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247 ALLIANCE LTD

TUPE POLICY

PURPOSE

This document serves as a checklist for senior managers, personnel professionals, and line managers; it sets out key issues to be addressed in handling a TUPE transfer. This document is to be used with individual staff TUPE document.

HR STRATEGY:

- a mechanism is in place to keep staff fully informed and involved in the process from the outset.
- staff are provided with the appropriate advice and assistance at all key stages.
- a senior manager is designated as responsible for communication and project management.
- equal opportunities policies and principles are upheld at all stages of the process.
- steps are taken to ensure that the change process is as smooth as possible by producing a transition plan or TUPE protocol which sets out responsibilities and key objectives.

INFORMING AND CONSULTING TRADE UNIONS:

- notify the trade unions that the service will be subjected to a review.
- ensure that the statutory consultation process is planned and managed, and that specialist advice is sought, if necessary.
- enter into full and proper discussions with the trade unions with a view to achieving consensus about the way the transfer will be carried out, and how its effect on employees will be managed; staff should be told if no 'measures' are to be taken, such as no immediate proposals to make redundancies in the new employment.
- full consultation, and, where appropriate, negotiation, with the recognised trade union(s) or if none, other employee representatives to commence as soon as possible.

THE PRELIMINARY PROCESS:

- decide, with the employee, if possible, whether staff working between two departments will transfer to the new service provider – 'the percentage test'.
- advise staff on 'non-standard contracts', such as part-time, temporary, and casual, that they too will transfer.
- consider staff on career breaks and sabbaticals and whether they will form part of the transfer.
- staff on maternity, long-term sick leave and secondment are identified and involved in the process.
- where the employee objects to being transferred, advise them of the consequences and obtain the employee's written objection at the earliest opportunity.
- consider professional counselling for staff.

DISCLOSURE OF STAFF INFORMATION:

- provide information on staff terms and conditions to bidders, subject to the council's duty of confidentiality under the Data Protection Act.
- make sure that staff are aware that the company may propose to disclose anonymised information about them.

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- advise bidders for the work that they will have to offer a broadly comparable occupational pension.

CONTRACTUAL TERMS

- Contractual terms in the main, apply to pay and conditions, including any provisions negotiated at national and local level. Though not defined in TUPE, these could include:
- pay scales and rates and pay intervals.
- hours of work
- place of employment
- continuous service
- annual leave entitlements
- sick leave and sick pay schemes
- maternity provisions
- pension arrangements
- part-time or flexible working
- other time-off arrangements
- disciplinary, grievance and other procedures

TRANSFER CONFIRMATION:

The information to be disclosed to the transferee once it is determined that employees will transfer could include:

- full list of employees to be transferred.
- a, sex, and identity of each employee.
- job/title and job description.
- details of untaken leave and any carry-forward arrangements
- remuneration, salary structure and progression and job evaluation and grading schemes in operation.
- staff handbooks.
- details of bonus schemes or other employee benefits such as car leasing, car allowances, mobile phones, health insurance, gym membership.
- employees who are away on sick leave, maternity, or paternity leave.
- details of any outstanding claims for work-related injury.
- details of loans made by the authority, such as car loans season ticket.
- sick leave and sick pay schemes
- policies on equal opportunities, health and safety and agreed redundancy policy details of recognised trade unions and facilities arrangements.

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NB: INDEMNITIES ON FUTURE REDUNDACIES:

- The company have no legal powers to grant indemnities against the possibility of redundancies after the transfer or on the subsequent re-let of the contract.
- Any agreed redundancy policy will transfer across to the new employer with the contract of employment.

Malik Mustafa

Director

05/01/2026

Review Date: 05/01/2027

Signed

