



University of Limerick

Secondment Policy and Procedure

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1 Introduction

1.1 Purpose

1.1.1 This policy outlines the circumstances in which secondments will be considered and the procedure to be applied in such circumstances.

1.1.2 Roles for which secondments may be recommended are:

- a review project
- the introduction of a new initiative policy development
- a specific task of limited duration or with an uncertain future (normally up to two years)
- a short-term appointment to start a new work area prior to making a permanent appointment
- Research work

This is not an exhaustive list. Secondments may be considered for other purposes.

1.1.3 Secondment arrangements may be initiated by:

- individual employees
- notification from an external agency seeking secondment of a University employee
- notification from the University seeking secondment of an internal or external employee

1.2 Scope

1.2.1 ***To whom does the policy apply?***

This Policy and Procedure applies to all employees within the University of Limerick (the “**University**”).

1.2.2 ***In what situations does the policy apply?***

This policy applies to all secondment arrangements within the University. Secondments will normally last for periods of between three months and a maximum period of two years, unless exceptional circumstances prevail. The period of secondment is agreed and clearly defined by all parties prior to the commencement of the secondment.

Please note that this policy does not apply to internal movements within the University.

1.2.3 ***Who is responsible for ensuring that the policy (and any associated procedure) is implemented and monitored?***

The Human Resources Division has overall responsibility for the implementation of the Secondment Policy, with the relevant Head of Department/School / Dean / Divisional Director playing a key procedural role.

1.3 **Definitions**

1.3.1 ***Secondment***

A secondment is where an employee temporarily transfers to work in another organisation, for a fixed period of time, for a specific purpose, for the benefit of all parties. The secondment could form part of a broader collaboration with an external party.

1.3.2 ***Outward Secondment***

An outward secondment is an arrangement whereby a UL employee is facilitated to temporarily transfer to an external organisation.

1.3.3 ***Inward Secondment***

An inward secondment is an arrangement whereby an employee from an external organisation temporarily transfers to UL.

1.3.4 ***Secondee***

The individual seconded.

1.3.5 ***Seconding Employer***

The organisation in which the secondee is employed.

1.3.6 ***Host Organisation***

The organisation in which the secondee is placed for the secondment.

1.3.7 ***Line Manager***

Line manager of the individual seconded inward or outwards.

1.3.8 ***Outward Secondment Agreement***

A written Secondment Agreement, which will be agreed between the University, employee and host organisation and signed by all parties.

1.3.9 ***Inward Secondment Agreement***

A written Secondment Agreement, which will be agreed between the University, employee and host organisation and signed by all parties.

1.3.10 ***Secondment Period***

The period set out in the Secondment Agreement and within the term of the employment contract with their employer.

2 Context

2.1 Other Context

2.1.1 External and Inward secondment of employees will only be considered where approval has been given by the relevant employee and line manager and this has received the approval of the relevant Head of School/Department, Dean/Division Head, Finance and HR. For inward secondments the approval of the Recruitment Sub Committee is also required. Secondments will also be facilitated where they are an intrinsic part of a research fellowship awarded to or by UL

3 Policy Statements

3.1 Principles

3.1.1 The University is committed to developing work practices and policies, which support lifelong learning and the ongoing development of employees. Secondments can offer career development opportunities and provides opportunities to work with other organisations to promote, develop and strengthen networks.

3.1.2 An outward secondee working on a temporary basis in a Host Organisation shall at all times during the secondment period remain an employee of the University and the terms and conditions of the employee's existing contract will continue to apply in line with the secondment agreement.

3.1.3 An inward secondee working on a temporary basis in the University shall at all times during the secondment period remain an employee of the Seconding Employer and the terms and conditions of the individual's existing contract of employment will continue to apply in line with the secondment agreement.

3.1.4 Secondments should be reviewed in line with the University Policy for Conflicts of Interest.

4 Related Procedures for Secondment

4.1 Responsibilities

4.1.1 *The University's Responsibilities*

- As the employer, the university has ultimate responsibility for ensuring, so far as is reasonably practicable, the safety, health and welfare at work of the secondee in compliance with Section 8 of the Safety, Health and Welfare at Work Act 2005 (hereafter referred to as "the Act") and with other occupational safety legislation for the inward secondee.
- The secondment must specify the fixed-period of time for the secondment.
- If the secondment is extended beyond a period of 5 years, the matter should be reported to Revenue through MyEnquiries.

4.1.2 *Line Manager's Responsibilities*

The Line Manager shall be responsible for:

- Ensuring approval is sought and received before any secondment commences inward or outward from their team as per the procedures outlined in this policy.
- Ensuring that invoicing arrangements are agreed with the Finance Division in the case of outward secondments from, or inward secondments to, their team.
- Ensuring that any issues they become aware of which may constitute a breach of the Secondment Agreement are brought to the University's attention.
- Engaging with the Research Office, where any additional agreements are required to cover a collaborative research programme anticipated by the secondment.

4.1.3 *Employee's Responsibilities*

The secondee shall during the Secondment Period comply with their obligations as outlined in the Secondment Agreement and shall undertake the functions and duties as set out in the Secondment Agreement. The secondee cannot assume additional duties or work on a different project, to that set out in the Secondment Agreement.

4.1.4 *Human Resources Responsibilities*

The Human Resources Division of the University will be responsible for:

- The final review and approval of any Secondment Agreement prior to its commencement once it has been approved by all other parties.

- Providing a Secondment Agreement template to use (where a template is not already fixed by the other party in the case of inward secondments or by the terms of an externally-funded research fellowship).
- Maintaining records of the Secondment arrangement and approval by all parties.

4.2 Outward Secondment

4.2.1 An outward secondment is as defined at Section 1.3.2 above.

4.2.2 The person seeking a secondment (or their line manager) should complete a submission outlining the secondment details. This submission and supporting document should then be sent to the following for consideration and approval:

- (1) Head of Department/School
- (2) Dean
- (3) Finance
- (4) HR.

The submission and supporting documentation should be completed and approved three months in advance of the proposed commencement of the secondment arrangement. All submissions must be supported with a comprehensive Business Case to include the following:

- Secondment Purpose and proposed dates and duration.
- Back-up documentation in the case of secondments arising from research fellowships and other types of arrangements.
- Contact details of party in Hosting Organisation with authority to approve secondment on behalf of their organisation.
- Funding Arrangements (draft costings for Finance to review and approve (See 4.6 for details).
- A review of the role to be carried out by the line manager to determine the proposed backfilling arrangements.
- Proposed external Secondment Agreement.
- For employees employed on a Specified Purpose / Fixed Term Contract, confirmation that the secondment term does not go beyond the end date of the employment contract.

4.2.3 Once the secondment has been approved by the Head of School / Department, Dean / Division Head, Finance and HR a member of the HR team will liaise with the Seconded's line manager and the Host Organisation to ensure that an appropriate Secondment Agreement is devised. The University approved [Secondment Agreement Template](#) should be used for this purpose and is preferred where possible. In circumstances where a derogation on the template or an alternative template is deemed necessary, approval of any proposed

amendments (or the proposed alternative template) is required from the relevant department, such as HR, Legal, Finance, Technology Transfer Office etc. Once finalised the Secondment Agreement will be signed by the Director, Human Resources and furnished to the host organisation and the secondee for signature. The signature of the Vice President Research may be required in the case of research secondments which are executed under a research collaboration agreement. Where specific information needs to be included in the Secondment Agreement for Intellectual Property purposes, it is the responsibility of the person initiating the secondment to seek advice on this from the UL Technology Transfer Office and to provide the relevant detail to HR.

- 4.2.4 The employee retains their employment status with the University including continuous service and pension provision whilst on an outward secondment.
- 4.2.5 Seconded employees are entitled to maintain their terms and conditions of employment except where mutually agreed otherwise in writing. Terms and conditions of employment including local arrangements within the Host Organisation will be confirmed in the written Secondment Agreement.
- 4.2.6 The Secondment may not commence until full approval in the form of a signed Secondment Agreement, signed by both employers and the secondee.
- 4.2.7 In normal circumstances, the Host Organisation pays the full costs associated with the secondment including all salary, Seconding Employer costs, VAT, and any additional related expenses. In situations where the secondment forms part of an externally funded research fellowship, the Hosting Organisation may not be required to pay salary and related employer costs and all budgetary considerations should be set out in the relevant secondment and/or research collaboration agreement. See 4.6 for further detail.
- 4.2.8 Cover within the University for the absence of the secondee while on secondment may be arranged in accordance with the Policy for the Recruitment of Staff and any other relevant policies, procedures, directives or regulations in force during the secondment period. Where the substantive post of the secondee is back-filled during their absence it may only be filled on a fixed-term basis to coincide with the period of secondment

4.3 Inward Secondment

- 4.3.1 An inward secondment is as defined at Section 1.3.3 above.
- 4.3.2 Inward secondments will only be considered where specialist skills and expertise to undertake an urgent project or specific piece of work cannot immediately be found in the University.

4.3.3 Where it has been identified as necessary to appoint a secondee into a University position, the following procedure must be followed:

- The University hiring manager, who desires to appoint a secondee into the University, should complete an online Secondment Recruitment Pack (available through the HR website) for the vacant post and route through the University approval process (Head of School / Department, Dean / Division Head, Finance and HR). All secondment recruitment packs must be supported with a comprehensive Business Case outlining the reasons why a secondment arrangement is necessary to include the following:
 - Secondment Purpose and proposed dates and duration.
 - Proposed secondee Identification Process to be followed (if determined at that point)
 - Job Description and Terms and Conditions of Employment to include the proposed grade and salary
 - Funding Arrangements (including source, codes, what sum is available, what the sum is to cover e.g. salary, employer PRSI, pension, proposed salary, backfilling costs etc.).
- Once the secondment has been approved by the Recruitment Sub Committee, the line manager should liaise with a member of the HR team to agree the secondment identification process to be followed (if not already agreed).
- The senior manager (at Head of School / Department / Division level) will be responsible for recording a clear audit trail when identifying a range of organisations or an individual to approach when seeking an inward secondment.
- The individual must be formally assessed as being capable of undertaking effectively the duties of the post they have been selected to fill, and records must be kept as to how that assessment was made. The rationale for selecting a particular individual required for the secondment must be clearly recorded, along with an explanation as to why the post was not subject to recruitment via open competition in order to attract a wider pool of candidates.
- Once the secondment process has been completed and a secondee has been identified, a member of the HR team will liaise with the line manager of the processed Secondee to ensure that an appropriate Secondment Agreement is furnished by the Seconding Employer to include specific University terms and conditions, issued to all parties, and signed appropriately.
- The University as the Host Organisation may be liable for the full costs associated with the secondment including all salary, employer costs, VAT, and any additional related expenses. See 4.6 for further detail.

- The Secondment may not commence until full approval in the form of a signed Secondment Agreement, signed by both employers and the secondee. The Director, HR will sign all UL secondment agreements. It should be noted that the Terms and Conditions offered should be no less favourable than the UL terms associated with the grade.

4.4 Control

- 4.4.1 For the duration of the secondment, the Secondee of an Outward Secondment should maintain contact with their substantive line manager to ensure that University maintains overall control of the Secondee.

4.5 Returning to Substantive Post

- 4.5.1 The Secondee will have the right to return to their original position at the end of the secondment. Should exceptional circumstances prevail resulting in the Secondee's substantive role no longer existing in its current format at the end of the secondment period due to evolving business need, then the University will consult with the Secondee about the impact of the changes and options, which may be available. Should these circumstances arise then the [Reassignment Policy and Procedure](#) will be followed.
- 4.5.2 Employees returning to the University following external secondment will undergo a period of re-induction back into the School / Department and their job role. The line manager will be responsible for organising this and the structure will be dependent on the duration of the secondment.

4.6 Financial Arrangements

- 4.6.1 The Finance Division should be consulted with to agree to arrangements concerning payments, budgetary sign-off of costs (where applicable) and invoicing. It is the responsibility of the line manager/Department initiating the secondment to ensure the financial obligations and arrangements are approved and agreed by all parties for outward and inward secondments.
- 4.6.2 In respect of Outward Secondments, the host organisation are required to reimburse the University the full salary and employers' costs, including PRSI and superannuation contributions, and any other associated statutory costs (e.g. administration fee, VAT where applicable). Reimbursement of costs must be agreed with the host organisation at the outset and as set out in [section/clause/article] 4.2.7 above.
- 4.6.3 In respect of Inward Secondments, reimbursement of costs must be agreed with the host organisation at the outset.

4.6.4 Statutory and contractual leave entitlements must be reviewed by the Finance Division on a case by case basis to ensure the University is cognisant of applicable eligibility requirements.

4.7 Research Fellowships Requiring a Secondment

4.7.1 Various research funding awards require the University to second a named employee to a named Host Organisation for a specified duration as part of the terms & conditions of the award (e.g. Marie Skłodowska-Curie Actions/ EI Career Fit Fellowship, SFI Industry Fellowship). In such situations, the Line Manager (generally the Principal Investigator/Academic Mentor) must follow the procedures for outward secondments outlined in Section 4.2.

4.7.2 Where the Terms & Conditions of the Fellowship Award dictate specific conditions under which the Secondment must operate, or a specific Secondment Agreement template which must be used, the Line Manager must provide these details to HR for review.

4.7.3 Where an outward secondment coincides with the start date of the persons employment with the University, the Line Manager shall ensure that the Secondee has a signed contract of employment with the University, the start date of which must be as at, or prior to, the date of commencement of the Secondment. Where the Secondee is not an EU-national, the Line Manager should also be aware that a Hosting Agreement (Work Authorisation) may be required and should engage with Human Resources at an early stage.

4.7.4. It is the responsibility of the Line Manager to contact the Research Office should a research collaboration agreement or other additional agreements be required, for the purposes of carrying out the Fellowship.

4.8 Early Termination

4.8.1 A secondment agreement can only be terminated early in accordance with the termination clause as stipulated in the secondment agreement.

4.9 Recording of Employees on Secondment Arrangements

4.9.1 A register of all University outward and inward secondments will be maintained by the Director, Human Resources.

5 Related Documents

- 5.1 *Policy for the Recruitment of Staff*
- Reassignment Policy and Procedure*
- Contract Signing Policy*
- Intellectual Property Policy*
- Policy for Conflicts of Interest*