THE HFACTOR

Employer TUPE Checklist

A prompt sheet for organisations preparing for a service transfer, outsourcing, insourcing or business transfer where TUPE may apply.

Initial Assessment

- [ ] Identify the proposed transfer date and the parties involved.
- [ ] Assess whether TUPE is likely to apply and obtain specialist advice where needed.
- [ ] Identify the employees assigned to the transferring activity or undertaking.
- [ ] Clarify whether any fragmentation, relocation or service change affects the analysis.

Employee Liability Information

- [ ] Agree a timetable for ELI and due-diligence information.
- [ ] Check contracts, pay, hours, benefits, holiday and length of service.
- [ ] Identify disciplinaries, grievances, claims, collective agreements and family leave.
- [ ] Check right-to-work, sponsorship and other immigration-related obligations where relevant.

Information & Consultation

- [ ] Identify affected employees, representatives and any recognised trade union.
- [ ] Prepare clear information about the transfer and proposed measures.
- [ ] Allow meaningful time for questions and consultation.
- [ ] Keep accurate records of briefings, consultation meetings and responses.

Measures & Post-Transfer Planning

- [ ] Define any proposed measures clearly and distinguish them from pre-transfer decisions.
- [ ] Avoid changes whose sole or principal reason is the transfer unless legally justified.
- [ ] Plan payroll, pensions, IT access, onboarding and continuity of service.
- [ ] Prepare a day-one communication and post-transfer support plan.

Need support? The HFactor provides practical HR consultancy support for UK employers, including employee relations, TUPE, restructures, redundancy and ongoing HR advisory support.

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This checklist is a general guide and is not a substitute for advice on the facts of a particular case.