed to be a worker or employee is not always clear under employment legislation. In cases where managers or individuals have any doubt as to whether the Transfers and Secondments Policy should apply, advice should be sought from the Research Council HR team.

1. Principles

- 1.1 In this policy a *Transfer* is an arrangement whereby a Research Council employee permanently moves employment to another Research Council but maintains continuity of service in relation to certain terms and conditions of employment. (This policy is not, however, intended to apply to TUPE transfers). For more information on the TUPE process employees should contact the Research Council HR Team.
- 1.2 A *Secondment* is an arrangement whereby an employee works with another organisation, including another Research Council, for a specified temporary period, but continues to be employed by the Research Council. For other arrangements see the Career Break & Sabbaticals policy.
- 1.3 In addition to the provisions in this policy for transfer to another Research Council, employees can currently participate in a Civil Service scheme, which provides for employees in Non-Departmental Public Bodies (NDPBs) to apply against Civil Service inter-departmental trawls and, if selected on merit, to transfer into the Civil

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Service. Under these arrangements Research Council employees may access the Civil Service Jobs website to apply for interdepartmental trawls advertised there, provided they were recruited to the Research Council through fair and open competition. The website is www.gov.uk/government/organisations/civil-service/about/recruitment

2. Transfers

Terms

- 2.1 Recognising that some terms and conditions do currently vary between Research Councils, the receiving Research Council will, to the greatest extent possible, recognise the individual's previous service in their current Research Council for all relevant employment terms, e.g. annual leave or redundancy compensation. If permitted by pension scheme rules, individuals will be allowed to keep their existing pension arrangements. Pension information is available from Knowledgebase or by contacting the Pension provider.
- 2.2 The offer of a post in the new Research Council will also make it clear that in accepting the post, the individual is confirming their wish to resign from their current Research Council employment. The normal contractual notice period for resignation will apply but the expectation is that line managers and HR teams will work together to ensure that these moves are managed in as timely, flexible and mutually beneficial manner as possible.
- 2.3 Where employees move between Research Councils on a level transfer or on promotion and have already completed probation with their existing Research Council, they will not need to serve a period of probation.
- 2.4 It is expected that the receiving Research Council will honour any ongoing training/further education concessions, provided that they are relevant/beneficial to the transferee's new role.
- 2.5 Where the Research Council has declared pre-redundancy measures, it will facilitate transfers of employees to other Research Councils to avoid redundancy.

Procedures

- 2.6 When moving to another Research Council on level transfer terms, individuals should move at least on their existing pay rate. For employees transferring on promotion, the normal promotion rules of the receiving Research Council will apply.,
- 2.7 Where the transfer involves a change of site, payment of relocation expenses is a matter for the receiving Research Council. Please refer to the Research Council's Relocation Policy or contact the Research Council HR Team.
- 2.8 Transferring employees will normally be expected to use (or have been paid for) accrued but untaken annual leave and to clear any flexitime balances. Transfer of security passes, parking permits and leisure passes should also be just a "paper" exercise in order to make the move as seamless as possible, but some conditions will only apply where Research Councils are co-located e.g. on the Swindon campus.
- 2.9 Any special facilities provided to the individual on a health and safety basis e.g. special support chair, specialist keyboard etc, will transfer with them to the new

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Research Council, where practicable. This will be agreed beforehand/at point of transfer for clarity.

3. Secondments

Terms

- 3.1 The Research Council will be as open and flexible as possible in identifying and arranging suitable agreed secondment opportunities for employees. Employees should consult with their Line Manager, and seek the required approval prior to applying for a secondment opportunity. An employee may be seconded to any type of organisation by mutual agreement, provided the Research Council believes this to be in its own and the individual's overall interest and the secondment is compatible with current business needs. Benefits might include for example, a training/development opportunity or redeployment to avoid redundancy. Such arrangements may be initiated by management, another organisation or the employee concerned. The administrative arrangements, and conditions, for any given secondment will be determined according to individual circumstances and should be in place before the secondment commences.
- 3.2 When deciding on the release date, the Research Council's own business needs will be the major consideration, including how the released position would be covered. However, the needs of the receiving organisation and the wishes of the employee will be taken into account as far as possible.
- 3.3 Secondments are normally for a period not exceeding 3 years in the first instance, but may be extended up to 5 years for a particular secondment (though there is no limit on the number of separate secondments during an employee's career). Employees on secondment will remain eligible:
- For consideration of general and performance related pay awards (notional in the case of those not remaining on the Research Council's payroll)
 - For consideration for promotion (where appropriate)
 - To apply for advertised posts throughout the Research Council.
- 3.4 Pension and salary arrangements will vary according to the type of secondment in order to provide maximum flexibility and meet a variety of situations. However, where a secondment is between Research Councils, the employee will normally continue to be paid by their existing Research Council and the associated costs (including employer pension and national insurance contributions) will be recharged to the receiving Research Council; unless agreed otherwise, employees will also retain their other existing employment terms and conditions. For other secondments, the arrangements to be adopted in any particular case will depend on the circumstances and negotiations will need to take place between the Research Council, the seconded employee and the receiving organisation.
- 3.5 An employee on secondment remains in the Research Council's employment and will retain continuity of employment. Before agreeing to the secondment, it is therefore important that the employee's line management consider what role the employee might fill on their return to the Council. A plan for the individual's re-entry to the Research Council should normally be agreed before the secondment begins, with their line management taking the lead in this. The Research Council does not guarantee to provide a post at the establishment where the employee was previously

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serving (see the Research Council Mobility Policy). The Research Council does, however, commit to take the individual back into normal employment in the band/grade previously held (unless they have been substantively promoted to a higher band/grade through the Research Council promotion procedures).

Procedures

- 3.6 The Research Council's HR team will contact HR in the receiving organisation to agree the terms of the secondment. Such terms will include:
- Pension and salary arrangements
 - The duration of the secondment (and any subsequent extensions)
 - The methods of performance review and notification of reports.
- 3.7 The Research Council will also ensure that regular contact is maintained with the secondee:
- To inform them of any significant developments which may affect them
 - To notify them of any suitable opportunities
 - To monitor the continued benefits of the secondment (to all parties)
 - To ensure that the return process is carefully managed.
- 3.8 A tripartite agreement will be drawn up for each secondment, setting out its main terms including pay, pension, leave, hours of work, expenses, sickness absence, performance review etc. The agreement will also set out responsibilities and procedures for dealing with any employment issues that may arise (e.g. a redundancy situation in either employer).
- 3.9 Payment of expenses and allowances in connection with a secondment i.e. at the beginning and end should be agreed between the Research Council and the receiving employer.

4. Policy Review

- 4.1 This policy will be regularly reviewed to incorporate any legislation changes. The TU may request that a policy is reviewed.

5. Amendment history

Version	Date	Comments/Changes
2.0	1 June 2014	Clarification provided at para 3.5 confirming 'Research Council' promotion procedures
3.0	1 December 2014	Additional text at para 1.1 on where to find TUPE information
3.0	1 December 2014	New website name and address added at para 1.3
3.0	1 December 2014	Additional text at para 2.1 on where to find Pension information
3.0	1 December 2014	Details regarding pay at para 2.6 amended to

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		become more generic
3.0	1 December 2014	Additional text at para 2.7 on where to find Relocation information
3.0	1 December 2014	Additional text at para 3.1 confirming that Employees should seek approval prior to applying for a secondment
4.0 (UKRI)	1 June 2018	Additional paragraph added to Policy Statement confirming Policy may be subject to Home Office Immigration Rules