



Secondment Policy

GOVERNMENT OF THE COOK ISLANDS

Effective: February 2018

Policy Statement

Secondments are a recruitment mechanism to assist Public Sector agencies secure human resources on a temporary (fixed-term) basis to meet functional needs of the agency. It can also be used for capability development.

The initial employment relationship continues throughout the secondment period.

Scope

Secondments can be used by Public Sector Employers:

- Where agencies require additional resourcing on a temporary fixed-term basis
- To undertake government functions on a periodic basis e.g. General Elections
- For employee capability development

Secondments are available to Public Sector Employees.

Exclusions are:

- Ministerial Support Offices

Principles

The Public Service Act 2009 identifies the following values for public servants to adhere to:

Honesty	acting honestly, being truthful, and abiding by the laws of the Cook Islands
Impartiality	providing impartial advice, acting without fear or favour, and making decisions on their merits
Service	serving the people well through faithful service to the Government of the Cook Islands
Respect	treating the people, the Government of the Cook Islands, and colleagues with courtesy and respect
Transparency	taking actions and making decisions in an open and transparent way
Accountability	being able to explain the reason for actions taken, and taking responsibility for those actions
Efficiency and effectiveness	achieving good results for the Cook Islands in an economical way

The duty to act as a good employer requires employers develop and implement personnel policies which ensure the fair and proper treatment of employees during employment, including the impartial recruitment of employees, employee capability development opportunities and good and safe working conditions.

Legislation and Regulations

The Public Service Act 2009, Employment Relations Act 2012, and other relevant legislation apply.

Definitions

Agency means any public service department, instrument, or agent of the Government and includes a body corporate or organisation that is wholly owned or controlled by the Crown

Employee means any person who is an employee of the Public Sector

Employer means the Head of a Public Sector agency or their delegated authority

Home Agency is the agency where the seconded employee usually works

Host Agency is the agency where the seconded employee is hosted on a temporary basis

Public Sector includes Public Service Departments, Island Governments, Agencies, Offices of Parliament, State Owned Enterprises, and Other agencies

Public Service Commissioner means the Public Service Commissioner appointed under Article 73 of the Constitution and Section 5 of the Public Service Act

Seconded Employee: means an employee that has been seconded on a temporary basis

Temporary means a term or time period between three to six months that is agreed between the Head of the Home Agency and the Head of the Host Agency.

Procedures

Employers are responsible for administering this policy. The employer is responsible for ensuring all policies are easily accessible to employees. However, employees must read, understand, and comply with this and any relevant government policies. A breach of the policy may be considered misconduct and may be subject to disciplinary action and/or dismissal.

Secondments

A secondment is the temporary transfer of an employee from their Home Agency to a Host Agency. A Seconded Employee should return to their Home agency upon completion of the secondment, unless an extension or transfer of employment is agreed by all parties in writing. Employees on fixed term contracts may be considered for secondment, depending on the terms of their contract and secondment duration.

Secondments may be arranged to provide capacity for:

- Capital projects (e.g. Te Mato Vai)
- National or regional events (e.g. Te Maeva Nui and Pacific Islands Ministerial meetings)
- Special projects (e.g. National Taskforce)
- Cover off short term staff absences or a short-term need of an agency

Secondments also permit employees to be seconded for capability development purposes.

Benefits

- A recruitment mechanism for employers requiring employees on a temporary basis
- Enables the movement of human resources across the public sector to carry out statutory government functions and/or deliver desired agency priorities
- Provides employees an opportunity to develop their professional capabilities
- Employees gain a broader understanding of the work of other public sector agencies

Managing Secondments

Employers are responsible for managing Seconded Employees. The initial employment agreement between the Home Agency employer and employee (including employee benefits), continue throughout the period of the secondment. Performance appraisals are still managed by the Home Agency employer, with relevant input from the host employer as required.

The following factors must be considered prior to a secondment being finalised:

- Purpose, duration and costs of the secondment
- Specified outcomes and outputs must be clear
- Clarity on reporting lines during the period of secondment
- Financial and people resourcing to cover the employee absence from the home agency
- Impact on the capacity of the home agency to continue delivering services and outputs
- Whether special allowances will be payable to the Seconded Employee
- Termination of the secondment

Duration

- The secondment period should be clearly defined and agreed to by all parties involved
- Secondment terms should not be renewed or extended beyond 12 months of the initial secondment period

Secondments are not intended to be a long-term solution for vacancy or recruitment issues. Host Agencies should engage Seconded Employees temporarily and advertise the role if a longer term is required, using the recruitment process outlined in the Recruitment Policy.

Employer Obligations

- Home and Host Agency employers and the Seconded Employee must agree to the secondment terms and conditions in writing
- Host Agency employers may advertise secondments within the Public Sector using the streamlined recruitment process provided in the Recruitment Policy
- Host Agency employers must ensure there is written a job description for secondments
- The Home Agency employer must continue the initial employee agreement and benefits during the period of secondment and be responsible for:
 - Tax and superannuation statutory requirements
 - Performance appraisals
 - Employment disputes
- The Host Agency employer is expected to contribute to the costs of the seconded employee maintained by the Home employer and provide relevant input on the employee's performance appraisal

Employee obligations

- Employees must obtain approval from their Home Agency employer before proceeding with an application for secondment
- Employees must report employment disputes to the Home Agency employer during the secondment period

Termination

Secondments may be terminated:

- At the end of the secondment contract period or term; or
- If both employers and the seconded employee agree to end the secondment; or
- If there is a serious breach of the secondment agreement by either party; or
- Where an emergency or exceptional circumstances provide it is necessary ; or
- In accordance with the written terms and conditions of the secondment

When a secondment ends, the employee returns to work for the Home agency.

Other provisions

All records relating to the administration of this policy must be kept for at least seven years and only accessible by the employer and/or authorised staff. After the required seven year period, the agency may destroy the documentation in adherence with government official information management policies.

The Office of the Public Service Commissioner is responsible for reviewing and/or updating this policy and associated documents as the need arises.

Associated Documents

Recruitment Policy

Other information

For policy queries contact the Office of the Public Service Commissioner on phone (682) 29421 or email: pscinfo@cookislands.gov.ck