### Acas guidance – Handling TUPE Transfers

#### STAGE 1: Before committing

<table>
<thead>
<tr>
<th><strong>Outgoing Employer</strong></th>
<th><strong>Incoming Employer</strong></th>
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</table>
| At this stage the outgoing employer **should** consider whether to:  
  - Inform representatives/employees of a potential sale/expiry  
  - Consider whether to bid or rebid for a contract or service (in service provision changes).  |
| At this stage the incoming employer **should** consider informing trade unions and employee representatives/employees of a potential purchase/bid  
  - Weigh up the pros and cons of committing to a transfer/service provision  
  - Begin to construct a TUPE process plan.  |
| **Must** inform/consult about the transfer and any measures  
  - Identify who will transfer  
  - Provide ELI to the incoming employer.  |
| **Must** inform/consult about the transfer and any measures  
  - Identify who will transfer  
  - Request ELI from the outgoing employer.  |

#### Transfer Occurs

<table>
<thead>
<tr>
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| At this stage the outgoing employer **must** inform/consult about the transfer and any measures  
  - Identify who will transfer  
  - Provide ELI to the incoming employer.  |
| At this stage the incoming employer **must** inform/consult about the transfer and any measures  
  - Identify who will transfer  
  - Request ELI from the outgoing employer.  |
| **Must** ensure that all remaining employees are managed, settled and clear about their duties.  |
| **Must** inform/consult about the transfer  
  - **Should** ensure that all employees/teams are managed, settled and clear about their duties.  |

#### STAGE 4: After the transfer

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<tr>
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<th><strong>Incoming Employer</strong></th>
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| At this stage the outgoing employer:  
  - **Must** inform/consult about potential redundancies (if any)  
  - **Should** inform/consult in general as good practice to preserve good morale  
  - **Should** address concerns to avoid drops/falls in performance and quality of work.  |
| At this stage the incoming employer:  
  - **Must** inform/consult about potential redundancies (if any)  
  - **Should** inform/consult in general and ensure reasonable allowances are made whilst employees adjust and integrate  
  - **Should** review the effectiveness of procedures.  |

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**www.acas.org.uk/tupe**  
Acas Helpline **0300 123 1100**  
Acas has training on TUPE and other workplace topics.  
Call the Acas Customer Services Team on **0300 123 1150**