



Do you employ staff?

Do you have difficulty understanding your legal and contractual responsibilities as an employer?

Do employment problems keep you awake at night?

Hassle Free HR - Taking the hassle out of your HR and H&S Management

■ [Visit our website](#)

## TUPE Reform

It is expected that in January 2014 the amendments to the Transfer of Undertakings (Protection of Employment) Regulations 2013 will come in to place. For those who are not aware the Transfer of Undertakings (Protection of Employment) Regulations, otherwise known as TUPE, protect employees when a business changes to a new owner.

### The Changes

So what will be changed?

1. The service provision change rules will be amended to include the requirement that the activities carried out before the change must be "fundamentally or essentially the same" as they were before the change.
2. In regards to the provision of employee liability information the time frame for providing information will be extended from 14 to 28 days.
3. The TUPE regulations will be amended so that where the place of work changes after the transfer, any redundancies due to that change will not be automatically unfair. This will help prevent the company from being subject to unfair dismissal claims simply due to a change of location, but a fair redundancy dismissal procedure must still be followed.

4. Businesses will now be able to renegotiate terms and conditions provided for in collective agreements one year after the transfer, so long as these changes result in a situation that is no less favourable for the employees.

5. The amendments allow employers with fewer than ten employees to inform and consult with employees directly in cases where there is no recognised union, or existing representatives.

6. The trade union and Labour Relations (Consolidation) Act 1992 is also amended to allow a transferee to begin consultation before any TUPE transfer, in respect of employees who are likely to be made redundant after the transfer.

## How We Can Help

If you have any queries relating to any of the subjects raised within this newsletter then please don't hesitate to contact us at [hradvice@hasslefreehr.co.uk](mailto:hradvice@hasslefreehr.co.uk)

For clarification of any of the above updates or for advice and guidance on any HR and/or Health and Safety Concerns contact us by emailing [hradvice@hasslefreehr.co.uk](mailto:hradvice@hasslefreehr.co.uk) or by calling 02476 664092.

Hassle Free HR Limited Registration Number: 5844301