



Education Reform Act 1988

1988 CHAPTER 40

PART II **E+W+S**

HIGHER AND FURTHER EDUCATION

CHAPTER II **E+W+S**

REORGANISATION OF PROVISION AND FUNDING OF HIGHER EDUCATION

The higher education corporations

127 Transfer of staff to higher education corporations. **E+W**

- (1) This section applies to any person who immediately before the transfer date applicable in relation to a higher education corporation—
 - (a) is employed by the transferor authority to work solely at the institution the corporation is established to conduct; or
 - (b) is employed by that authority to work at that institution and is designated for the purposes of this section by an order made by the Secretary of State.
- (2) The contract of employment between a person to whom this section applies and the transferor authority shall have effect from the transfer date as if originally made between him and the corporation.
- (3) Without prejudice to subsection (2) above—
 - (a) all the transferor authority's rights, powers, duties and liabilities under or in connection with a contract to which that subsection applies shall by virtue of this section be transferred to the corporation on the transfer date; and
 - (b) anything done before that date by or in relation to the transferor authority in respect of that contract or the employee shall be deemed from that date to have been done by or in relation to the corporation.

Status: Point in time view as at 01/10/1993. This version of this provision has been superseded.

Changes to legislation: Education Reform Act 1988, Section 127 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Subsections (2) and (3) above are without prejudice to any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions, but no such right shall arise by reason only of the change in employer effected by this section.
- (5) An order under this section may designate a person either individually or as a member of a class or description of employees.
- (6) References in this section, in relation to a higher education corporation, to the transferor authority, are references to the local education authority by whom the institution that corporation is established to conduct is maintained immediately before the transfer date.

Modifications etc. (not altering text)

- C1** S. 127 applied (with modifications) (1.9.1992) by [S.I. 1992/1849](#), **art.4.**
- C2** S. 127 applied (with modifications) (1.10.1992) by [S.I. 1992/2151](#), **art.4.**
- C3** S. 127 applied (with modifications) (1.3.1995) by [S.I. 1995/183](#), **art.4.**
- C4** S. 127 applied (with modifications) (1.8.1996) by [S.I. 1996/1225](#), **art.4.**
 S. 127 applied (with modifications) (1.8.2000) by [S.I. 2000/1383](#), **art. 3**
 S. 127 applied (with modifications) (1.8.2000) by [S.I. 2000/355](#), **art. 3**
 S. 127 applied (with modifications) (1.8.2001) by [S.I. 2001/1340](#), **art. 3**

Status:

Point in time view as at 01/10/1993. This version of this provision has been superseded.

Changes to legislation:

Education Reform Act 1988, Section 127 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.