

**To: The Chair of the Probation Board
The Chief Officer of the Probation Board
(Copy enclosed for The Head of Human Resources)
Secretary of the Probation Board
Members of the Standing Committee for Chief Officer Grades
Members of the National Negotiating Council**

23rd October 2006

NNC CIRCULAR NO.11/2006

SCCOG CIRCULAR NO.4/2006

Dear Madam/Sir

**SECONDEES AND JOB EVALUATION – GUIDANCE ON
IMPLEMENTATION OF THE PAY AND REWARD AGREEMENT**

It has been brought to the attention of the Joint Secretaries of both the National Negotiating Council and the Standing Committee for Probation Chief Officer Grades that there are concerns amongst employers and affected staff about how employees on secondment should be treated in respect of job evaluation and the implementation of the pay and reward agreement. In response to these concerns, the Joint Secretaries carried out a survey of Boards to establish the range of types of secondment which are in operation and the types of organisation to which staff are seconded. The majority of Boards responded, providing enough information to allow the Joint Secretaries to draw up the principles contained in this Circular.

The Circular is not intended to resolve all individual issues which have arisen, but provides a framework to ensure as much consistency and fairness as possible in the treatment of employees on secondment. The picture across England and Wales is very complex and is made potentially more so because the issues cover staff subject to two Probation negotiating forums. In order to try to simplify matters the Joint Secretaries of the respective bodies have agreed to issue this common guidance.

In seeking to ensure fairness and that employees on secondment suffer no overall detriment, the following principles should be followed:

Scenario 1

- Identify or assume a secondee's substantive post in the home Area.
- Apply the terms of the relevant Job Evaluation Scheme to identify the Banding of the substantive post (NB in the case of Chief Officer Grades, it is not necessary to submit a job description to the national panel, where the post can be readily matched to another post which has already been evaluated)
- Apply the Assimilation rules as published in NNC Circular 7/2006 or SCCOG Circular 3/2006, as appropriate to the substantive post.
- Assess whether this outcome puts the individual in a more advantageous position overall than is provided by the secondment terms. If so the terms of secondment should be reviewed and adjusted as appropriate to take account of the substantive terms.
- If the outcome after assimilation is not more advantageous to the employee than the terms of secondment, then the existing terms of secondment should continue to apply for the remainder of the secondment.

Scenario 2.

- If no substantive post can be readily identified or assumed in the home Area, then every effort should be made to identify the grade which the secondee could be expected to have held in the home Area, consistent with local application of banding arrangements for that grade. Reference should be made to the secondment agreement as appropriate.
- Apply the Assimilation rules as published in NNC Circular 7/2006 and SCCOG Circular 3/2006, as appropriate to the substantive post.
- Assess whether this outcome puts the individual in a more advantageous position overall than is provided by the secondment terms. If so the terms of secondment should be reviewed and adjusted as appropriate to take account of the substantive terms.
- If the outcome after assimilation is not more advantageous to the employee than the terms of secondment, then the existing terms of secondment should continue to apply for the remainder of the secondment.

Scenario 3

- If despite best endeavours it is not possible to identify or assume a substantive post or grade appropriate to a secondee by following the guidance above, the matter should be discussed with the employee and their trade union representative (if applicable) with a view to reaching a mutually acceptable arrangement.
- If no mutually acceptable arrangement can be arrived at, the Joint Secretaries should be consulted.

In all cases secondees will have the right of appeal against the outcome of any decision made on their banding in accordance with the relevant appeals procedure for either the NNC or the Standing Committee for Probation Chief Officer Grades.

Employers are reminded that it is essential that they communicate with seconded employees, regarding the principles which will be applied, as expressed above, in order to determine how their substantive post is to be handled.

All interested parties are further reminded about the need to ensure that at all times proper secondment arrangements are in place and that they are reviewed regularly, as appropriate and that equal pay principles are taken into account when terms are being determined.

Please bring this Circular to the attention of all employees on secondment.

Yours sincerely

Martin Wargent - Employers' Side Secretary – NNC & SCCOG

Judy McKnight - Trade Union Side Secretary - NNC

David Walton - Trade Union Side Secretary - SCCOG

Joint Secretaries