

SECONDMENT AGREEMENT

Introduction

1. This Secondment Agreement forms part of the overall Partnership Agreement between Dudley Metropolitan Borough Council and Dudley Beacon and Castle PCT.
2. The document sets out the terms on which DMBC staff are seconded to Dudley Beacon & Castle PCT. It is designed to ensure the effective implementation of single management arrangements.
3. The Agreement will apply to all DMBC staff seconded to the PCT including Senior Social Workers; Social Workers; Social Work Assistants; staff employed in Day Services; and administrative and support staff

Purpose of Secondment

4. The integrated Mental Health Service in Dudley will operate as a single provider organisation. A S31 Partnership Agreement will apply covering integrated provision and pooled budgets.
5. The Social Services staff listed in **Appendix A** will be seconded to the PCT and be managed within the integrated service.
6. Social Services staff seconded to the PCT will continue to be employed by DMBC under DMBC terms and conditions of service.
7. The resolution of any issues relating to the management of DMBC employees including pay, pensions, sick leave, discipline and other terms and conditions remain the responsibility of DMBC.

Line Management

8. The Head of Mental Health and Social Care Services will have overall operational responsibility for the Service.
9. Social Services staff, who are seconded will work as full members of CMHTs and other teams. They will be managed on a day-to-day basis by an operational line manager.
10. The operational line manager will be responsible for the allocation and prioritisation of work, management supervision and annual performance review **of all Social Care staff.**

11. The Lead Manager for Social Care in the Integrated Service will be responsible for professional consultation and advice on social care issues.
12. Subject to changes in Mental Health legislation, Approved Social Workers will be accountable to DMBC for the performance of their functions as Approved Social Workers under the Mental Health Act 1983 and Mental Health Regulations

Work Base

13. DMBC employees will initially be seconded to their existing work base. The work base may vary following consultation between the employee, their operational line manager, the Lead Manager for Social Care, and the Head of Service.

Period of Secondment

14. The secondment will be for an initial period of two years with effect from 1st April 2005. There will be a review of the secondment arrangements at the end of the first year i.e. March 2006.

Termination of Secondment

15. The term of an employee's secondment may be ended by DMBC because:

16. Either:

DMBC and DB&C have decided to terminate this Secondment Agreement

17. Or:

18. The employee's contract of employment with DMBC has been terminated e.g. as a result of ill-health, misconduct or incapability.

19. Where an employee resigns, this will be deemed to be a resignation from their substantive post with DMBC. The notice period in the contract of employment will apply

20. If a post of a seconded employee is declared redundant, the employee will be designated 'at risk' and the Head of Service will try to identify an alternative post. If this is not possible, DMBC will be responsible for any redeployment arrangements. The cost of any redundancy payment or salary protection will be met by DMBC.

21. Seconded staff will have the right to return to a substantive post with DMBC under the Council's redeployment policy should the Partnership Agreement for the Integrated Service come to an end.

Hours of Work

22. DMBC staff will be seconded on their current contracted hours of work. If the management of the Integrated Service wish to vary these hours of work, this must be the subject of discussion [between the operational line manager, the employee, the Trade Union, and the Assistant Director in DMBC.](#)

Remuneration

23. DMBC staff will be seconded on their existing salary and grading with their existing entitlement to increments

Pay Administration

24. Salaries will continue to be paid by bank transfer by DMBC, who will remain responsible for PAYE deductions, pension and NI contributions

Travel and Subsistence

25. Expenses will continue to be reclaimed by completion of DMBC Travel and Subsistence Forms, endorsed by the operational line manager.

Induction

26. [New employees to Social Care posts will receive a general induction from DMBC and will attend Dudley Beacon and Castle PCT induction. They will also receive an induction to Mental Health services from their operational line manager within the Integrated Service.](#)

Annual Leave

27. DMBC employees will be seconded with their existing leave entitlement.

28. They will obtain prior authorisation for annual leave from their operational line manager in the Integrated Service using an appropriate annual leave booking system.

29. The public holidays as recognised by DMBC will apply to staff seconded from the Council.

30. Requests for time-off-in-lieu, flexi-leave and special leave must be made to the operational line manager who will make a decision, if necessary in consultation with the Head of Service. This will be based on the individual circumstances and the needs of the service.

Sickness or other Absence

31. If the employee is absent from work due to ill-health, DMBC procedures will apply. Entitlement to sick pay will be as detailed in the employee's existing contract of employment.
32. The employee must telephone the operational line manager to notify them of the absence. The self-certification form and medical certificate should be sent to the line manager and to HR in Social Services.
33. The line manager will also be responsible for monitoring the employee's attendance and for any formal action required beyond monitoring. The line manager will consult as necessary with the Lead Manager for Social Care.

Discipline

34. DMBC's disciplinary policy and procedure will apply.
35. Any issues relating to conduct or performance of DMBC staff must be notified to the Council at the earliest opportunity. Prior to the commencement of a disciplinary investigation, there will be consultation with the Head of Service, and if necessary the Assistant Director, to agree the process to be followed. The investigating manager will be agreed by the Head of Service, Assistant Director and Human Resources Director, Dudley Beacon and Castle PCT.
36. Disciplinary hearings will be chaired by a senior manager in DMBC, normally the Assistant Director in cases involving potential dismissal.
37. If a disciplinary issue involves employees of both the DMBC and the PCT a joint investigation will take place and a single joint disciplinary hearing will take place where necessary.

Inappropriate Behaviour at Work

38. Complaints of bullying and harassment will be referred by the member of staff to an appropriate level of management in the Integrated Service, who will refer the matter immediately to the Director of Social Services as required by the Council's policy on bullying and harassment.
39. DMBC policy and procedures will apply if the alleged perpetrator and alleged victim, or the alleged perpetrator only, are both employed by DMBC

Grievance

40. DMBC's policy and procedures will apply to grievances raised by its employees.
41. Wherever possible the grievance should be resolved informally with the operational line manager in the Integrated Service
42. The employee may submit a formal grievance to the operational line manager. DMBC will be responsible for seeking a resolution to the grievance in consultation with the operational line manager.
43. The following will hear grievances under these arrangements:
44. Stage 1: Operational Line Manager in consultation with the Lead Manager for Social Care.
45. Stage 2: Head of Service
46. Stage 3: Assistant Director - DMBC
47. If a grievance issue involves employees of both the DMBC and the PCT a joint investigation will take place and a single joint grievance hearing may take place.

Recruitment

48. An agreed quota of Social Care posts will be maintained in the integrated Service as confirmed in the Partnership Agreement.
49. In most cases DMBC will co-ordinate the recruitment process for all new Social Care staff to the Integrated Service. Occasionally, the recruitment process may be managed directly by DB&C.
50. The selection process for Social Work vacancies will be carried out jointly by a manager from DB&C and DMBC, which would normally be a manager seconded to the service.
51. New appointees to Social Work posts will have the option to be employed by the Council and seconded to the Integrated Service for the duration of this Agreement.

Health and Safety

- 52. The Head of Service must ensure that Health and Safety legislation, policies and procedures are applied correctly.
- 53. DMBC employees must ensure that they are familiar with DB&C Health and Safety policies and procedures.

Risk Management/Indemnity

- 54. Indemnity arrangements will be agreed separately by solicitors for the PCT and the Council.

Confidentiality/Data Protection

- 55. DMBC employees seconded to the Integrated Service are required to observe DMBC and DB&C policies on confidentiality personal information about patients, service users and staff, and with the Data Protection Act 1998.

Professional Development and Training

- 56. DMBC employees will take responsibility for their continuing professional development. The operational line manager in the Integrated Service will support their development through the supervision and the annual performance review process.
- 57. The Lead Manager will also be responsible for collating information about the training and development needs of the Social Care work-force within the integrated service and ensuring that these are shared with the training sections in the PCT and the Council.
- 58. **New Team Managers will receive joint training in an integrated supervision procedure to enable them to supervise staff from both disciplines.**
- 59. Individual training requests will be referred to the Head of Service via the line manager and Service Manager.

Other Policies and Procedures

- 60. DMBC staff are expected to become familiar with and adhere to the local operating policies and procedures of the Integrated Service e.g. Internet; e-mail.

Staff Consultation

61. The relevant trades union representatives within DMBC will meet with the Head of Service and the Assistant Director on a quarterly basis to discuss any issues relating to secondment of staff to the joint service.