

Trade Unions and the Employment Rights Act 2025

FOR
WHAT
MATTERS



Statement of trade union rights



From January 2027, employers will be required to give all employees and workers employed in Great Britain a written statement advising that they have the right to join a trade union. This statement must be given at the start of employment along with the worker’s section 1 statement and again at regular periods throughout their employment.

Information to be included:

- clear, neutral information on the right to join a TU
- brief explanation of the functions of a TU
- a summary of statutory rights of TU members
- information on any TU’s recognised by the employer or any that have statutory access agreements with the employer, including contact details
- information on the Certification Officer’s list of trade unions

Form of the statement:

- in writing
- standard statement provided by government to be used with workplace-specific detail added as appropriate

How to deliver the statement:

- statement to be delivered directly (in-person/by post/ email) alongside the section 1 statement / terms and conditions of employment at the start of employment
- for existing workers, statement can be delivered directly or indirectly (posting on a notice board, staff portal or intranet)
- where statement is delivered directly it should be sent annually to existing workers by 5 April. Where it is delivered indirectly, the statement must be continuously, and reasonably available and annual reminders sent by 5 April in each year

Right of TUs to access workplaces



From 30 October 2026, qualifying trade unions will have the right to access workplaces with 21 or more workers, both physically and by digital communication with workers, for the purposes of meeting, representing, recruiting or organising workers or facilitating collective bargaining. This right is available to any trade union, not just those that are recognised. Trade unions and employers will enter into access agreements setting out how access will work in practice.

How to initiate access:

- TU will present an access request in writing to the employer
- employer issues a written response notice before the end of the response period (15 working days) accepting or rejecting the request
- if the request is accepted, there is a 25-working day period for negotiations to take place to agree written terms on which TU will have access

What if negotiations fail?:

- a TU can make an application to the CAC to determine access arrangements within 55 working days of the original request
- the CAC can determine whether to grant access and on what terms
- the CAC can also determine alleged breaches of access agreements or prevention of access by third parties
- access will be granted to for maximum of two years unless the parties agree and apply for an extension

How will access work in practice?:

- the TU needs to give at least 5 working days notice before the first site visit. After that, only 2 working days notice is required
- frequency of access depends on the needs of the TU but could be weekly
- the Code of Practice sets out further guidance on where and when access can take place, what workplace facilities should be available to the TU and what consent is required for digital access

Trade union specialists

If you need any further advice on the impact which these changes will have for your organisation, please contact one of our trade union specialists within the People & Reward team



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