



## TUPE Checklist

1. Is your business (or the part being transferred) based in the UK?
2. Is there a 'Business Transfer' or a 'Service Provision Change'?

### Business Transfer:

- a. Has the identity of the employer changed?

### Service Provision Change:

- a.
    - i. Has a service that was provided in-house been awarded to a contractor?
    - ii. Has a contract ended and been given to a new contractor?
    - iii. Has a contract ended and the work been transferred in-house?
  - b. Are the employees clearly identifiable as provided the service being transferred?
3. Have you consulted and informed the trade union or employee representatives?
  4. Do all employees want to work for the new employer?
  5. Have the Terms of the Employee's Contract of employment changed?  
If so was this for an ETO reason or a positive change?
  6. Has an up to date written statement of employment been provided to each employee after the transfer?



We hope this checklist has been helpful and gives you peace of mind with practical advice. For more information on the services the employment team provides please [click here](#).

Our employment team regularly host events for professionals with HR responsibility or an interest in employment law, if you would like to register your interest in attending please email [events@gardner-leader.co.uk](mailto:events@gardner-leader.co.uk)

## Employment Team



### Michelle Morgan

Senior Associate  
Maidenhead Office

T: 01628 502443

E: [m.morgan@gardner-leader.co.uk](mailto:m.morgan@gardner-leader.co.uk)



### Julie Taylor

Senior Associate  
Newbury Office

T: 01635 508181

E: [j.taylor@gardner-leader.co.uk](mailto:j.taylor@gardner-leader.co.uk)

#### *Newbury Office*

White Hart House  
Market Place  
Newbury  
Berkshire  
RG14 5BA

#### *Maidenhead Office*

First Floor  
7 Frascati Way  
Maidenhead  
Berkshire  
SL6 4UY

#### *Thatcham Office*

Winbolt House  
The Broadway  
Thatcham  
Berkshire  
RG19 3HX