

The legal details

For the purposes of this Guide it is assumed that compulsory transfers will fall within the Transfer of Undertakings Protection of Employment regulations 2006 (TUPE) definition of a 'relevant transfer'. This means that TUPE would apply and employment contracts would transfer from one employer to the other without any change to terms and conditions, and without a break in continuity of service.

It is expected that there will be appropriate engagement and consultation with staff / staff representatives before any potential transfer takes place, regardless of which body you move to or from.

(*this includes private sector companies, charities, not for profit organisations, and social enterprises).