

Circular Title: **Staff Exchange Scheme between the Civil Service and the Private Sector**

I am directed by the Minister for Public Expenditure and Reform to say that the arrangements as set out hereunder will apply in relation to the Staff Exchange Scheme between the Civil Service and the Private Sector.

Circular Number: **03/2013.**

Purpose: **To set out the details of the Staff Exchange Scheme between the Civil Service and the Private Sector.**

Status: **This circular introduces a new Staff Exchange Scheme along the lines of the Temporary Staff Transfer Scheme provided for under Department of the Public Service Circular 10/79.**

Circular Application: **To all civil service staff at HEO, AO, AP, and PO levels and their departmental and professional counterparts.**

Relevant Employment Law: **Civil Service Regulation Acts 1956 – 2006.**

Effective Date: **17th January 2013.**

Responsibility for Implementation: **HR Units/Heads of Departments.**

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Introduction

1. A Civil Service/Private Sector Staff Exchange Scheme is being introduced along the lines of the Temporary Staff Transfer Scheme provided for under Department of the Public Service Circular 10/79. The scheme will run on a pilot basis for two years and will be reviewed at the end of the second year of operation to assess its effectiveness.
2. The Staff Exchange Scheme is designed to enhance communication, co-operation and understanding between the Civil Service and the Private Sector and to provide staff development opportunities for participants through new work experiences and project-based assignments. It is also intended to enhance mutual understanding of the drivers of policy and to better inform the policy formulation process of the Civil Service.
3. It will involve placement of civil servants from Government Departments/Offices in private sector companies for a minimum period of three months and up to a period of one year. The private sector executives would, in turn, be placed in a Government Department/Office for a similar period.

Participation in the Scheme

4. The Scheme is aimed at civil service staff (HEO, AO, AP, PO and equivalents) and at executives in management positions in the Private Sector. Each Department/Office is asked to nominate at least one and not more than three of its staff for participation in the Scheme. Nominations should be accompanied by a written undertaking from the Secretary General confirming that the nominee(s) will be released if a suitable match is identified – see Appendix 1.
5. Nominations for 2013 should be submitted to this Department not later than **Friday, 22nd February, 2013.**
6. A vacancy arising on foot of a person's move from a Department to the Private Sector may be sanctioned by the Department of Public Expenditure and Reform to be filled, if supported by a robust business case. The intention is that the private sector person will be treated as supernumerary in the receiving Department for the duration of the assignment.
7. Secondment arrangements will apply to civil servant participants on the basis of an exchange of letters – see Appendix 2 for details. In summary, the arrangements are as follows:
 - civil servants will continue to be paid their existing salary by their existing employer;
 - qualifying service for superannuation will be unaffected;
 - incremental progression and eligibility for promotion will continue during the period of assignment, as appropriate; and
 - those assigned will return to their original employer when the secondment period is over.

Expressions of Interest

8. Departments are asked to seek expressions of interest from their staff – see Appendix 3 – for assignment to placements in the Private Sector to areas that link to key Government policy and reform initiatives. These include but are not limited to the following:
 - eGovernment, ICT, Information Sharing and Customer service
 - Procurement
 - Public Private Partnership programmes
 - Shared services
 - Business process improvement
 - Project Management
 - External service delivery
 - Facilities management
 - Sector specific initiatives (e.g. agri-food etc, Pathways to Work, domestic water, energy, water/waste services, education, communications etc).
9. Applicants may express an interest in being considered for placement opportunities to not more than three areas. To facilitate the matching of private sector and civil service applicants, a CV must be submitted to include:
 - preferred areas of assignment
 - details of qualifications, work experience and competencies;
 - a brief job description of the current role, including the main competencies required; and
 - a submission setting out suitability for assignment including an outline of the personal developmental goals and objectives associated with the assignment.
10. Those who are being considered for assignment should be high performing individuals with strong leadership potential. The assignment sought must be consistent with Departmental objectives and business needs.

Oversight Group

11. An Exchange Scheme Oversight Group with representatives from the Private Sector and the Civil Service will be established. Its main function will be to maintain a general overview on the implementation of the Scheme. It will be supported by a Secretariat from the Department of Public Expenditure and Reform. The Secretariat will draw up a list of suggested matches between private sector and civil service applicants for consideration by the Oversight Group.
12. Departments and the individual private sector companies will liaise directly with each other to put the exchange arrangements in train and arrange to meet nominees advised to them by the Secretariat. The purpose here is to satisfy both parties with regard to the suitability of the incoming person for assignment to the post.

Ongoing Review Process

13. Assignments will be reviewed after a period of one month to ensure that the arrangements are meeting the expectations of the employers and the participants. If after this period the arrangement is unsatisfactory, the assignee will return to their parent organisation. For this reason, no backfilling of posts by the sending Department is permitted until after the first month of the assignment.
14. During the assignment period, the HR Division of the sending Department should convene feedback meetings, quarterly, with each of its assignees. At the end of the assignment the civil servant will be required to prepare a short (4-5 page report) on the assignment for their Department and, taking account of that, the Department will furnish a short report on the operation of the Exchange Scheme to the Secretariat. Templates for the review and the report are attached at Appendix 4.
15. At the end of the pilot phase, a report on the operation of the Exchange Scheme and on its effectiveness will be prepared by the Secretariat for consideration by the Oversight Group.
16. The contact point for all matters related to this scheme and for the submission of nominee details and end of scheme reports is:

Mr Kieran Sheedy
Staff Exchange Scheme
Civil Service HR Directorate
Department of Public Expenditure and Reform
4th Floor, 7-9 Merrion Row, Dublin 2.

Email: Kieran.Sheedy@per.gov.ie. Phone: 01-6045729.

Patricia Coleman
Director
Civil Service HR Directorate

January 2013

Appendix 1 – Departmental Summary of Nominees to Staff Exchange Scheme

Office/Department of [insert name]

This Department wishes to nominate the following staff for assignment under the Staff Exchange Scheme between the Civil Service and the Private Sector.

The individual applications of each nominee are attached herewith. The assignment that each nominee has sought is consistent with the objectives and business needs of the Department for the Scheme.

I can confirm that these nominees are high performing individuals with strong leadership potential.

Name	Grade	Exchange Placement Preferences		
		1st Preference	2nd Preference	3 rd Preference
e.g Joe Bloggs	eg AP	e.g. Shared services	e g e-Government	e.g. Business Process improvement

I can confirm that it has been agreed at Secretary General level that each of the nominees detailed above, recommended for assignment from this Department under the Staff Exchange Scheme between the Civil Service and the Private Sector, will, except in exceptional circumstances, be released for assignment within a period of 21 days from the date of confirmation of suitability for assignment to a receiving organisation.

Signed: _____

Date: _____

[insert name of Personnel Officer]

Appendix 2A – Draft Secondment Letter to issue to Civil Service Assignees

CONFIDENTIAL

To [xxx]

[Insert date]

Dear [xxxx],

I am writing on behalf of the **[Insert person's own organisation title here]**, to offer you an appointment, on a secondment basis, to the position of **[Insert new post title here]** in the **[Insert new organisation address here]**, under the following terms and conditions.

1. Secondment

The appointment will be on the basis of a secondment arrangement to **[Insert new organisation title here]**.

The period of the secondment does not detract from your employment status as an employee of the **[Insert person's own organisation title here]**. While on secondment you will remain subject to the provisions of the Civil Service Regulation Acts 1956 to 2005, the Civil Service Code of Standards and Behaviour (Circular 26/2004), and any other regulations governing the conduct of civil servants.

On the expiry of the term of your secondment you will return to the Civil Service, to your existing Department and location, on the salary and the terms and conditions then pertaining to your substantive grade.

You will continue to be eligible to compete for promotion in **[Insert own organisation title here]** and to take part in interdepartmental competitions, if otherwise eligible.

2. Position & Location

Your appointment is to the post of **[Insert new post name here]** in the **[Insert new organisation title here]**, and you will be based at the offices of the **[Insert new organisation title here]**, **[Insert address here]**.

3. Commencement & Duration

Your appointment to this position and related secondment will commence on **[Insert Date]** and, subject to the conditions set out hereunder will cease not later than **[Insert Date]**.

Assignments will be reviewed after a period of one month to ensure that the arrangements are meeting the expectations of the employers and the participants. If after this period the arrangement is unsatisfactory, you will return to **[Insert person's own organisation title here]**.

Your return to the Civil Service will be subject to the following:

- you have not reached the maximum retirement age (where a maximum retirement age applies).
- you have not in the meantime become disqualified for service.

- the appointment with the **[Insert new organisation title here]** has not been terminated on grounds which would warrant dismissal from the Civil Service.

If you have been on extended sick-leave while on secondment and are due to return to the Civil Service, you may be referred to the Chief Medical Officer for assessment in respect of your fitness to return to work.

4. Remuneration

You will continue to be paid by the **[Insert person's own organisation title here]** at your current remuneration. This may be subject to pay adjustments during the period of the contract in line with adjustments to the **[Insert current grade here]** scale in the Civil Service.

5. Superannuation

During the period of your secondment you will remain a member of the Superannuation Scheme for Established or Unestablished Civil Servants (as appropriate) and your service while on this secondment will reckon in that Scheme. This means that you will be pensionable on the basis of your substantive grade and pensionable remuneration in the Civil Service. During the period of your secondment you will not be entitled to reckon that period, or receive any benefit in respect of that period, under another pension arrangement.

6. Working Hours

Your hours of work in the **[Insert new organisation title here]** will be **[Insert hours of attendance here]**. The **[Insert new organisation title here]** reserves the right to alter the times of attendance if necessary.

Due to the nature of the business of the **[Insert new organisation title here]**, you may be required to attend for work outside the standard hours from time to time.

The terms of the Organisation of Working Time Act 1997 will apply to this appointment.

7. Travel and Subsistence

You may be required to travel in the course of your duties. During necessary absence from headquarters on duty, travelling expenses and subsistence allowances will be payable by **[Insert new organisation title here]** at the motor travel and subsistence rates applying in respect of employees of **[Insert new organisation title here]**.

8. Annual Leave & Sick Leave

Your annual leave allowance will be calculated as if you had remained in the Civil Service. Annual leave must be taken at a time or times convenient to the **[Insert new organisation title here]**.

The sick leave arrangements applicable for the Civil Service will continue to apply during your secondment – you will be required to report any illness on the first day of absence and furnish medical certificates by the third day. Payment for absences through illness shall be in accordance with the practice applicable to the Civil Service.

Details of annual leave and sick leave taken during your secondment will be forwarded by **[Insert new organisation title here]** to the Human Resources Section, **[Insert person's own organisation title here]** or to Peoplepoint (as appropriate) for its records.

9. Duties

You will report to and be responsible to the **[Insert new organisation title here]** for the performance of your duties.

This position will be whole-time and you may not engage in or be connected with any outside employment, appointments or activities other than those for which this secondment was agreed unless authorised in writing to do so by **[Insert own organisation title here]**.

You will be governed by the HR policies and procedures in relation to health and safety in the workplace, dignity and respect at work, intellectual property, copyright, data protection and early termination of the secondment arrangement and notice as determined by **[Insert new organisation title here]**. Details of the above policies will be furnished to you on the date of commencement of your secondment. You will be required to comply with the requirements of these policies and procedures as updated from time to time.

10. Ethics and Conflicts of Interest

The following arrangements will apply during the term of the secondment:

- You will continue to be subject to the Provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Acts 1997 and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.
- You will continue to be subject to the provisions of the Civil Service Regulation Acts 1956 to 2005, the Civil Service Code of Standards and Behaviour (Circular 26/2004) and any other regulations governing the conduct of civil servants.

During the period of secondment there should be no potential conflict of interest between the activity or the employment in which you are engaged and your position in the Civil Service. A conflict of interest situation may exist where a civil servant could, as a result of their civil service role, benefit themselves, someone they have personal ties with or the outside employment they are going to. In particular you must not:

1. undertake any consultancy work or provide any service in return for payment to a Government Department or body.
2. use privileged access to contacts in Government or sensitive/confidential information to which you had access in the Civil Service.
3. use commercially sensitive information gained in the course of employment in the Civil Service in such a way as to give rise to commercial or competitive advantage in that company.
4. be party to a tender in the public service unless your involvement is explicitly stated in the tender document.
5. engage in any political activity.

Where you become aware of a conflict of interest or a potential conflict of interest while in the employment of **[Insert new organisation title here]**, you must notify the HR Manager/Head of Department of **[Insert person's own organisation title here]** in writing. The HR Manager/Head of Department will determine the appropriate action to be taken, including advising whether you can continue with your secondment or whether the secondment must be terminated. Where the HR Manager/Head of Department becomes aware of a conflict of interest or a potential conflict of interest other than directly from you, they can determine the appropriate course of action.

11. Discipline

The **[Insert new organisation title here]** may seek to discontinue the secondment of any individual who engages in conduct or activity that could be deemed a dismissible offence during the period of the secondment or who fails to comply with the terms of this secondment arrangement.

In that event, the **[Insert new organisation title here]** will request the HR Manager/Head of Department to invoke the Civil Service Disciplinary Code (see Circular 14/2006) and both organisations will co-operate as necessary in conducting such investigation as may be required. Where the Code is invoked you must cooperate fully with the procedures involved.

12. Acceptance of appointment

If you are prepared to accept the appointment on the foregoing conditions, please sign the acceptance form on the duplicate of this letter and return it to me. This agreement expires on **[Insert Date]** unless accepted by you in the meantime.

Yours sincerely,

[Insert name]

HR Unit

Form of Acceptance and Undertaking

1. I confirm that I am prepared to transfer to the **[Insert new organisation title here]** on the basis of the letter of **[Insert date]** from **[Insert name]** in the HR Unit and that I accept the terms and conditions of this employment as stated.
2. I acknowledge in particular that I understand paragraph 10 regarding conflicts of interest while in other employment outside the Civil Service and the possible consequences of same.
3. I understand that if a potential or actual conflict of interest arises in the course of my secondment I am bound to notify my parent Department immediately and I am bound by any decision that the HR Manager/Head of Department subsequently takes.
4. I understand that in the event that it comes to the attention of my parent Department that I have taken up alternative employment or am engaged in any conduct or activity which they consider is inconsistent with or may cause a conflict of interest with my position in the Civil Service, my parent Department will contact me in writing stating that I must, within two weeks either:
 - cease the employment or stop engaging in the conduct or activity and advise the Department that I have done so, or
 - advise the Department, in writing, that I am not engaged in that employment or conduct or activity, or
 - if I am engaged in that employment or conduct or activity, advise the Department why I consider it is not inconsistent with, or cause a conflict of interest, with my position in the Civil Service.

I understand that if, after considering my response, the Department continues to be of the view that I am employed or engaged in inappropriate conduct or activity, the Department will give me a further two weeks to:

- cease such employment or activity and to notify the Department of this in writing, or
- resign from my position in the Civil Service, or
- to apply for a meeting with the HR Manager to put forward my case.

I understand that I can appeal the decision of the HR Manager to the Head of Department/Office, whose decision will be final.

I understand that in the event that I do not comply with these procedures or the decision of the Head of Department, this undertaking will be immediately invoked, and constitutes my formal resignation from the Civil Service effective from the last date of the two week period. Effect will be given to such resignation by written notification to me by my parent Department of their acceptance of my resignation.

Signed: _____
[Insert name here]

Date: _____

[A copy of the completed signed form should be given to the officer to be retained by him/her while on secondment.]

Appendix 2B – Secondment Arrangements for Private Sector Assignees

It will be a matter for the private sector company to issue a secondment letter to its own employees. This will generally follow the approach set out at Appendix 2A.

Private sector assignees must be employed under an Excluding Order issued by the Commission for Public Service Appointments (CPSA).

Personnel Officers should ensure that private sector assignees are fully clear that on assignment to the Civil Service they will be bound by certain regulations (e.g. official secrets act, ethics, etc). For the duration of the placement they will also be bound by the same rules as govern civil servants in relation to political involvement.

The secondment letter from the private sector company to its employees should be agreed with the Department and should include the provisions below and the related form of acceptance and undertaking:

Ethics and Conflicts of Interest

1. During the term of the secondment you will be subject to the Provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Acts 1997 and 2003, and must sign a declaration to that effect on reporting for duty in **[Insert new organisation title here]**. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment. In particular, without the consent of the Head of the Department of **[Insert Department title here]**, you shall:
 - not directly or indirectly disclose to any person, firm or company or use other than for any legitimate purposes of the **[Insert Department title here]** any confidential business information;
 - not without the prior written permission of the **[Insert Department title here]** hold any material interest in any person, firm or company which requires or might reasonably be thought by the **[Insert Department title here]** to require you to disclose any confidential business information in order properly to discharge your duties to or to further your interest in such person, firm or company;
 - return to the **[Insert Department title here]** upon request and, in any event, at the termination date, all documents, computer disks and tapes and other tangible items in your possession or under your control which belong to the **[Insert Department title here]** or which contain or refer to any confidential business information;
 - if so requested by the **[Insert Department title here]**, delete all confidential business information from any computer disks, tapes or other re-usable material in your possession or under your control and destroy all other documents and tangible items in your possession or under your control which contain or refer to any confidential business information.

At any time after the termination date you shall not directly or indirectly disclose to any person, firm or company or make use of any confidential business information, which does not form part of your own skill and knowledge.

2. For the duration of your assignment, you will be subject to the provisions of the Civil Service Regulation Acts 1956 to 2005, the Civil Service Code of Standards and Behaviour (Circular 26/2004) and any other regulations governing the conduct of civil servants. You will also adhere to the **[Insert new organisation title here]** policies in relation to ICT.
3. During the period of secondment there should be no potential conflict of interest between the activity or the employment in which you are engaged in the Civil Service and your position in **[Insert new organisation title here]**. A conflict of interest situation may exist where a person could, as a result of their role in the Civil Service, benefit themselves, someone they have personal ties with or an outside employment, including the one they are being seconded from.
4. Where you become aware of a conflict of interest or a potential conflict of interest while in the employment of **[Insert new organisation title here]**, you must notify the HR Manager/CEO of **[Insert person's own organisation title here]** in writing. The HR Manager/CEO of **[Insert person's own organisation title here]** will determine the appropriate action to be taken, including advising whether you can continue with your secondment or whether the secondment must be terminated. Where the HR Manager/CEO becomes aware of a conflict of interest or a potential conflict of interest other than directly from you, they can determine the appropriate course of action.

Form of Acceptance and Undertaking

1. I acknowledge in particular that I understand paragraphs 1- 4 regarding Ethics and Conflicts of Interest while in employment within the Civil Service.
2. I understand that if a potential or actual conflict of interest arises in the course of my employment in the Civil Service I am bound to notify **[Insert person's own organisation title here]** immediately and I am bound by any decision that the HR Manager/CEO of **[Insert person's own organisation title here]** subsequently takes.

Signed: _____
[Insert name here]

Date: _____

[A copy of the completed signed form should be given to the officer to be retained by him/her while on secondment.]

Appendix 3 – Application for Civil Service/Private Sector Staff Exchange Scheme

Name	
Phone	
Email	
Current Department	

Section A Expression of Interest

Areas you wish to be considered for (max. 3)	Preference (1, 2 or 3)	Summary description of position sought
eGovernment, ICT, Information Sharing and Customer service		
Procurement		
Public Private Partnership programmes		
Shared services		
Business process improvement		
Project Management		
External service delivery		
Sector specific initiatives (please specify)		
Other (please specify)		

Your preferred duration for the assignment (minimum 3 months; maximum 12 months)

Section B Qualifications, Work Experience and Competencies

Please attach a CV setting out the following:

B1. Education: Academic, Professional or Technical Qualifications held

Full title of Degree(s)/ Qualification(s) held.	Grade obtained (e.g. Pass / 2.2 / 2.1 / 1 etc.) give results for each subject taken in final exam.	Subjects taken in final exam.	University, College or Examining Authority.	Year in which Qualification was obtained.

B2. Details of Experience and Competencies

You should set out a summary overview of each of the posts you have held to date, within the Civil Service and external to it, with your current role first. The layout should be as follows:

Details of the Post	
Grade/ Job Title:	
Department/ Office:	
Time Period (From-To):	
No of staff reporting to you:	
Budget Responsibility:	

You should outline your key achievements at your current level or any other relevant experience over the last 2-5 years that has particularly prepared you for the position you are seeking. You should set out your own role and a description of the key achievements and their outcome, addressing the following competencies in particular: Leadership and Direction; Managing and Delivering Results; Building Relationships/ Communication; and Personal Effectiveness

The layout should be as follows:

Role	Description of Key Achievements and their Outcome

Section C Brief Job Description

You should provide a brief job description of your own role, including the purpose of the job, the main goals to be achieved and the main competencies required.

Section D Submission

You should prepare a short submission (<200 words) setting out the reasons why you consider yourself suitable for the assignment you are seeking (e.g. experience, involvements and/or special qualities etc.) and the developmental goals and objectives that the assignment would assist you to achieve.

Appendix 4A – End of Assignment Report by Exchange Scheme Assignee

Department you were assigned from	
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Private sector organisation that you were assigned to	Area assigned to (e.g Shared Services)

<p>Background to Assignment</p> <p>This should address the following issues:</p> <ol style="list-style-type: none"> 1. What were the objectives of your assignment to the Private Sector 2. What were the developmental goals that were to be addressed by the assignment
<p>Nature of Assignment</p> <p>This should address the following issues:</p> <ol style="list-style-type: none"> 1. The nature of your assignment 2. The role assigned to you 3. The tasks involved
<p>Commentary on the achievement of the Scheme objectives.</p> <p>This should address the issues below. You should also set out how these were achieved:</p> <ol style="list-style-type: none"> 1. The extent to which the exchange assignment contributed to your personal development goals 2. The extent to which knowledge and/or skills were transferred between you and the private sector company 3. The extent to which your assignment contributed to the development of useful relationships, networks or contacts between your Department and the private sector company 4. Examples where you contributed positively to policy development/formulation either in the Private Sector or the Department 5. Your observations on the operation and logistics of the scheme (e.g. application process, mentoring, knowledge transfer, skills development etc.) 6. General comments, suggestions for improvement etc.

Appendix 4B – End of Scheme Report by Department

Department Name	
Position at (date)	

Details of staff assigned

Name	Organisation assigned to	Areas assigned to (e.g Shared Services)

Objectives of Assignments

Please set out your Department's objectives and business needs in participating in the Scheme

Commentary on the achievement of Scheme objectives

This should address the issues below. You should also set out the processes employed to achieve these and whether they were effective:

1. The extent to which the exchange assignment contributed to the development goals of the staff involved
2. The extent to which knowledge and/or skills were transferred between the Department and the private sector company
3. The extent to which the assignments have contributed to the development of useful relationships, networks or contacts between your Department and the Private Sector
4. The extent to which assignees contributed positively to policy development/formulation either in the Private Sector or the Department
5. Any observations on the operation and logistics of the scheme (e.g. application process, mentoring, knowledge transfer, skills development etc.)
6. General comments, suggestions for improvement etc.