

Staff Secondments and Exchanges Vice-Chancellor's Directive

Abstract

Secondments may be arranged to satisfy a number of purposes including staff development, consultancy or mutual exchange of ideas. This directive sets out the provisions and conditions by which secondments and staff exchanges may be undertaken.

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	Directive takes effect	01/09/2008
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	Directive amendment approved	28/04/2016
	Directive amendment takes effect	17/06/2016
Approved by	Vice-Chancellor	
	Latest amendment: Vice-Chancellor (see change history for details)	
Implementation Officer	Director Human Resources	
Relevant to	All staff (UTS website)	
Related documents	Academic Staff Agreement 2014 Intellectual Property Policy Professional Staff Agreement 2014 (in particular clause 57.6.5) Recruitment and Appointment Vice-Chancellor's Directive Secondments and Exchanges (restricted access: Staff Connect) Senior Staff Group Collective Agreement 2013	
Legislation		
File number	UR15/1337	
Superseded documents	Staff Secondments and Exchanges Policy	

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1. Purpose

This directive has been developed to assist managers when considering a secondment proposal and to provide the necessary guidelines to facilitate smooth coordination of a secondment arrangement.

2. Scope

Secondments can be arranged to satisfy a variety of purposes. Examples include:

- a. reciprocal movements of staff between participating organisations or UTS work units, eg staff exchange programs for the purposes of staff development
- b. individual development secondment whereby a staff member is seconded to an organisation or other UTS work unit to be trained/developed in particular skills or experience not readily available in the 'parent' organisation/workplace, eg secondment of UTS trainees or cadets to a host employer
- c. consultancy type arrangements where the 'host' organisation/workplace is in need of specialised skills not available from within its own structure.

3. Definitions

External secondment means an arrangement made with the mutual consent of the host organisation/workplace, the University and staff member whereby the University makes a staff member available under specific agreed arrangements to work with another employer for a specific period.

Host organisation/workplace means the organisation or UTS workplace to which the staff member is seconded.

Internal secondment means an arrangement made with the mutual consent of the host and parent supervisor/manager and staff member whereby a staff member is released to work in another area within the University's organisational structure.

Parent organisation/workplace means the organisation or UTS workplace that employs the secondee prior to the secondment occurring.

Secondee means the staff member being seconded.

4. Directive principles

4.1 Secondment proposals will be negotiated at unit/faculty level, although all proposals must be appropriately authorised as detailed in section 6 of this directive.

4.2 An internal secondment is official only when agreed to via an [internal secondment agreement](#) (restricted access: Staff Connect) and when signed with appropriate authorisation by the parent and host supervisors/managers and by the secondee.

4.3 Any agreements entered into for the secondment or exchange of staff are subject to any relevant awards or industrial agreements, particularly in relation to the engagement, transfer and termination of staff.

4.4 Staff seeking redeployment opportunities will be considered ahead of other applicants for any vacancy or new position, in accordance with clause 57.6.5 of the [Professional Staff Agreement 2014](#).

4.5 Protection of the University's interests and its staff members is paramount when considering a secondment proposal and/or preparing or approving a recommendation. The Human Resources Unit should be consulted on the appropriate course of action for unique situations not addressed in this directive.

5. Directive statements

5.1 Selection — internal secondments

5.1.1 Where a staff member initiates or agrees to a secondment to another UTS work unit (and the arrangement has the approval of the managers of both work units), UTS selection procedures do not apply.

5.1.2 Approval for extensions or internal secondments exceeding 12 months and any other circumstances not covered in this directive must be approved by the Director, Human Resources.

5.1.3 For periods of 12 months or less, internal secondments may occur without advertising or normal selection processes occurring. The following principles should, however, be taken into account:

- a. the efficiency of the workplace
- b. the development of staff, and
- c. equity and fairness.

5.2 Selection — external secondments

5.2.1 Secondments to external host organisations/workplaces will be advertised internally and normal UTS selection procedures will apply, except where an organisation requests a particular staff member or the staff member initiates the secondment.

5.2.2 Where a UTS manager seeks to second a staff member to an external host organisation/workplace for the purposes of providing that staff member with an opportunity for development, the principles of equity and fairness should be applied.

5.2.3 Where a UTS manager seeks to arrange the secondment of a staff member of another organisation to the University for the purposes of gaining his/her specialised skills, the UTS manager will prepare selection criteria and the proposed secondees' qualifications and experience should be assessed against these before the secondment is approved.

5.3 Conditions of secondment — internal secondments

5.3.1 Before the secondment commences, an [internal secondment agreement](#) (restricted access: Staff Connect) should be drawn up and signed by both parent and host supervisors/managers and the secondees incorporating the following:

- a. job description during the secondment
- b. remuneration to be paid to the secondees
- c. duration of the secondment.

5.3.2 Where a unit/faculty is to be the major beneficiary of the secondment then the appropriate costs will be borne by that unit/faculty. This would normally mean that the secondee's salary would cease to be charged to the parent unit /faculty and be charged to the host faculty/unit.

5.3.3 Any leave approved by the host faculty/unit for the secondee would be paid for by that school/unit. The cost of short periods of sick leave would be met by the host faculty/unit. Other unpredictable costs such as PEP and long periods of sick leave will be apportioned according to the length of the secondment and the period of the secondment already served. Reasonable flexitime/time-in-lieu credits may be transferred, but significant amounts of such time accrued within a host workplace should be expended there.

5.3.4 Internal secondees retain the right to return to their former substantive positions whenever the secondment is terminated.

5.4 Conditions of employment — external secondments

5.4.1 Secondees remain staff members of the parent organisation/workplace for the period of the secondment.

5.4.2 UTS secondees retain the right to return to their former substantive positions whenever the secondment is terminated.

5.4.3 The parent organisation/workplace will continue to provide the conditions of employment of its staff including the following, although the costs may be recovered from the host organisation:

- a. the agreed salary plus any allowances and non-cash benefits (for staff with remuneration packaging) and superannuation contributions continue to be paid by the secondee's parent organisation/workplace
- b. normal leave entitlements continue to accrue and, subject to agreement with the host organisation/workplace prior to the commencement of the secondment, may be taken during the secondment period
- c. workers' compensation cover and, in the case of academic staff, professional indemnity and public liability cover remain the responsibility of the parent organisation/workplace. It is the responsibility of the parent organisation/workplace to ensure that insurers are notified accordingly.

5.4.4 Where disparities exist between the secondee's existing conditions of employment and those of the host organisation/workplace, agreement should be reached before the secondment commences on which conditions will apply during the secondment.

5.4.5 Where UTS staff are seconded to another organisation, the agreement between UTS and the host organisation/workplace must provide for the costs of any overtime, meal money and expenses related to work in the host organisation/workplace to be met by the host organisation/workplace or refunded to UTS.

5.5 Conditions of external secondment between the parent and host organisations/workplaces

5.5.1 Before an external secondment commences, formal terms of agreement (a template is available from UTS Legal) should be drawn up for each secondment. This should be signed by both organisations/workplaces and the secondee incorporating the following:

- a. job description during the secondment
- b. remuneration to be paid to the secondee
- c. which organisation/workplace is to bear the responsibility for salary and on-costs
- d. details of removal and travel expenses and who is to be responsible for these costs
- e. indemnities and liabilities
- f. provision for the agreement to be terminated
- g. ownership of intellectual property
- h. responsibility of the host organisation/workplace to notify the parent organisation/workplace of any leave taken during the secondment
- i. any confidentiality provisions
- j. publication rights, if applicable
- k. a provision that the host organisation/workplace will not approach the seconded staff member with an employment offer within six months of the conclusion of the secondment
- l. duration of the secondment.

5.5.2 In agreeing to the distribution of costs of the secondment, managers must not commit UTS beyond the limitations of their own delegations and must take no decisions which lead to a subsidy, direct or indirect, being made to an external organisation.

5.5.3 In the case of an unreciprocated secondment, an external organisation that initiates the secondment to fulfil its own needs will normally be responsible for all the costs of the secondment. These costs will include:

- a. salary, allowances and any non-cash benefits (cars etc)
- b. employer's contribution to superannuation
- c. any associated travel and removal expenses
- d. workers' compensation cover
- e. public liability and professional indemnity cover (if applicable)
- f. payroll tax
- g. pro rata annual leave
- h. pro rata long service leave
- i. an administration fee.

5.5.4 Where it is identified that there will be shared benefits from the proposal, payment of costs should be negotiated and a formal written agreement reached and advised to the secondee in addition to those conditions advised above.

5.5.5 Where the University is to be the major beneficiary of the secondment, eg when its trainees or cadets are seconded to industry to develop necessary skills, appropriate costs will be borne by the University.

5.5.6 When determining the ownership of any intellectual property developed as a result of the secondment, the agreement should where relevant incorporate provisions of and references to the [Intellectual Property Policy](#).

6. Roles and responsibilities

Authority to approve the secondment of a UTS academic to a host organisation: **Deans or Division Head.**

Authority to approve the secondment of a UTS professional staff member to a host organisation: **Deans, Directors, University Librarian, Deputy Vice-Chancellors, Provost, Vice-Chancellor** (for their own staff).

Authority to approve the secondment of persons to UTS: as per the 'Authority to approve recruitment action' in section 6.5.2 of the [Recruitment and Appointment Vice-Chancellor's Directive](#).

Authority to approve and terminate an internal secondment: the appropriate Deans/Directors in consultation, and in accordance with the 'Authority to approve recruitment action' in section 6.5.2 of the [Recruitment and Appointment Vice-Chancellor's Directive](#).

7. Version control and change history

Effective date	Version	Approved by (date)	Amendment
21/06/1990	1	Council 90/5	
17/12/1992	2	COU/92/167	Changes to costing provisions and secondment processes
19/09/2005	3	Council 05/6	Changes due to HEWRs (Union Associations)
18/6/2008	3	Council Cou/08-3/51	Rescinded by Council effective from the date of issue of a Vice-Chancellor's Operational Directive
01/09/2008	4	Vice-Chancellor (01/09/2008)	Renamed as a Directive, title changes and reformatting
11/05/2015	4.1	Director, Governance Support Unit (GSU) (11/12/2014)	Changes (approved under Delegation 3.17) to implement 2014 Senior Executive restructure.
17/06//2016	5	Vice-Chancellor	Changes made during the scheduled review to update references (such as updating apprentices to trainees and cadets); and to streamline and simplify provisions.