**TUPE Consultation – Sandwell Children’s Trust**

Formal TUPE consultation commenced in respect of the transfer to Sandwell Children’s Trust on 7 December 2018 and ran for 90 days. Representatives from all three signatory Trade Unions attended regular formal meetings (UNISON, Unite and GMB).

The following matters were discussed and agreed as part of the formal TUPE consultation process.

**Regulations 13 – Notification of Measures**

* Sandwell MBC and the Trust confirmed that there would be no measures as a result of the TUPE transfer. This was confirmed in a Regulation 13 letter to all regional Trade Union Officers.

**Pensions**

* Sandwell Children’s Trust will be a member of the West Midlands Local Government Pension Scheme. All existing members will remain within the scheme. The scheme will be open to new employees and any existing employees who decide to join.
* The Planned Leavers Scheme and the ability to request flexible retirement will transfer to the Trust and will continue to be subject to management discretion.

**Terms and Conditions**

* All terms and conditions will remain the same on transfer. In addition, the Trust has agreed that it will honour all future nationally agreed pay awards as per the NJC as a minimum.
* These terms and conditions will also apply to new employees

**Continuity of Service**

* Sandwell Children’s Trust has been included on the Redundancy Modification Order and as such continuous service is protected not just at the point of transfer, but also should employees choose to move to another local authority. This applies to all terms related to continuous service, such as sick pay and leave, in addition to any redundancy pay.

**Jobs Promise**

* The contract between the council and the Trust confirms that the benefits of jobs promise will be applied to Trust employees.

**Dying to Work**

* The Trust formally adopts the Dying to Work Charter.

**Trade Unions**

* The Trust has agreed that it will continue with the current arrangements regarding Trade Unions, consultation and facility agreements. The Trust will continue to have a positive relationship to support and foster successful employee relations.

**Sandwell MBC Pledges**

* The Trust will implement the Pledges made by Sandwell MBC December 2016, such as providing a good working environment and encouraging employees to maintain a healthy work/life balance.