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|  | **Chief Operating Officer**WestfieldsMiddlewich RoadSandbachCW11 1HZ01270 686013peter.bates@cheshireeast.gov.uk |
| DATE 5 February 2014 OUR REF: PB/ls YOUR REF:  |
|  Please Contact: Mr Peter Bates |
| Dear **[name]** |

As you will already be aware, a decision has been made by the Council’s Executive to transfer Cheshire Shared Services (ICT, HR and Finance) to a separate legal entity which is known as CoSocius Limited (the Company).

I am therefore writing to inform you that as an employee of Cheshire East Council, you will be transferred to your new employer who will be CoSocius Limited with effect from **1 April 2014**

It is appreciated that this is a difficult time for employees and I hope the information in this letter will help assist with a smooth transfer to your new employer. In view of the national regulations the remainder of this letter is formal in nature.

Your manager will be in contact with you shortly to arrange for you to attend a briefing session so that they can discuss the contents of this letter further with you. There will also be an opportunity for you to attend an individual meeting with your manager and Human Resources to discuss any concerns that you may have about the transfer. If you would like a one to one meeting you will need to arrange this with your manager. You can bring along a trade union representative or work colleague with you to this meeting if you wish.

In line with the Transfer of Undertakings and Protection of Employment Regulations you will transfer to CoSocius Limited with continuity of terms and conditions of employment. The implications for you are set out below.

If you are still in Cheshire East Council’s employment immediately before the transfer, your contract of employment will automatically transfer to CoSocius Limited who will take on responsibility for it, as it had been originally agreed between yourself and Cheshire East Council’s.

If you are currently in the Local Government Pension Scheme your membership will continue. If you are not in the Scheme your right to join it, if you wish also continues.

Your period of continuous service with Cheshire East Council will count as continuous employment with CoSocius Limited so any statutory employment rights will count in your employment.

The measures which are envisaged by CoSocius Limited which will affect you are subject to consultation with the Trades Union(s), these are :-

* A review of the top level management structure, which will then lead to consequential changes in the operating model and therefore in reporting lines.
* Consequential changes to policies and procedures to reflect the governance arrangements of the Company. An example would be the Disciplinary procedure, which currently has an appeal to elected members. The Company needs to determine where the power to dismiss and appeal lies within the Company and reflect it in the Disciplinary Procedure
* The Company is aware of developments in both Councils to implement Contribution Related/ Performance Related Pay Schemes. The Company is not intending to adopt these schemes. The Company may at some point wish to introduce its own Scheme and would consult at that time.

It is also anticipated that the Cheshire East Voluntary Employee Benefits Schemes will novate to be managed under the Cheshire West and Chester Employee Benefits contract. This will increase the range of benefits available to Cheshire East employees.

After 1April 2014, CoSocius Ltd will have its own Terms and Conditions of employment; these will be applied to all new starters and to any existing staff who, following transfer, are either: promoted into a new appointment; change role into a new appointment or who voluntarily decide to transfer onto CoSocius Ltd Terms and Conditions of employment. The Company Board of Directors met on Tuesday 7 January 2014 and agreed that the Company Terms and conditions of employment will mirror Cheshire West and Chester Terms and conditions of employment that are in force at the date of transfer.

If you have any concerns about the transfer and how it will affect you, then please raise these with your line manager or contact Karen Begley in HR or your Trade Union representative as part of the transfer process. Should you simply refuse to transfer you need to be aware that, in law, a refusal by you to be transferred to CoSocius Limited may be treated as a resignation. If such a refusal is treated as a resignation you will not be entitled to a redundancy payment or any other compensation, nor will your employment continue with Cheshire East Council. Your employment will be deemed to have ended on 31 March 2014.

You do not need to respond to this letter. However, if you need any additional information or are considering objecting to the transfer, please contact your manager as soon as possible.

Finally, I would like to take this opportunity to thank you for your service with Cheshire East Council and to wish you well for the future.

Yours sincerely

**Peter Bates**

**Chief Operating Officer**