

SCHEDULES

SCHEDULE 7

LEARNING AND SKILLS COUNCIL FOR ENGLAND: TRANSFER SCHEMES

Staff transfer schemes

- 2 (1) This paragraph applies where a staff transfer scheme provides for the transfer of an employee of the LSC to a permitted transferee or so as to become employed in the civil service of the state.
- (2) The scheme must provide for the TUPE regulations to apply (to the extent that they would not otherwise apply) as if—
 - (a) any transfer of functions (however effected and described) from the LSC to a permitted transferee or the Crown were a transfer of an undertaking;
 - (b) the transfer of the undertaking took effect on a designated date;
 - (c) the transfer of the undertaking were a relevant transfer for the purposes of the regulations;
 - (d) the employee had for those purposes been assigned to an organised grouping of resources or employees that was subject to the relevant transfer.