Temporary Appointment and Secondment Policy

Version number: 2.0

Status: Published

Department/Team: People Services

Relevant policies: Recruitment and Selection Policy, Dispute Resolution Procedure, Pay Policy

Distribution: Internal

Author/Owner: People Services

Consultees: Delivery Group, People Services, Trade Unions, EDI networks

Approved by: Sam McVaigh, Director of People Services

Application date: 14 October 2025

Review date: 14 October 2028

Security classification: Official

Key messages

This policy aims to ensure that the Information Commissioner's Office (ICO) adopts a fair, transparent and inclusive approach to managing temporary appointments and secondments. It allows the flexibility needed to support short-term change and ensure business continuity, as well as offering existing employees the opportunity to develop new skills and share knowledge.

Does this policy relate to me?

This policy applies to all employees of the ICO and is intended to provide guidance on temporary internal appointments and incoming, outgoing and international secondments.

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Introduction

1.1. This policy provides a framework for considering and managing both temporary appointments, and secondments with public, private and third sector organisations.

1.2. The framework provides guidelines for a fair approach to all temporary appointments and secondments.

1.3. Our Workforce Strategy supports the temporary movement of skills and knowledge across the organisation to support us in flexibly investing resource in our complex, high impact work.

1.4. Our Workforce Strategy encourages temporary movement outside of the organisation to support professional development and the acquisition of new skills and knowledge that enhance employees' substantive roles. It also promotes incoming secondments as a valuable opportunity to introduce fresh perspectives and expertise into the organisation. Our goal is for all secondments to deliver mutual benefit.

1.5. It is the ICO's policy that secondee positions should not be used to cover existing workloads which could otherwise be undertaken by ICO staff.

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2. Definitions: Temporary Appointments, Internal Transfers and Expression of Interest (EOI)

2.1. Temporary appointments

A temporary appointment is defined as any internal transfer on a temporary basis or any employment under a fixed term contract.

Temporary appointments are limited to a maximum duration of 12 months initially. Extensions, ordinarily of up to a further 12 months maximum may be requested. Extension requests should be submitted via Establishment Sub-group at least eight weeks before the temporary appointment end date. The substantive people manager should be consulted.

2.2. Internal transfers

All internal moves, whether permanent or temporary, are classified as internal transfers. To apply for an internal transfer, employees must:

- have successfully completed their probationary period and served a minimum of six months in their current role. In exceptional cases, internal candidates who are still within their probation may apply earlier, subject to approval from People Services. For instance, this may apply when a newly advertised role aligns with the candidate's prior experience but was not available at the time they joined the ICO;
- not be subject to any formal absence or disciplinary action at the time of application; and

- notify their people manager of any application made. This helps people managers to plan their resources effectively. In exceptional circumstances there may be occasions where an individual does not feel comfortable declaring this directly to their people manager. In these circumstances they should speak to People Services.

If a people manager does not support a request for an internal transfer, the reason must be based on the needs of the organisation, and the people manager must notify People Services of any job move requests they have refused.

Employees who feel that their request has been refused unfairly may submit a request for the decision to be reviewed by People Services as per the Dispute Resolution Procedure.

In some circumstances employees may be offered an internal transfer at the same grade or lower without the need to complete the formal recruitment and selection process. This may include, but is not limited to, situations to support the health and wellbeing of individuals; restructuring or redeployment of employees as part of an organisational change; disciplinary matters etc. In these circumstances, and in consultation with People Services, the recruiting manager must be satisfied that a formal assessment against the role criteria is not required. However, the individual must be deemed suitable for the role in which they are to be transferred.

2.3. Expression of Interest

2.3.1. Expression of interest (EOI) is a lighter touch recruitment process that can be used for certain temporary, internal only opportunities. This is subject to the durations set out in 2.2 above, and the conditions below:

- temporary internal only vacancies where existing organisational knowledge or specialist expertise is essential, or where the position has been identified as a development opportunity; and

- urgent requirements where there is a business need to fill a position within a much shorter timescale and the urgency of the need, or the short duration of the role make a full recruitment exercise impractical or disproportionate.

2.3.2. Before deciding to recruit via this method, the recruiting manager should consult People Services and consider the following factors:

- the reasons for the vacancy and the applicable temporary vacancy type (see section 3);
- essential requirements and responsibilities;
- the anticipated duration of the appointment;
- any transition requirements for employees with reasonable adjustments;
- whether the recruitment approach aligns with our EDI objectives;
- the level of prior knowledge or experience required, and whether the opportunity should be ring fenced to a specific group;
- the urgency of the requirement and any associated risks if the position is not filled promptly;
- the potential impact of taking resource from other areas of the organisation or high priority work if resource is diverted;
- any development opportunities the position may offer; and
- whether the position is likely to become permanent. If so, a full and open recruitment campaign must be undertaken.

2.3.3. Recruiting managers must define the essential criteria for the role and establish clear assessment measures for shortlisting. Essential criteria will be published in the vacancy advert.

2.3.4. Candidates must complete an EOI form, which includes two to three targeted questions developed in collaboration with the Talent team. These questions are designed to assess candidate suitability against the essential criteria. A CV is not submitted for vacancies recruited via the EOI process.

2.3.5. Where two or more EOI’s meet the minimum threshold, a score of 3 or above for each essential criterion, recruiting managers must conduct a short interview to determine the most suitable candidate for the vacancy.

2.3.6. If only one EOI meets the minimum threshold, it is recommended that the recruiting manager holds an informal discussion with the candidate to ensure mutual understanding of the role expectations and the candidate’s aspirations.

2.3.7. All panel members are required to maintain a written record of the selection process and the rationale behind their decisions.

2.3.8. All appointments made via an EOI must be recorded by People Services. Upon completion of the EOI, the employee may either apply for the role on a permanent basis (if available) or return to their substantive post.

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3. Temporary appointment types

3.1. Acting up roles

3.1.1. Acting up is when an existing employee receives a temporary promotion to fill a vacancy.

3.1.2. ‘Acting up’ posts may be offered without the need for open competition, where the urgency of the need or the short duration of the role makes a full recruitment exercise impracticable or disproportionate.

3.1.3. Managers should consider the following factors when selecting employees for acting up roles:

- knowledge and experience of the area requiring cover;
- the ability to cover the work with a minimal amount of transition; and
- the desire of the individual to receive further development.

3.1.4. Where there is more than one potential candidate, people managers should complete the expression of interest process. This process may be ring fenced to a defined group where the required skills are most likely to be found within a specific area.

3.1.5. People managers must provide a written record of the decision-making process for appointing to an 'acting up' role.

3.1.6. The potential duration for 'acting up' roles is outlined in section 2.1.

3.1.7. Any salary allowance will be subject to review in accordance with section 8 of the Pay Policy, Temporary Upgrading.

3.1.8. A full and open recruitment campaign must be undertaken to fill the role on a permanent basis.

3.2. Fixed term appointments

3.2.1. Fixed term roles may be advertised when resource is required on a temporary basis for a finite period. The vacancy should be advertised with a clearly stated expected duration or end date. This may be for a new or existing role or filled by someone temporarily moving to a higher grade or on the same grade.

Fixed term roles may be filled by either an internal employee or external candidate, and the potential duration of a fixed term appointment is outlined in section 2.1.

3.2.2. If the organisation decides a fixed term role should be made permanent during the fixed term appointment, or within six months of it ending, the current post holder will normally be confirmed in the role on a permanent basis, subject to the conditions outlined in 3.2.3 – 3.2.6.

3.2.3. If a permanent need is identified more than six months after the conclusion of the fixed term appointment, a new recruitment campaign will commence, and the permanent role will be advertised.

3.2.4. If there are more employees in relevant fixed term positions than there are permanent positions available, the permanent appointment(s) will be made based on a short form recruitment exercise ring fenced to those in the fixed term positions, for example by interviewing the people in the fixed term posts.

3.2.5. Employees should therefore be aware that fixed term positions may become permanent. If a fixed term position becomes permanent and the employee does not wish to accept the permanent appointment, they may choose to return to their substantive post.

3.2.6. The provision to make fixed term appointees permanent will only apply if the fixed term appointment has been made using a recruitment process which follows that used for permanent appointments. For example, this provision will not be applied following an acting up promotion which was conducted on an 'expression of interest' basis.

3.3. Interim emergency appointments

3.3.1. In certain circumstances it may be necessary to make an emergency interim appointment to a particular post to provide urgent cover and avoid a significant operational risk to the ICO.

3.3.2. In these cases, People Services will consult with a member of the Executive Team, and the appointment would not be opened to competition as the urgency of the need, or the short duration of the role makes a full recruitment exercise impracticable or disproportionate. The appointee may be either an internal employee or external appointment.

3.3.3. It is anticipated that this will be a rare occurrence. The circumstances in which it may be necessary could include:

- to preserve business continuity in the event of an unforeseen set of circumstances;
- to bring in a particular level of expertise or highly specialist skills that are not readily available within the ICO for a task requiring urgent completion and where full open competition is judged to be unlikely to secure suitable appointees within the required timescale; or
- to provide short term emergency cover until a full recruitment exercise is completed.

3.3.4. Recruiting managers must declare any actual or perceived conflict of interest or prior knowledge of any candidates. All actions taken because of such disclosures must be recorded and available for audit.

3.3.5. The potential duration of an interim emergency appointment is outlined in section 2.2.

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4. Secondments definition

4.1. A secondment is defined as a movement or loan of a person from one organisation to another. At the ICO secondments typically fall into one of the following categories:

4.2. Incoming secondments

4.2.1. An incoming secondment means a person who is not an employee of the ICO joining the organisation for a temporary period from their employer. There will be a secondment agreement in place between the ICO and the external organisation which describes the terms of the secondment. The individual will remain an employee of their organisation for the duration of the secondment. Further details of the approval process is outlined in section 5.1.

4.2.2. Departments may need to appoint people with highly specialist skills that are not readily available within the ICO for a period of up to two years. Incoming secondments are not intended to be a substitute for recruiting to permanent roles.

4.2.3. Incoming secondments provide opportunities for external organisations to place a member of staff with the ICO for a temporary period. They are intended to help develop the experience of individuals, spread knowledge to other organisations and bring expertise to the ICO.

4.2.4. Incoming secondments are not available to those who are self-employed contractors, consultants or students.

4.2.5. Incoming secondees will remain on their employer's terms and conditions for the duration of their secondment.

4.3. Outgoing secondments

4.3.1. An outgoing secondment means a person who is an employee of the ICO joining another organisation for a temporary period. A secondment agreement will be in place between the ICO and the external organisation. The individual will remain an employee of the ICO for the duration of the secondment. Further details of the approval process are outlined in section 5.1.

4.3.2. The ICO may advertise secondment opportunities for employees to spend time with an external organisation. If this is the case the post will generally be advertised to all employees, though the opportunity may be limited to a smaller pool of employees if specific skills are required for the secondment. If secondment opportunities are not advertised through fair and open competition, the ICO must assess whether the engagement could be damaging if made public.

4.3.3. An outgoing secondment can only be undertaken with specific authorisation via the approval process outlined in section 5.1. The ICO may refuse permission for an individual to apply for, or take up, an external secondment if it does not support the aims of the ICO.

4.3.4. An outgoing secondee will remain an ICO employee and subject to the terms and conditions of their ICO contract of employment.

4.4. International secondments

4.4.1. In recognition of the expanding digital global environment, secondments may include placements both within the UK and internationally and can be either outgoing or incoming. Prior to any external discussions regarding international secondments, the international team should be consulted to ensure alignment with ICO priorities and to consider any diplomatic context. All international secondment proposals must then be submitted to Establishment Sub-group for approval, prior to commencement, as per section 5.1.

In the case of outgoing international secondments, the ICO will consider candidates in accordance with section 4.3 of this policy.

4.4.2. If an international secondment requires the outgoing secondee to relocate, People Business Partners and relevant business area stakeholders will liaise with the host organisation, the appropriate country Embassy and the secondee to arrange accommodation, travel, political and security briefings, and, where necessary, language training. Employment law considerations and guidance from the Foreign Office must be reviewed to ensure both safety and full legal compliance.

4.4.3. People Services will also be responsible for supporting directorates with the application of any relevant visas; ensuring secondees satisfy all legal right to work requirements; advising on health cover and relevant insurance and assisting with any pay (including relocation payments) and pension arrangements.

4.4.4. Arrangements for accommodation and subsistence payments will have been agreed prior to the secondment and outlined in a service/secondment agreement between the ICO and the external stakeholder.

4.4.5. English language proficiency is desirable for all incoming secondments.

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5. The secondment process

5.1. A request for resource will need to be submitted to Establishment Sub-group (ESG) for all outgoing and incoming secondments. This is in line with the ESG approval process. The business case section of the form will provide details of the skills, knowledge or experience that needs to be acquired or developed and should inform how the department/ICO will benefit. In the case of outgoing secondments, the business case must detail what skills, knowledge or experience the ICO employee could offer a host organisation.

5.2. Once approved, outgoing secondments will be advertised. All forms of secondment should be advertised with fair and open competition. Where there is a requirement for specialist knowledge and skills the advert may be directed to a particular group. The application process will be outlined in the advert. For incoming secondments open to competition, the Talent team will advertise the opportunity on the ICO website and, if appropriate, invite organisations to engage in our secondment process. If a host organisation advertises for a secondee they may conduct their own selection process, however any potential placement must be ratified by the ICO. Where organisations have no preferred candidate the ICO will conduct a fair and open assessment in order to appoint the most suitable candidate.

5.3. Employees wishing to be considered for a secondment must discuss this with their people manager before applying. The people manager will discuss whether the employee has the prerequisite knowledge and skills to be considered for the secondment. The people manager will also consider how the employee’s existing role can be covered should they be selected for the secondment.

5.4. People managers are expected to seriously consider a secondment request and if they are unable to endorse the application, they are required to discuss the rationale for their decision. Secondments may be refused by the people manager where:

- the employee does not have the prerequisite knowledge and skills;
- there is a significant impact on quality or performance of the department;
- the department is unable to recruit, replace or reorganise the work amongst existing employees; or
- the employee is being monitored under the formal stages of people policies and procedures.

5.5. An agreement will be made between the ICO and external organisations for all outgoing and incoming secondments. The agreement will set out the terms of the secondment and the expectation of all parties. All agreements must be ratified by the ICO’s Commercial Legal team and approved by the Director of People Services before being issued/signed.

5.6. Any potential conflict of interest, including prior knowledge of any secondee must be declared. All actions taken because of such disclosures must be recorded and available for audit.

Additional information:

5.7. A secondment differs from agreements where we pay an individual to come and work for us on a full-time basis from another organisation, where the purpose of them doing so is part of providing us with a service for which their employer is also making a profit. If we are buying in a service for which a profit is being made, this is not a secondment, even if the arrangement states someone is effectively seconded to us for a period to do the work.

5.8. The duration of secondments should not last more than two years. In exceptional/extraordinary circumstances, an extension beyond this period would require approval from Establishment Sub-group.

5.9. International secondments approval will be for a duration of up to 12 months, with the potential to extend up to a further 12 months. As these will usually incur higher organisational costs, any non-domestic secondments will be reviewed after 12 months or sooner.

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6. Secondment roles and responsibilities

6.1. Secondment agreements should be planned as part of a strategic programme. At the beginning of each financial year, where financial climate allows and business needs exist, each of the Directorates will make provision in their annual budget to cover both incoming and outgoing secondment costs for their areas.

6.2. The respective Directorate is responsible for submitting a business case for any new secondments which have an additional cost implication to Establishment Sub-group. It should make clear that the secondment:

- has specific outputs which would support the ICO's strategic priorities and relative priority attached to ICO engagement with a particular jurisdiction or international organisation;

- offers an opportunity to advance priority objectives on topics e.g. AI challenges;
- would enhance cooperation in support of an ongoing investigation, or where regular collaboration is required;
- would enhance engagement with a particular jurisdiction or international organisation;
- furthers commitments made in bilateral Memorandums of Understanding and underpinning Action Plans;
- offers benefit to an ICO member of staff's professional development; and
- provides opportunities for knowledge transfer to the secondee, whether incoming or outgoing.

6.3. People Business Partners will support directorates and responsible managers with the secondment process. In partnership with the responsible manager, they will liaise with the external organisations to consider the individual terms of any secondment agreement and will ensure all parties involved have a mutual understanding of the terms of the secondment.

6.4. People Services are responsible for ensuring all onboarding checks and new starter paperwork is completed ensuring secondees have the necessary equipment, and access to ICO systems. They will ensure inductions are arranged and mandatory training is completed.

6.5. The secondee's people manager for their substantive post remains the secondee's overall manager.

6.6. Any serious management or performance issues concerning the secondee should be referred to People Services as soon as is reasonably practicable.

6.7. The secondee is responsible for keeping in touch with their substantive people manager and should contact them if they have any concerns about the assignment.

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7. During a temporary appointment or secondment

7.1. All temporary appointments and secondments must be subject to regular review.

7.2. Substantive people managers are encouraged to maintain ongoing contact with team members throughout the duration of a temporary appointment or secondment. This should include check-in conversations at least every three months to support engagement and continuity.

7.3. Maintaining regular contact helps ensure the employee remains informed about developments within their substantive team or department and preserves a sense of connection.

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8. Returning from a temporary appointment or secondment

8.1. Where the total duration of time on secondment or temporary appointment is two years or less, the employee will return to their substantive post on their contracted terms and conditions.

8.2. When returning from secondment / temporary appointment the employee and their substantive people manager should meet to evaluate their experience and plan how new skills or experiences could be incorporated into work practice.

8.3. If an employee chooses to remain on secondment or temporary appointment in another role internally beyond two years they will lose the right of return to their substantive post. This could be on the rare occasion that such an arrangement is agreed for longer than two years or if they chose to move from one temporary arrangement to another. Employees in these circumstances will retain their right of employment with the ICO but be subject to the ICO redeployment procedure on their return.

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ico. Information Commissioner's Office

Feedback on this document

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Version history

Version	Changes Made	Date	Made by
0.1	First draft	June 2021	Human Resources
0.2	Second draft	November 2021	Human Resources
1.0	Final first draft	December 2021	Human Resources
1.1	Updated to include additional section covering international secondments	May 2022	Human Resources in consultation with International Regulatory Cooperation
1.2	Transferred onto new policy template	August 2022	HR Operations
2.0	Full policy review and update	June 2025	People Services

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Annex: Temporary appointment and secondment types

The information below outlines the different types of temporary appointments and secondments and their permitted durations.

Acting up roles

- Used where either the urgency of the need or the short duration of the role makes a full recruitment exercise impracticable or disproportionate.

- Initial duration of up to 12 months, with the potential to extend up to 2 years in total.

Fixed-term appointments

- Used to provide cover for a permanent post holder or because a post is funded for a fixed term, or the work is only required for a finite period.

- Initial duration of up to 12 months, with the potential to extend up to 2 years in total.

Interim emergency appointment

- Used to provide urgent cover and avoid a significant operational risk to the ICO. The appointee may be either an internal member of staff or external appointment.

- Initial duration of up to 12 months, with the potential to extend up to 2 years in total.

Incoming secondment

- A person who is not an employee of the ICO joining the organisation for a temporary period from their employer. The individual will remain an employee of their organisation for the duration of their secondment.

- Duration of up to 2 years.

Outgoing secondment

- An employee of the ICO joining another organisation for a temporary period. The individual will remain an employee of the ICO for the duration of the secondment.
- Duration of up to 2 years.

International secondment

- In recognition of the expanding digital global environment, secondments may involve placements both in the UK and abroad.
- Initial duration of up to 12 months, with the potential to extend up to 2 years in total.
- It is likely that international secondments will incur higher organisational costs, therefore it is proposed any non-domestic secondments are reviewed after 12 months or sooner

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