

TENDERING FOR SERVICE CONTRACTS

Taking Account of Acquired Rights / TUPE



1/2 day Conference Thursday 24th September 2009 Stillorgan Park Hotel, Co. Dublin

Certain service contracts are covered by the Acquired Rights Directive 2001/23/EC which was transposed into Irish Law by SI 131 of 2003. It impacts on service contracts such as cleaning, catering and security whether through a change of service provider or outsourcing by public bodies.

This 1/2 day Conference explores the obligations on buyers and suppliers particularly in relation to release of information on employees likely to be transferred under the new contract. The key questions to be debated are: (i) In what circumstances should acquired rights apply? (ii) Should the incumbent provide the information to the contracting authority for inclusion in the tender documentation or is it sufficient to leave it between the incumbent and the winner? (iii) what are the obligations on buyers and suppliers?

AGENDA

9.00	<i>Registration and Refreshments</i>
9.30	Introduction and Welcome
9.40	David Fagan, Partner, Eversheds O'Donnell Sweeney The key legal requirements of the Acquired Rights Directive in Ireland
10.20	Alan Haugh, Head of Legal Affairs, National Employment Rights Authority Protecting employee rights under transferring service contracts
10.50	Michael Whitely, Director HR, OCS Group Ltd. The UK Experience
11.15	<i>Refreshments</i>
11.30	Robert Dunleavy, Director, Provincial Security Services The Irish Security Industry Issues with Transferring Contracts
12:00	Brendan White, Assistant Head of Portfolio & Category Management, HSE Our experiences with service contracts subject to transfer
12:25	Lionel McCarthy, CEO, Forum on Public Procurement in Ireland Recent European jurisprudence and its potential impact on information to be provided at tender stage
12.55	<i>Questions and Answers</i>
13.30	<i>Light Lunch</i>

Who should attend:

CEO's, Procurement Personnel, Facilities Managers, HR Managers, Contracts Managers, Legal Advisors
Marketing Managers, Service Providers



Forum On Public Procurement in Ireland

(Please note that the Programme is subject to change without notice)

