

Framework for NT Public Sector/NGO Secondment Program

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Acronyms	Full form
NT Government	Northern Territory Government
NTPS	Northern Territory Public Service
NGO	Non-government organisation
DCM	Department of the Chief Minister
OCPE	Office of the Commissioner of Public Employment

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1. Introduction

Broadening our Horizons is the NT Government's policy on career mobility within the Northern Territory Public Service (NTPS). The policy's objective is the development and nurturing of a competent, flexible and committed workforce. It sets the context for NTPS employees seeking career mobility including secondment between the NTPS and the private and non-government sector.

In a secondment, an employee is temporarily transferred from one organisation to another for an agreed period. Secondments may or may not involve a change in employer (i.e. the original employer may continue to pay for the employee). The type of secondment depends on the requirements of the position and the requirements of the three parties (the employee, host organisation and the NTPS agency).

1.1. Benefits of secondment

Staff secondment has number of benefits for employees, the home organisation and the host organisation. Employees benefit from personal and professional growth, enhanced career development and the development of different perspectives. It provides opportunities to exchange ideas and 'good practice' approaches and is central to developing effective whole of government capabilities. The host organisation has an injection of new experiences, ideas and perspectives. Secondments can also create lasting partnerships for the future.

An additional benefit of a secondment between the NTPS and the non-government organisation (NGO) sector is a strengthened relationship between the two sectors leading to better informed policy and service delivery outcomes resulting from an increased understanding within NGOs of government processes and an understanding within the NTPS of the NGO context.

1.2. Barriers to secondment

Although the mobility policy is in place, there are still a number of barriers to NTPS employees seeking secondment outside government. Most of these relate to the time and skills required to individually negotiate a secondment, lack of clarity as to staff entitlements during and on return to the NTPS, and consistency between secondment agreements.

The framework for the NTPS/NGO Secondment Program (the Program) ensures that all parties are familiar with their responsibilities, expectations, accountabilities and Program objectives. The Program should not prevent any other mobility arrangements available under the Broadening our Horizons policy being negotiated on an individual basis.

1.3. Objectives of the program

The aim of the Program is to overcome some of the barriers to secondment for NTPS employees. It will also potentially increase the number of secondment opportunities available to NTPS employees and facilitate the implementation of secondment agreements. The Program focuses on secondments out to the community services NGO sector from the NTPS with a change in employer.

The framework for the Program ensures that the interests of all parties are safeguarded and that the benefits of a secondment are fully realised.

2. Secondment Arrangement

Under the Program, the secondment will involve a change of employer from the NTPS. Therefore, the host employer (the NGO) will take full responsibility for the employee for the period of the secondment.

2.1. Identification of Secondment Opportunities

The NGO may submit a job description for a vacancy to the NTPS for consideration for the Program. The job description can only be submitted by the NGO. However, an NTPS employee interested in a vacancy and a secondment opportunity can ask the NGO to submit a job description to the NTPS for consideration.

The job description will be assessed by a panel in terms of the potential for the job to offer mutual benefit to the NTPS and the NGO and/or personal career benefit to the secondee and therefore offer an appropriate secondment opportunity. In particular is the secondment likely to:

- facilitate greater partnership and linkages between government and the sector;
- transfer knowledge/skills between the sectors;
- encourage sharing of expertise and best practice;
- strengthen the design, implementation of delivery of policies, programs and services; and/or
- develop leadership skills.

The panel comprises a representative from Children and Communities, Department of the Chief Minister (DCM), a representative from Strategic Workforce Planning and Development, Office of the Commissioner of Public Employment (OCPE), a representative from up to two appropriate NT Government agencies (depending on the emphasis of the vacancy) and an NGO representative.

2.2. Duration of Secondment

Under section 39 of the Public Sector Employment and Management Act Chief Executive Officers can enter into secondment arrangements for a period of up to three years.

2.3. Advertising

A vacancy accepted into the Program by the panel will be advertised as a secondment opportunity available to NTPS employees on the NT Government website.

2.4. Secondment Eligibility

The secondment opportunities in the Program are open to all NTPS employees, including “temporary” employees (fixed period contract employees and executive contract officers). The period of the secondment must fall within the employment period of the temporary employee’s existing contract and will not operate to extend the term of the contract or entitle the employee to any further employment contract with the NTPS.

It is expected that NTPS employees will have been confirmed in their nominal position after completing their probationary period before applying for a secondment.

The employee should discuss their intention to apply for a secondment with their line manager, notify them of an application for such a role at the earliest possible opportunity and seek their in-principal support to enter into a secondment opportunity.

NTPS agencies will adopt a positive approach to secondment opportunities and facilitate the process through their Human Resources Units and line managers.

2.5. Recruitment

NTPS employees will adhere to the recruitment process stipulated by the NGO noting that although the position has been accepted into the program, the NGO does not have to appoint an applicant from the NTPS.

The NTPS special measures for Aboriginal employment do not apply to the NGO recruitment process.

2.6. Standard Conditions for Secondment

Once a secondment opportunity is accepted into the program, it is an indication the opportunity will be supported by the NTPS. Standard employment arrangements that will apply to an employee who enters into the secondment opportunity have been determined to provide certainty about the employee's conditions of employment during and on his/her return to the NTPS. This means an NTPS employee can make an informed decision to apply for the secondment opportunity and an NGO can reliably appoint a suitable applicant from the NTPS. The aim is to avoid the employee applying for the position and then having to negotiate conditions individually with a potential delay due to the time taken to negotiate a secondment or even loss of the secondment opportunity if negotiations fail.

The standard conditions agreed for the program aim to ensure there are no long-term disadvantages for an NTPS employee undertaking a secondment. However, an employee may need to make some short-term adjustments during the period of the secondment to accommodate their new employment terms and conditions whilst employed by host NGO.

2.6.1. Leave without pay from the NTPS

An NTPS employee will be approved leave without pay from the NTPS for the duration of the secondment. Therefore, as usually occurs during a period of approved leave without pay, the secondee cannot access any NT Government entitlements whilst seconded to the host NGO.

2.6.2. Other conditions of employment

The inclusion of any other employee entitlements will need to be negotiated on a case by case basis, and determined by the Commissioner for Public Employment with the support of the agency CEO.

2.6.3. Conditions of employment on return to the NTPS

The secondee's period of employment with the NGO during the secondment period, will, if the employee returns to the NTPS, count for the purposes of:

- Long service
- Parental leave
- Increments.

Senior Administrative and Professional Officers may use evidence from their secondment to count towards pay progression at their nominal level, provided they have satisfied the requirements for progression. However, performance agreement targets should be discussed with their line manager before the secondment commences. Discussion should also occur with the host NGO about providing performance reports.

2.7. New Employment Conditions during the Secondment Period

The NGO becomes the employer of the seconded employee during the term of the secondment and is therefore responsible for determining the terms and conditions of employment of the secondee including rates of pay and leave entitlements.

2.7.1. Rates of Pay and Salary Packaging

Many NGOs are able to offer salary packages which include salary sacrifice benefits and tax incentives. Any NTPS employee taking a secondment opportunity will need to assess their individual tax situation, and if necessary seek their own financial advice, in relation to any particular salary package on offer.

2.7.2. Leave Provisions

During the period of the secondment, the employee may accumulate recreation, personal and maternity/parental leave credits in accordance with the NGO host's conditions of service. Approval for utilisation of any leave entitlements will be subject to the discretion of the NGO. Any remaining entitlements accrued would be paid out on completion of the secondment arrangement.

2.7.3. Superannuation

As the staff member is being paid by the host NGO, the NGO will be responsible for the employer superannuation contributions. It is recommended staff members obtain further detailed advice from the NT Government Superannuation Office.

NTPS employees who are a member of NTGPASS can continue to be a member of NTGPASS. However, approval must be obtained from the Commissioner of Superannuation for the period of the secondment when the employee is on leave without pay from the NTPS (form – attachment A), in order for the period to count for service (and importantly, accrue benefit points). It is expected approval will be forthcoming for secondment opportunities within the Program. If the employee remains with NTGPASS, the NGO employer's contribution must be equivalent to the NT Government contribution, and paid to the NT Superannuation Office (in agreed instalments). Similarly the employee will be responsible for continuing their personal superannuation contributions also payable to the NT Superannuation Office. The alternative arrangement would involve the employee opening an accumulation superannuation account (for example with the NGO's default superannuation fund) and having the employer superannuation guarantee contribution paid into that.

NTPS employees who joined the NTPS after 9 August 1999 are not in NTGPASS and had a choice of superannuation fund. It is assumed these seconded employees will continue to use the same fund, to which the host NGO will then contribute the employer's contribution for the duration of the secondment.

NTPS employees with the Commonwealth Superannuation Scheme will need to assess their own personal circumstances, as the scheme is not administered by the NT Government.

2.7.4. Work, Health and Safety

Work, health and safety issues including workers compensation are the responsibility of the host organisation during the period of the secondment.

2.8. Extending a Secondment Agreement

For secondments for less than three year, a secondment arrangement may be extended up to the maximum three year period, if all parties agree at the end of the original secondment period.

2.9. Returning to NTPS

A secondee should have no expectation of further employment with the NGO when the secondment period reaches its end date.

In the last six weeks of the secondment, the line manager and secondee should arrange to meet for a full briefing and discuss arrangements for the secondee's return. It will be important to manage expectations and be clear about what will be expected on returning to their role. This could include clarifying details of the role and responsibilities, setting objectives and discussing how any new skills can be used.

A secondee is entitled to return to the position that they held immediately prior to commencing the secondment. However, if it was a temporary transfer and/or promotional opportunity or higher duties, which lapsed during the secondment (periods of temporary transfer and/or promotions will not be extended by the secondment term), the secondee will return to his or her nominal position.

However, it is expected the home agency will keep the employee informed of any changes to their home work environment at the earliest opportunity.

If a secondee does not return to the NTPS, the period of leave without pay will not break the employee's period of service, but will not count for service for determining the employee's final payout from the NTPS.

2.10. Termination of the secondment arrangement

The secondment can be terminated during the secondment by either the secondee or the new NGO manager by giving four weeks written notice to all parties. If the secondment ends prior to the expected cessation date, the employee should have no expectation of returning to the position he or she held immediately prior to entering into the secondment arrangement (for example due to backfilling arrangements). In these circumstances, the employee may be offered a position at their nominal level for what would have been the remainder of the secondment period.

2.11. Performance Management and Code of Conduct

Performance management of the secondee during the secondment will be the responsibility of the host NGO. As the secondee is employed by the host NGO, they will be expected to abide by the host's Code of Conduct. However, any serious breaches of behaviour during the secondment may be taken into account on an individual basis on return to the NTPS.

3. Secondment Process

1. Suitable vacancies in the NGO sector will be submitted to the NTPS (Children and Communities, DCM) for consideration for the Program.

2. The job description for a vacant position will be assessed by a panel to be included in the Program.
3. The panel will approve or not approve inclusion of the position in the Program.
4. The position will be advertised on the NT Government internet.
5. Any NTPS employee can apply for the position and should seek their agency's in-principle support to enter into a secondment.
6. The NGO determines and manages the recruitment process for the position.
7. The NGO appoints to the position.
8. If an NTPS employee is appointed to the position, the employee completes a standard secondment agreement with their home agency (Attachment B).

4. Responsibilities for Managing a Secondment Arrangement

4.1. NTPS

Activity	Comment
Receipt of job description	NGO to submit job description to Children and Communities, DCM.
Assessment of job description	Panel to be convened by Children and Communities, DCM.
Advertising secondment opportunity	Advertised jobs placed onto NT Government internet site.
Secondment agreement	Standard secondment agreement signed between the NTPS employee and their home agency.
Contact with secondee	The home agency and employee should remain in regular contact during the secondment. This would include to update the employee on changes in the Department or work area. Contact should be made at least every 3 months.

4.2. NGO

Activity	Comment
Development of the job description	
Job description submitted to NTG	If the NGO wishes to consider a secondee from the NTPS for the position
Selection process	As determined by the NGO
Selection decision	As determined by the NGO

Activity	Comment
Secondment employment conditions/contract	The secondee will be a temporary employee of the NGO and will need to negotiate their employment contract including pay rates, leave entitlements, etc
Accrued entitlements during secondment	Any entitlements are the responsibility of the NGO and any remaining would be paid out on completion of the secondment arrangement

4.3. Secondee

Activity	Comment
Decision to apply for secondment opportunity	Discussion with line manager in home agency regarding intention to apply for a secondment position and to seek in principle support for a secondment
Appropriate job application	As determined by the NGO
Taxation issues	The secondee will need to assess their individual tax situation in relation to any salary package on offer
Superannuation	The secondee will need to obtain advice in relation to their superannuation fund, particularly if they are currently with NTGPASS or CSS. Approval is needed to remain with NTGPASS.
Negotiation of employment contract with the NGO	The secondee will be a temporary employee of the NGO and will need to negotiate their employment contract including pay rates, leave entitlements, etc
Pay progression	Senior Administration and Professional Officers who wish to use evidence from their secondment to count towards pay progression should discuss performance agreement targets with their line manager.
Contact with NTPS agency	The home agency and employee should remain in regular contact during the secondment. Contact should be made at least every 3 months.

5. Further information

For further information about Career Mobility please refer to the OCPE website

www.ocpe.nt.gov.au

www.ocpe.nt.gov.au/working_in_the_ntps/legislation/public_sector_employment_and_management_act

www.ocpe.nt.gov.au/building_capability/building_workforce_capacity/mobility

www.ocpe.nt.gov.au/building_capability/building_workforce_capacity/mobility/mobility_resources