



Reference Number: FOI-101004593208

Response provided under: Freedom of Information Act 2000

Request and Response:

This FOI request relates to TUPE transfers that have taken place amongst the Adult Social Care employers that your council commissions.

As per clarification, the request primarily relates to TUPE transfers between outsourced organisations commissioned by your Council e.g. if a Homecare provider went out of business and another external provider took over the contract and the staff were TUPE'd across. However, if there have been any TUPE transfers between the Council and external providers (or vice-versa) that information would be good to see too.

Please note that the Council makes no representations or warranty as to the application or otherwise of TUPE in relation to the commencement of the provision of any Services by any Service Provider or any Service Provider Related Party. A service provider has to form its own view as to whether or not TUPE applies to any transfer of services.

Information about TUPE transfers between independent organisations commissioned by Adult Social is not held.

1. How many separate relevant transfers (pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006) from adult social care providers commissioned by your council took place in the years:

a. 2018/19

CorCare: Trefula Care Home

b. 2017/18

CorCare: Allied Health Care Staff

c. 2016/17

None

2. For each of these years please indicate how many of those relevant transfers related specifically to homecare providers?

a. 2018/19

None

b. 2017/18

CorCare: Allied care staff were transferred over to Cormac's STEPS services providing enablement services.

c. 2016/17

None

3. Finally please list the reasons for each of these relevant transfers? For example, whether the adult social care contract was terminated prior to the expiration of its term or whether the business/business unit was sold to or taken over by another care company.

CorCare: Allied care staff were transferred over to Cormac due to failing services and Trefula Care Home was about to be closed down by CQC.

Information provided by: Adult Social Care

Date of response: 27th September 2019