

Informing and consulting employees

By law, both the old and new employers must inform and consult before a TUPE transfer.

They must inform and consult with affected employees and their representatives.

'Inform' is when the employer tells affected employees or their representatives the facts about the transfer.

Employers must inform about a transfer, even if there are no changes they need to consult employees about.

'Consult' is when the employer:

- talks and listens to affected employees or their representatives about expected 'measures' – measures are any changes which will affect employees
- genuinely considers the views of affected employees or their representatives

By law, employers might not need to consult, if the changes will not affect employees. But if an employer finds out later that changes are likely to affect employees, they will need to start consulting.

[Find out more about informing and consulting during TUPE](#)