

## Code of Good Practice on Workforce Matters In Local Authority Service Contracts

In March 2003, the Office of the Deputy Prime Minister (ODPM) issued guidance to local authorities to ensure that, where a council transfers its employees to a private or voluntary sector partner as part of a contract to provide a service, it will ensure that the transfer complies with the Code of Good Practice on Workforce Matters in Local Authority Service Contracts.

The Code of Practice is important in ensuring that new joiners to the transferred-out workforce are offered terms and conditions which are, overall, no less favourable than those of the transferred staff (this 'no less favourable' formula does not apply to pensions, but under the Code new joiners must also be offered a reasonable pension provision). The Council, subsequent to this Code, agreed with the Trade Unions a specific "Procurement Protocol - Employment Issues, A Code of Good Practice" which states "there is an expectation that the new employer will take up admitted body status in the West Yorkshire Local Government Pension Scheme. Where this is not possible, it must be demonstrated that other pension arrangements will be broadly comparable with the LGP Scheme".

The Code will also ensure that the provision of quality services is not undermined by poor employment practices in respect to new joiners. The Government is clear that partnerships with the private and voluntary sectors should be selected where it will drive up service performance standards, not in order to drive down staff terms and conditions.

**The Corporate Procurement Unit is supporting major procurement initiatives, including the Waste Management Procurement Project and Building Schools for the Future. In all circumstances the ODPM Code of Practice on Workforce Matters and the Council's own Code of Practice will be applied where a TUPE transfer is the preferred employment model.**