



## TUPE (TRANSFER OF UNDERTAKING PROTECTION OF EMPLOYMENT) Policy

*Rydon*



### Protecting employee rights

#### Background

The Transfer of Undertaking (Protection of Employment) Regulations 2006 ("TUPE") are designed to protect employees' terms and conditions during and after the transfer to a new employer, enabling them to enjoy the same terms and conditions, and continuity of employment.

A 'relevant TUPE transfer' can occur when a business undertaking (or part of one) is transferred from one employer to another or where a client engages a contractor to carry out work on its behalf, or where it reassigns such a contract – including bringing the work back 'in-house'.

Rydon is committed to meeting its obligations under TUPE.

#### Policy

The purpose of this document is to provide a clear statement of Rydon's obligations under the TUPE Regulations. As we continually aim to win new business, we are committed to ensuring that our staff are aware of the regulations and to ensure that a consistent approach is applied.

Where it is agreed that TUPE will apply, Rydon will write to those employees affected by the transfer explaining the following:

- The fact that the transfer is to take place (or may take place);
- When it will (or may) take place;
- The reasons for it;
- The legal, economic and social implications for any affected employees; and
- The measures Rydon intends to take, both in connection with the employee and the transfer.

There is a statutory requirement for full and proper consultation, and we are committed to meeting our obligations by providing as much relevant and timely information as possible to all relevant parties. Should the number of staff affected by the transfer warrant it, a number of employees will be elected (if they do not already exist) to represent the employees in collective consultation.

It is Rydon's responsibility to identify those employees currently employed in the undertaking being transferred, and to obtain information relating to each employee's existing terms and conditions of employment.

Whilst TUPE protects terms and conditions of employment at the time of transfer, it does not provide full pension protection for those employees who are members of an existing pension scheme (with current employer). Some public sector employees are afforded additional pension protection where this is a requirement. Rydon is committed to meeting all of its legal obligations.

#### Governance

Company policy is approved by the Group Board which is chaired by the Chief Executive. Each policy is reviewed at least annually to ensure that we respond to clients, business strategy, legislation and any standards or codes of practice determined by the market.

Oversight of the TUPE Policy is the responsibility of the Director of SHE, HR and Office Services. A number of working groups exists throughout Rydon to respond to and feed into policy requirements.

*Signature(s) removed for security reasons:  
Signed copies available on request*

**Signed:** \_\_\_\_\_

**Robert Bond**  
Group Chief Executive

**Dated:** March 2016