



ASIC

Australian Securities & Investments Commission

PEOPLE & DEVELOPMENT

Secondment Policy

2018

About this policy

This policy describes ASIC's approach to secondments as an effective way to develop capability.

This policy supports ASIC's values of **ACCOUNTABILITY**, **PROFESSIONALISM** and **TEAMWORK**.

A Administration of this policy

Policy ownership

The Senior Manager, P&D Advisory is responsible for the development and implementation of this policy.

Policy application

This policy applies to ASIC People Leaders and Team Members, including the Superannuation Complaints Tribunal (SCT). This can include ongoing and non-ongoing team members.

Policy approval

This policy has been reviewed and approved by the following parties on the following dates:

Version	Reviewer	Comments	Approved	Date
1.0	Helen O'Loughlin		Approved	23 February 2018

Policy distribution

This policy has been distributed to the following parties on the following dates:

Version	Date	Distribution List
1.0	February 2018	SECURITY SERVICES INTERNAL AUDIT & OPERATIOANL RISK IT SECURITY PEOPLE & DEVELOPMENT CLO

Policy location

This policy is published on [myASIC](#), People & Development.

Policy review

This policy will be due for review in March 2020.

Contents

A	What is a secondment?	4
B	Types of secondments	5
C	Principles	6
D	Responsibilities	7
	Team member	7
	People leader	7
	Senior Executive Leader	8
	People & Development Advisory	8
E	Employment and payment arrangements	9
F	Managing risk	10
	Conflicts of interest.....	10
	Information Protection	10
G	Key terms	11
H	Administration of this policy	2
	Attachment: Secondment Process	12



FOR FURTHER INFORMATION
CONTACT P&D ADVISORY ON
#87799

B What is a secondment?

- 1 A secondment is where a team member works temporarily at another organisation to build individual and organisational capability.
- 2 The objectives of ASIC secondments are a combination of:
 - driving international or whole of Government initiatives;
 - building organisational expertise in critical areas;
 - strengthening organisational and individual relationships; and
 - retaining and developing ASIC's high potential talent.
- 3 Secondments are distinct from other resourcing arrangements and can be identified by the following characteristics:
 - there is a focus on development and/or collaboration;
 - the arrangement is between the host employer, the home employer, and the secondee;
 - the secondee's work is under the direction and supervision of the host employer and usually performed at the host employer's premises;
 - the secondee remains employed by the home employer; and
 - the duration is for 2 months or more
- 4 The following characteristics usually indicate a contractor into ASIC rather than a secondment:
 - the purpose of the assignment is solely to complete a task or project;
 - the individual may work on matters for other clients;
 - some of the contracted services are performed by other external resources (e.g. administration support); and
 - the individual is not a party to the contractual arrangements between ASIC and the other entity.
- 5 Short-term study visits and internal moves between teams for development purposes are often referred to as secondments but are considered outside of this policy.

C Types of secondments

Domestic public sector agencies

- 6 Opportunities may arise to temporarily second a team member to another government agency or to second other government agency staff into ASIC.

A Senior Executive Leader must approve all public sector secondments.

International secondments

- 7 International secondments are used to strengthen ASIC's relationships with key international regulators, build regulatory expertise, and to build an international perspective.

Proposals for international secondments are initiated by the Commission or Senior Executive Leaders in consultation with People & Development and International Strategy.

International secondments must have a business case and be approved by a Commission member.

Domestic private sector organisations

- 8 Any domestic private sector secondments must be approved by a Commission member.

D Principles

- 9 Secondment opportunities are identified as a result of ASIC's annual business planning process. The organisations and types of roles identified for secondment should be based on ASIC's Workforce Plans.
- 10 Every secondment should have a clear purpose consistent with ASIC's strategic priorities and the secondment objectives in this Policy (Clause A.2).
- 11 ASIC's talent management practices will guide which employees are selected for secondment.
- 12 Secondments will only occur where conflicts of interest and other risks can be appropriately mitigated.
- 13 Secondments are temporary. The duration depends on the secondment objective, visa requirements (where applicable), and costs.

E Responsibilities

Team member

- 14 Team members are accountable for:
- ensuring the necessary approvals and clearances are in place;
 - considering any personal, financial implications including taxation;
 - arranging accommodation and passports (where required);
 - bringing to ASIC's attention any real or perceived conflicts;
 - maintaining contact with their home team and participating in ASIC's performance management framework;
 - upholding applicable policies, procedures, legislation, and in particular the APS Code of Conduct and Values; and
 - taking reasonable care for their own health and safety and that of others in the workplace that may be affected by their actions ensuring their health and safety during the secondment

People leader

- 15 People leaders are accountable for:
- deciding whether a secondment will meet business objectives;
 - considering any financial implications for ASIC;
 - consulting People & Development Advisory early in negotiations to agree on methodology and ensure consistency with ASIC's strategy;
 - advising relevant ASIC business units and seeking prior approval where required, for example:
 - Security Services (security clearances and country risk profiles)
 - Internal Audit & Operational Risk (potential conflicts of interest)
 - Finance (arrange invoicing/journaling if required)
 - Information Technology and Property & Business Services (IT access and building access)
 - International Strategy (international travel approval and flights)
 - Updating myPeopleSoft HR (inbound secondee access or outbound leave records);
 - inducting the secondee and ensuring mandatory training is completed;

- working with the host or home people leader to design the secondment effectively and share performance feedback;
- regularly communicating with the secondee;
- taking reasonable care for their own health and safety and that of others in the workplace that may be affected by their actions ensuring their health and safety during the secondment.

Senior Executive Leader

- 16 Any secondment arrangements must be approved by a Senior Executive Leader. Commission approval must also be obtained for international secondments or secondments to domestic private organisations.

Senior executive leaders must consider potential conflicts of interest and information protection arrangements when approving the secondment.

People & Development Advisory

- 17 People & Development Advisory will advise on contractual and payment arrangements and the application of people policies and procedures.

F Employment and payment arrangements

18 Secondees continue to be employed by the home agency. Secondment terms are usually negotiated between the home agency and the host agency through a Memorandum of Understanding or secondment agreement. The secondee is also required to agree to the terms of the secondment and sign the agreement.

Payment arrangements vary depending on the purpose of the secondment. To be considered a secondment rather than a contract for services, the payment arrangements will usually be either:

- no fee or a swap;
- cost recovery for employment costs only – this may be 100% or a negotiated percentage; and
- a substantially discounted charge out rate.

Business areas will need to liaise with Finance to recover costs for outbound secondments.

The employment and payment arrangements for international secondments will be negotiated on a case-by-case basis taking into consideration visa and tax implications.

IMPORTANT NOTE: If an individual is charged to ASIC at commercial rates, that person is likely to be a contractor and different arrangements will need to be put in place. It will also have Public Governance, Performance and Accountability Act (PGPA Act) implications. Contact ASIC Procurement Centre for further information.

G Managing risk

Conflicts of interest

- 19 All parties to a secondment arrangement must take reasonable steps to avoid any actual, perceived, or likely conflict of interest from a secondment. The Senior Executive Leader or Commissioner will need to consider the secondee's exposure to regulated entities, the type of work they will be involved in, and perceptions of potential conflict.

To minimise the risk of conflict:

- discuss any potential conflict areas with the other parties prior to the secondment;
- ensure security clearances are completed and approved before the secondment commences;
- design the secondment role to offer meaningful work without exposure to risk;
- read and consider ASIC's Guide to avoiding conflicts of interest and improper use of information; and
- seek advice from Internal Audit & Operational Risk and Chief Legal Office as required.

Information Protection

- 20 The home employer should not have access to information obtained during the secondment other than through pre-agreed information sharing protocols shared between the organisations.

Outbound secondees require Senior Executive Leader approval to retain access to ASIC Information Technology systems.

Inbound secondees will have access to ASIC information systems consistent with ASIC's *Share Everything You Can* approach. If access needs to be restricted due to risk, the secondment should generally not proceed. Senior Executive leaders will need to approve restricted access in consultation with Operational Risk, Strategic Risk and IT Security.

All Information received, accessed, or created by the secondee in the course of the secondment is deemed the confidential information and intellectual property of the Host Party.

H Key terms

Term	Meaning in this policy
Home Employer	The entity that employs the secondee. For example, if an ASIC employee is seconded to another agency, ASIC is the home employer.
Host Employer	The entity that contracts with the home employer to have the secondee work for that entity for a fixed period of time.
People Leader	An ASIC employee with people management responsibilities. For example, a Senior Executive, Senior Manager, Manager, or Team Leader.
Team Member	An ASIC employee, either ongoing or non-ongoing, with no people management responsibilities.
myPeopleSoft HR	The Human Resources Information System.

Related Information

Guide to avoiding conflicts of interest and improper use of information

Provides important guidance on conflicts of interest considerations during a secondment.

ASIC's Relocation Policy

Provides information on the financial support that may be provided to a team member who is required to relocate to undertake a secondment.

ASIC's International Travel Policy

Outlines what must be done when planning overseas travel for ASIC business.

Procurement Guidelines

PGPA Act requirements for secondments with a fee or myPeopleSoft HR – Contingent Worker Endorsement process.

Attachment: Secondment Process

Secondment Process						
Inbound and Outbound						
Senior Manager	<p>PLAN</p> <ul style="list-style-type: none"> - Plan secondment needs through business planning process. - Seek approval including cost/benefit analysis. 	<p>ADVICE</p> <p>Seek advice from: IA&OR / CLO</p> <ul style="list-style-type: none"> - conflicts of interest <p>SECURITY SERVICES</p> <ul style="list-style-type: none"> - clearance and risk assessments 	<p>CONTRACT</p> <ul style="list-style-type: none"> - Negotiate contract terms: payment, travel, allowances - Duration and start date - Role - information sharing protocols & possible conflicts 	<p>REGISTER</p> <ul style="list-style-type: none"> - Inbound: enter as Contingent Worker on myPeopleSoft HR - Outbound: advise Payroll of dates for Leave of Absence record and LAFHA 	<p>INDUCT</p> <ul style="list-style-type: none"> - Confirm security cleared and IT access - Ensure mandatory training is complete - Involve in meaningful work 	<p>PAYMENT</p> <ul style="list-style-type: none"> - Arrange invoice for cost recovery through Accounts Receivable or pay invoice through PeopleSoft Financials
P&D Advisory	<p>PLAN</p> <ul style="list-style-type: none"> - Work with business areas to include in biannual secondment plan 	<p>ADVICE</p> <ul style="list-style-type: none"> - Give advice on contract and pay arrangements, visas and tax, people policies - Liaise with secondment team at other organisation 	<p>CONTRACT</p> <ul style="list-style-type: none"> - Negotiate and draft secondment agreement / MOU - Material changes sent to CLO 	<p>REGISTER</p> <ul style="list-style-type: none"> - register the secondment details 		
Procurement		<p>ADVICE</p> <ul style="list-style-type: none"> - Give procurement advice if fee is more than just cost recovery 				
Chief Legal Office		<p>ADVICE</p> <ul style="list-style-type: none"> - Advise on conflicts of interest and confidentiality issues where raised. 	<p>CONTRACT</p> <ul style="list-style-type: none"> - Advise on material changes to contract or where the arrangement is not considered a secondment. 			
Security Services		<p>ADVICE</p> <ul style="list-style-type: none"> - Advise on security clearance or waiver - Advise on conflicts of interest & escalate to CLO - Advise on country risks 		<p>REGISTER</p> <ul style="list-style-type: none"> - Complete security assessment and update Contingent Worker on PeopleSoft 		
Secondee	<p>PLAN</p> <ul style="list-style-type: none"> - Ensure necessary approvals and clearances obtained - organise travel and credit card if required 	<p>ADVICE</p> <ul style="list-style-type: none"> - Seek advice on potential risks, information sharing protocols and access 	<p>CONTRACT</p> <ul style="list-style-type: none"> - Negotiate start date, duration and role - Sign contract and any other documentation 		<p>REGISTER</p> <ul style="list-style-type: none"> - Enter leave taken into myPeopleSoft HR and/or notify Senior Manager 	<p>INDUCT</p> <ul style="list-style-type: none"> - Ensure mandatory training is complete - Work with your manager to get the most out of the secondment