



Department for
Business, Innovation,
Science and Trade



UK Government

Government response

Make Work Pay: Duty to inform workers of their right to join a trade union

25 September 2026



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Executive Summary

The government's plan to Make Work Pay sets out an ambitious agenda to deliver our Plan for Change by ensuring employment rights are fit for a modern economy, empowering working people and contributing to economic growth.

As part of this plan, we are resetting and modernising our industrial relations framework. The Employment Rights Act 2025 ("the Act") is a major milestone in delivering on this, bringing our employment legislation firmly into the 21st century and fostering a new partnership of cooperation between trade unions, employers and the government.

Through the Act, the government is introducing a new duty on employers to provide workers with a written statement informing them of their right to join a trade union. This duty is intended to come into force in January 2027.

The government ran a consultation to seek views on how this duty can be implemented effectively in practice while minimising the burden on employers. It attracted views from stakeholders including employers, trade unions, workers, members of the public, and legal stakeholders, reflecting a broad range of perspectives across sectors and organisation types.

This government has carefully considered all evidence and perspective gathered through this consultation. To ensure the duty is implemented effectively and proportionately, the government will specify requirements for delivery in the following areas:

- a. **Form:** as part of its regulations, the government will provide a standardised statement for employers to issue, which employers may not amend except to add specific workplace information. Employers must also either include a link to the Certification Officer's list of trade unions within the statement or provide a copy of the list alongside the statement.
- b. **Content:** The written statement will provide clear, neutral information on the right to join a trade union. It will include a brief explanation of union functions, a list of and information on recognised trade unions and/or statutory access agreements (where applicable) and a summary of statutory rights.
- c. **Manner:** The statement will be delivered directly to new workers at the same time as the written statement of employment particulars. For existing workers, the statement may be delivered through either direct methods, or indirect methods, provided in the latter case it remains reasonably accessible to the worker. Where indirect methods are used, the worker must be informed of where the statement is located and thereafter receive an annual reminder informing them that the statement is available and where to find it.
- d. **Frequency:** Where employers choose to deliver statements to their existing workers directly, they must do so annually by 5 April. Where the employer uses indirect methods to deliver the statement, the employer will have to ensure that the statement remains continuously and reasonably available to the worker and must issue an annual reminder that the statement is available and where to find it. The employer will have to inform their workers directly if the location of the statement changes where indirect communication is relied upon. Where there is a change to the identity of unions which

have recognition or statutory access agreements, the statement will be required to be reissued within one month of the change.

The government believes that this approach will ensure the duty effectively supports workers to make an informed choice on whether to join or not join a union, while remaining proportionate and practical for employers of all sizes. We will continue to work closely with unions, employers, and workers to ensure successful implementation of the duty.

Introduction

The government's plan to Make Work Pay will bring employment rights legislation into the 21st century, extending the protections already offered by the best British companies to millions more workers.

Workplaces and working practices have changed significantly in recent years. That is why, modernising our industrial relations framework is a central part of our plan. This modernised framework includes recognising the important role strong trade unions play in tackling insecurity, inequality, discrimination, enforcement, and low pay.

This government recognises that a lack of awareness about the right to join a trade union may be contributing to reduced worker engagement in collective bargaining. The Employment Rights Act 2025 ("the Act") addresses this longstanding gap in the legislative framework by introducing a new duty for employers to inform workers of their right to join a trade union. It will help ensure workers are better informed of their right and empower them to participate in collective bargaining should they choose to do so. This forms part of the government's plan to build a Britain for all, on the firm foundations of respect and opportunity.

Through the consultation, the government sought views on the practical detail of how the duty should operate to ensure the duty is clear, proportionate and workable for both employers and workers. Stakeholders provided detailed feedback on the content, form of the statement, manner of delivery and frequency of delivery of the written statement employers will have to provide. These responses have been invaluable in shaping the government's approach and will inform the secondary legislation needed to implement the duty.

This government response sets out a summary of the views received, the government's response, and the next steps for implementing the employer duty to inform workers of their right to join a trade union.

A full list of consultation questions is provided at Annex A.

Conducting the Consultation

The consultation ran from the 23rd of October 2025 to the 18th of December 2025 (inclusive) and received 307 responses, both written and from an online survey, from a range of stakeholders. The online submission portal saw a significant number of responses that were blank with no identifying data or containing randomised text. These were checked for relevant information and, where none was present, removed from the count of completed responses.

Throughout the consultation period, the Department for Business and Trade (DBT)¹ also engaged with stakeholders through roundtables and via email correspondence. This ensured that insight was captured not only through formal written submissions but also through deeper qualitative engagement.

About the respondents

As part of the consultation, respondents were asked a small number of demographic questions regarding the type of organisations the respondents were representing, their size, their regional location, sector and, if responding as an employer, their role in the organisation. These questions allowed us to understand the types of individuals and organisations who engaged with the consultation.

The most common category of respondent was an 'Employer' (47%), followed by an 'Individual' (23%). This was followed by 'Business Representative Organisation' at (12%), a 'Trade Union' (8%), and 'Legal Representative' (3%). The remainder comprised of 'Academics', 'Charities', 'HR', 'Consultants/Professionals', and 'Other'. The table below provides a breakdown.

Overview of responses by stakeholder group

Stakeholder	Number of Responses
Employer	143
Individual	69
Business Representative Organisation	36
Trade Union	25
Legal Representative	10
HR Consultant or Professional	9
Academic, or on behalf of a research organisation	5

¹ References to the Department for Business and Trade (DBT) reflect the departmental structure at the time of the consultation and analysis. DBT was subsequently renamed the Department for Business, Innovation, Science and Trade (BIST) following the July 2026 Machinery of Government changes.

Charity	5
Other	5
Total Responses	307

In relation to business, organisation or workplace size, large employers made up the largest group (36%). This was followed by Medium (12%) then small businesses (9%), and micro businesses (4%). A further proportion of respondents did not specify the size of their organisation, left it blank, or were not applicable (38%).

Methods of Analysis

This document provides a summary of the consultation responses received and the government response. It does not attempt to capture every point made in submissions, nor does it cover comments on aspects of policy that fall outside the scope of this consultation. Instead, it focuses on the most common and pertinent themes raised and sets out the changes the government has made or will make in response to those views. Where the government has not made a change, or has taken a different approach, the reasons are explained. High-level statistical summaries of responses are provided where relevant.

Use of the Consult artificial intelligence tool

To enhance the quality and efficiency of the analytical process, we partnered with the Department for Science, Innovation and Technology (DSIT)² to employ their artificial intelligence-powered tool, Consult, to support the organisation and analysis of consultation responses.

Consult uses AI and data science techniques to automatically extract patterns and themes from the responses and turns them into dashboards for policy officials. The tool does not make decisions or judgements on consultation outcomes. Instead, it supports human analysts by reducing the time spent on initial theme identification, allowing policy teams to focus on reviewing, validating and interpreting the findings.

The tool supported qualitative analysis, with human oversight, in three main stages:

- a. **Theme generation:** Consult produced an initial longlist of themes for each consultation question, which was reviewed and refined by policy officials.
- b. **Theme identification:** Consult assessed responses against the agreed themes, with human analysts checking outputs for accuracy and relevance.
- c. **Dashboard production:** Consult generated a dashboard which summarised thematic findings, which policy teams used as an analytical aid alongside manual review of responses.

Final judgements on the interpretation of consultation responses, the weighting of themes, and the government's policy decisions were made in line with the government's legal duty to consider consultation feedback carefully.

Quality Assurance and Human Oversight

Several quality assurance measures were put in place to ensure Consult met our performance standards. First, policy officials refined the list of themes Consult generated for each question. Starting with a long list generated by Consult, the policy teams were able to add, change, split, or combine themes, to produce a concise list.

² References to the Department for Science, Innovation and Technology (DSIT) reflect the departmental structure at the time of the consultation and analysis. DSIT's functions were subsequently redistributed across government departments following the July 2026 Machinery of Government changes.

The purpose of this check was to ensure that the themes were relevant to the policy questions, and at times to identify fewer common themes from the AI-generated lengthy list that officials felt were particularly important. For each question, a final list was agreed to be used in the assessment of findings. DBT and DSIT also undertook human-led evaluations to ensure that Consult was able to accurately identify which themes were present in a consultation response. Human analysts made the final judgements on the themes identified and the findings presented in this response.

Consult was measured against the F1 standard, a widely recognised AI quality metric. It identified how often the AI recognises the same themes in consultation responses as human reviewers. An F1 score of 1 means the AI and human reviewers always agree. AI is considered good quality if human reviewers agree with the AI at least as often as they agree with other humans. In our evaluation, the human benchmark was an F1 score of 0.821.

Consult exceeded the performance threshold, performing at least as well as humans in thematic analysis. The full evaluation report is available as an annex to this response.

Data Handling and Exclusions

To ensure the integrity of the analysis, several data-handling steps were applied consistently across all responses:

- **Incomplete submissions:** Entries that contained only a name and/or email address, and did not answer any consultation questions, were not counted as responses.
- **Nonsensical data:** Responses consisting solely of random characters or other non-verbal inputs were excluded from analysis.
- **Rounding:** Percentages presented throughout this document are rounded to the nearest whole number. Totals may therefore not always sum to exactly 100%.

You can read more about Consult and the team behind it on the [AI.GOV.UK website](#)

Summary of the Question Responses to and Government Response

In the following section of this document, we summarise the key themes identified in consultation submissions relating to the proposed duty to inform workers of their right to join a trade union. For each thematic area, we provide the government's response, including how the feedback has informed the development of secondary legislation.

Section A – Content (Q1)

Question 1: Do you agree that the following types of information should be included in the statement provided to workers? Please consider each item:

- a) A brief overview of the functions of a trade union,
- b) A summary of the statutory rights in relation to union membership
- c) A list of all trade unions that the employer recognises (if any),
- d) A signpost to a GOV.UK page with a list of trade unions, and
- e) Add any other types of information (please specify)?

Question 1f: Please explain your answer

A brief overview of the functions of a trade union

A total of **229 (75%) respondents answered 'Yes'** to the question on whether a brief overview of the functions of a trade union should be included in the statement. 70 (23%) answered 'No', and 8 (3%) did not answer.

Many of the respondents who supported including a brief overview of the functions of a trade union in the statement, said they did so provided it was factual and concise. Respondents emphasised that a short, standardised approach would help ensure consistency of messaging across workplaces, reduce the risk of non-compliance, and minimise administrative burden for employers. They also noted that overly detailed or bespoke wording could undermine clarity, increase workload, or result in information being overlooked.

Those who opposed including information on the functions of a trade union argued that providing workers with more detail than a simple statement of their legal right should not be an employer responsibility, due to concerns over neutrality and administrative burden. Some respondents felt that employees were already capable of accessing information independently, whilst others raised concerns about proportionality, particularly for small businesses or sectors with little or no history of union presence.

A summary of the statutory rights in relation to union membership

A total of **234 (76%) respondents answered 'Yes' to the question of whether a summary of the statutory rights in relation to union membership should be included in the statement.** 66 (22%) answered 'No' and 7 (2%) did not answer.

Those in favour generally considered this an appropriate way of ensuring workers are aware of their rights in relation to trade union membership and activity. Many respondents viewed a short summary as a useful baseline of information, particularly for workers with limited prior exposure to trade unions or employment law, rather than as a comprehensive legal explanation of the legal framework.

Expectations regarding scope and tone were also conveyed by respondents stressing that the statement must be neutral and not appear to be promoting trade unions. Some respondents emphasised that employers should not be placed in a position of advertising unions or explaining the benefits of membership, with many favouring signposting to impartial sources such as GOV.UK page for more information.

A strong recurring theme was accessibility. Respondents emphasised that any summary should be brief, written in plain English, and avoid legal jargon, as overly complex explanations risk confusion.

Arguments put forward by respondents who opposed including this information in the statement included that the law in this area is complex and difficult to summarise without risk of omission or misunderstanding, or that including such information could create unnecessary burden for employers. Others felt that workers could access this information independently,

A list of all trade unions that the employer recognises (if any)

A total of **214 (70%) respondents answered 'Yes' to including a list of all trade unions that the employer recognises in the statement.** 85 (28%) answered 'No' and 8 (3%) did not answer.

Arguments put forward by respondents in favour included that this would help workers understand which union or unions the employer bargains or consults with. Many emphasised that the requirement to list unions should be limited to recognised unions only to avoid confusion or the implication that employers should list unions with no formal role in the workplace.

Practicality and proportionality were major themes, especially for organisations with multiple sites or individual recognition arrangements. Respondents argued a comprehensive list of all unions recognised by the employer could be burdensome to keep current, misleading if recognition varies by location or contract, and potentially confusing for new starters if unions listed are not relevant to their role. Some suggested tailoring by site or bargaining unit or limiting the requirement to unions relevant to the individual worker. They felt this would support transparency without creating administrative churn or inadvertently undermining existing arrangements.

A signpost to a GOV.UK page with a list of trade unions

A total of **190 (62%) respondents answered 'Yes' to including a signpost to a GOV.UK page with a list of trade unions.** 105 (34%) answered 'No', 10 (3%) did not answer, and 2 (1%) gave mixed views.

Many in favour viewed signposting as an acceptable way of directing workers to further information without requiring employers to detail or tailor content themselves. Some respondents felt this approach helped maintain employer neutrality, while others considered it a practical option where no trade union is recognised, allowing workers to seek additional information independently if they

wished. There were some respondents that answered yes but felt the list should only include independent unions. Some opposed the government providing the list, suggesting that it should instead signpost to either the TUC trade union finder or a list maintained by Acas or the Certification Officer.

Concerns from respondents who opposed inclusion included that a general list of trade unions could confuse workers, particularly in workplaces where one or more unions are already recognised, by directing them towards organisations with no role in their employment context. Others were concerned that it could undermine existing recognition arrangements, create industrial relations tensions, or be perceived as encouraging union membership rather than simply informing workers of their rights.

Other Types of Information

A total of **200 (65%) respondents answered 'No'** to this. 97 (32%) answered 'Yes' and 10 (3%) did not answer.

Common suggestions included explicitly stating that joining a trade union is voluntary and that workers also have a right not to join, with no detriment either way. Many also proposed including clarification that trade union membership involves a subscription cost, to help manage expectations and ensure informed choice.

Another strong theme was the desire to include information about recognised unions that went beyond naming them, such as which staff groups they cover, what recognition means in practice, and relevant contact details. Respondents also expressed interest in including details of trade union access agreements.

Flexibility was another major theme. It was felt that any additional information should be optional, factual, concise, and capable of being tailored, while avoiding complexity, outright promotion of trade unions, or increased burden on employers.

Some respondents also suggested signposting to other sources of advice or representation, such as internal employee forums, works councils, or ACAS, to provide balance and context.

Government response to Question 1

The government welcomes the wide range of views expressed in response to Question 1 on the information that should be included in the statement provided to workers. The responses highlighted a number of recurring themes, including the importance of ensuring that the statement is clear, concise and neutral, while also providing workers with sufficient information to understand their rights. Respondents also raised concerns about proportionality, administrative burden and the need to avoid the statement appearing promotional.

Having carefully considered these views alongside the policy objective of ensuring workers are clearly informed of their right to join a trade union, the government has decided to include in the statement:

- a. A brief overview of the functions of a trade union.

- b. Information on recognised trade unions (where applicable), including their contact details.
- c. Information on trade unions with statutory access agreements (where applicable), including their contact details.
- d. Information on the Certification Officer list of trade unions.
- e. A summary of statutory rights in relation to union membership.

In relation to the brief overview of the functions of a union, the government notes the concerns regarding neutrality and will ensure the statement is clear, and factual.

The government believes it is important that workers are aware of the recognised unions that exist within their workplace and has decided to retain this element. Many respondents supported the inclusion of information on recognised unions as a way of helping workers understand which union or unions have a formal role in collective bargaining or consultation with their employer. The government also recognises the issues raised regarding employers with multiple sites or different individual recognition arrangements. To address this, employers must, where relevant, specify the staff group(s), grades or locations covered where the listed union(s) does not apply to all workers. Employers will also be required to provide contact details for each recognised trade union. This should be contact information for the union itself, rather than that of a named individual, so that the statement is less likely to change over time. This will help ensure the information remains accurate and relevant while avoiding unnecessary administrative burden for employers.

The government has considered the views expressed about including a signpost to a list of all trade unions and has decided to retain this element. While some respondents raised concerns that a general list could cause confusion or undermine existing recognition arrangements, and about the government providing this list, others emphasised that signposting to a gov.uk page could help workers access independent information on trade unions. The government has taken these views into consideration alongside legal and administrative factors to determine its approach. On balance, it has been decided that the statement will include on the Certification Officer's (CO) list of trade unions. The CO is the only independent authority with responsibility for maintaining a list of trade unions. This approach therefore provides an accessible, neutral and factual way for workers to identify registered trade unions if they wish to explore this further.

Further detail on how information relating to recognised unions, statutory access agreements and the Certification Officer's list will be provided to workers is set out under the Form section of this government response.

On the question of referencing a summary of statutory rights in relation to trade union membership, the government acknowledges consultation views favouring the inclusion of a concise, neutral and accessible summary. The government agrees that a short summary of the key statutory protections relating to union membership and activity will help workers understand their rights, particularly where they may have limited prior exposure to employment law. The government also recognises the concerns raised

about complexity and therefore intends that the summary will be concise rather than attempting to provide a comprehensive explanation of the legal framework.

The government has considered the proposals for including additional information in the statement. These suggestions included clarifying that joining a trade union is voluntary, outlining that it is an internationally recognised right to join a union, explaining the potential cost of membership, and providing additional details about recognised unions, access arrangements or workplace representation structures.

The government has decided not to include additional information within the statement beyond the core elements set out above, except to:

- include information about trade unions with statutory access agreements where relevant, and to
- clarify that unions may charge a membership fee

Alongside the other elements of the statement, these additional details will help workers to make an informed choice

The government considers that including further detail beyond this risks making the statement overly long or complex, which could reduce its effectiveness and discourage engagement by workers. Instead, the statement will clarify that it is not exhaustive and that further information is publicly available. Employers will not be prevented from sharing additional information through separate channels if they wish.

The government also intends to provide non-statutory guidance setting out examples of best practice for employers providing further information to workers, including signposting to resources such as the TUC trade union finder which helps workers identify trade unions relevant to their workplace, sector and occupation.

Section B – Form of the Statement (Q2 – Q3)

Question 2: Do you agree that the statement should be a standardised statement provided by the government?

Question 2a: If no or other, please explain your answer.

A total of **154 (50%) respondents answered “Yes”** to this. 86 (28%) answered “No, it should be drafted by employers”, 64 (21%) answered “other”, 1 (0.3%) gave mixed views, and 2 (0.7%) left it blank.

Among respondents who were supportive of a standardised statement, a recurring theme was the benefit of consistency, neutrality and legal certainty. Many considered a government-provided or independently drafted model statement helpful, particularly for employers without recognised unions or limited HR capacity, as it could reduce administrative burden and compliance risk. Some expressed conditions on their support for it, stating that any standardised statement should operate

as a baseline or template, with scope for employers or recognised trade unions to agree adaptations such as reflecting local recognition arrangements, staff groups, or existing employee-voice mechanisms. Several respondents suggested that an independent body, such as Acas, should be involved in drafting the statement, or that consultation with employer and trade union representatives during its development would help to increase confidence in the neutrality of any standardised wording.

A number of respondents opposed to a standardised statement emphasised the importance of flexibility and autonomy. They argued that workplaces vary too widely in size, sector and culture for a centrally drafted statement to be effective. Concerns were also raised that a uniform statement could be misaligned with employer branding or onboarding processes. Some objected in principle, viewing a mandated statement as unnecessary regulation or an intrusion into the employer–employee relationship. These respondents considered that employers should have ownership of drafting the statement, with the government limited to setting minimum requirements.

Question 3: If the proposal for an employer drafted statement (Option B) is chosen, do you agree that the government should provide a model statement that employers can adapt?

Question 3a: If no, please explain your answer.

A total of **256 (83%) respondents answered ‘Yes’** to this. 36 (12%) answered ‘No’ and 15 (5%) left it blank.

Most respondents answered ‘Yes’ to this and only those who answered ‘No’ were asked to provide comment to explain their answer. Some of these responses supported the principle of a model statement as a helpful baseline, particularly for smaller or non-unionised employers, but there was concern about the level of detail and who would draft it. Responses emphasised the need for clarity, brevity and neutrality. Some favoured guidance or independently drafted wording (for example by Acas), to reduce legal risk, whilst allowing factual additions relevant to the workplace.

Other respondents who answered ‘No’, expressed reservations about a model statement that can be amended. Common concerns included the risk of anti-union bias, inconsistent or misleading wording, and weakened enforcement if employers were given discretion. Many argued that a model which allowed for adaptation would undermine the policy intent, increase variation and legal uncertainty, and enable bad-faith compliance. These respondents generally preferred a fully standardised statement, or tightly controlled wording with minimal employer input.

Government response to Questions 2 and 3

The government thanks respondents for their views on the form the statement should take. Responses highlighted differing perspectives on the balance between employer flexibility and the importance of providing clear, neutral and authoritative information to workers.

The government considers that providing a standardised statement for employers to issue offers the clearest and most certain way to ensure that workers receive consistent and authoritative information about their rights. Employers will therefore be required to issue a single standard statement, with a requirement to:

- list and provide information on the recognised unions and unions with statutory access agreements, including contact details, where present in the workplace.
- either include a link to the Certification Officer's publicly available list of trade unions in the statement, or alternatively provide a copy of the list of registered unions alongside the statement.

In the case of recognised unions, employers must include additional workplace-specific factual information such as the applicable staff group, grade and workplace location represented by the recognised union where applicable.

The government has noted suggestions that a model statement could be developed or endorsed by an independent body such as Acas and will continue to engage with Acas as the statement is finalised.

While the government recognises that workplaces differ in size, sector and structure, the core purpose of the statement is to provide workers with basic factual information about their statutory rights to join a trade union. The government considers that this information is sufficiently general in nature that it can be communicated effectively through a single standard statement applicable across workplaces.

The government's approach will ensure that all workers receive the same clear and neutral information about their right to join a trade union, while also supporting compliance by employers, particularly those with limited HR capacity.

Section C – Manner of Delivery (Q4 – Q5)

Question 4: Do you agree that the written statement should be delivered directly to new workers?

Question 4a: If no, please explain your answer

A total of **221 (72%) respondents answered 'Yes'** to this. 76 (25%) respondents answered 'No, it should be delivered indirectly' and 10 (3%) left if blank.

Only those who answered 'No' were asked to provide comment to explain their answer. Of the respondents who answered 'No', some accepted the aim of informing new workers but argued that flexibility in delivery was essential. Many felt that direct delivery, i.e. giving the statement directly to the worker, could be appropriate in some contexts, such as roles without regular access to digital systems, but that indirect methods, including, intranets, HR systems, or notice boards, were often more effective and proportionate. A recurring theme was that new starters already receive large volumes of information, and delivering the statement indirectly would improve engagement and reduce the risk of it being overlooked. Several respondents supported a mixed or employer-choice approach, allowing delivery methods to reflect workforce size, sector, role type, and established communication channels.

Other respondents opposed direct delivery outright. These responses emphasised administrative burden, cost, and bureaucracy, particularly for SMEs and high-turnover sectors such as hospitality, care, and education. They argued that requiring direct communication would disrupt onboarding processes and place undue prominence on union information over other statutory rights. Some preferred indirect methods such as the intranet or noticeboards, while others argued that it should not be the responsibility of employers to deliver the statement.

Question 5: Do you agree that employers should be able to deliver the statement indirectly or directly to existing workers?

Question 5a: Please explain your answer.

A total of **192 (63%) respondents answered "Yes"** to this. 62 (20%) answered "No, it should only be delivered directly", 48 (16%) answered "Yes, but employers should also provide a reminder to ensure workers are aware of it", and 5 (2%) left it blank.

Of the respondents that supported providing employers with the flexibility to use indirect or direct methods to deliver the statement to existing workers many felt that this approach enables employers to use channels that already work effectively, such as intranets, noticeboards or digital platforms. They noted large organisations often use a range of communication tools to meet the needs of diverse workforces including dispersed, and remote workers. Employers with shift-based or agency workers also highlighted that flexibility would support the practical realities of different workplace environments whilst small and micro-employers, including those with limited HR capacity or administrative systems, were also in favour of flexible delivery options. Others highlighted that indirect communication can be more proportionate and practical than issuing repeated direct notices.

Respondents that supported an option for indirect delivery only where workers are reminded of the statement argued that without a regular reminder, there is a risk that the statement could be lost among other sources of information and become inaccessible to workers.

Those who responded "No" generally argued that direct delivery is essential to ensure visibility and to reduce the risk of workers missing key information, particularly where staff have limited access to the intranet, work irregular shifts, or are unfamiliar with internal communication channels. These respondents emphasised that direct delivery provides greater certainty that workers have received the information.

Government response to Questions 4 and 5

The government thanks respondents for their views on how the statement should be delivered to workers. Responses highlighted different perspectives on how best to balance ensuring workers are aware of their rights and the allowing employers to comply in a proportionate and practical way.

In relation to new workers, the government notes that most respondents supported direct delivery at the start of employment. The government agrees that the point at which a worker joins an organisation is particularly important for ensuring clarity about their employment rights. Providing the statement directly at the start of employment offers a clear and reliable way to ensure new workers are informed of their right to join a trade union, while aligning with the existing process for providing the written statement of employment particulars. This makes compliance straightforward by integrating the duty into established onboarding processes.

The government has also considered the views of respondents who suggested that indirect delivery could be sufficient, particularly where employers already communicate important workplace information through internal systems. While the government recognises that these channels can play an important role in communicating workplace information, it considers that direct delivery at the start of employment provides the clearest and most reliable way to ensure that new workers are actively informed of their rights.

In relation to existing workers, consultation responses highlighted strong support for allowing employers flexibility in how the statement is delivered. The government also notes that several respondents considered that direct delivery should be required for existing workers, or that employers should be required to issue reminders where indirect methods are used, to ensure that workers are aware of the information, it and know how to access it.

The government recognises that there is a balance to be struck between ensuring workers are aware of their rights and avoiding administrative burden on employers.

Taking these considerations together, the government's position is that employers should be required to deliver the statement directly to new workers at the start of employment such as through email, in person, or by post. This should be delivered at the same time as the written statement of employment particulars that an employer must give a worker under existing law.

For existing workers, employers will have the flexibility to provide the statement either directly or indirectly. Where employers choose to use indirect delivery methods, such as through the intranet or noticeboards, employers will have to make the statement continuously and reasonably accessible to workers for the full year in question. They will have to issue an annual reminder informing workers of the availability of the statement and its location by 5 April of the year in question.

Where there is a change to the location of where the statement is made available, employers will be required to notify the worker directly of the new location.

The government's intention is not to mandate specific delivery routes as it recognises the varied and diverse communication channels employers use. Instead, the government will prescribe the direct or indirect method at a high-level to strike an appropriate balance between ensuring workers can reasonably access information about their rights and allowing employers to integrate the statement into existing workplace communication practices.

Section D – Frequency of Delivery (Q6 – Q7)

Question 6: Do you agree that employers should be required to provide workers with the statement, or reminder, on an annual basis?

Question 6a: Please explain your answer.

A total of **131 (43%) respondents answered “Yes”** to this. 54 (18%) answered “No, once with reminder”, 28 (9%) did not specify a frequency, 20 (7%) answered “No, it should be every 6 months”. The remainder of the responses expressed varying levels of frequency.

Many respondents supported annual delivery of the statement if it is provided through direct methods, or if the government decides on the alternative option of “direct or indirect with reminders”. They generally viewed it as a pragmatic compromise between awareness and burden. Annual delivery was described as manageable and consistent with existing HR cycles such as appraisals, pay reviews, P60s or policy updates.

Supporters felt an annual reminder could help reach workers who missed the initial information, reflect changing circumstances over time, and support good employment relations without becoming intrusive. A number of respondents emphasised that annual reminders were acceptable only if delivered indirectly and integrated into existing systems, rather than as standalone communications. Some respondents also agreed with annual delivery but considered that it should be delivered to all new and existing workers annually through direct methods, or via a direct annual reminder if employers use indirect methods. Some argued that this would provide greater assurance that workers were aware of their rights and reduce the risk of information being missed.

Some respondents who opposed an annual requirement or preferred a different approach argued that providing the statement at the start of employment is sufficient, particularly if the information is permanently available via contracts, intranets or noticeboards. They noted concern about administrative burden, especially for SMEs and sectors with high staff turnover, warning that repeated reminders would be ignored, seen as “noise”, or create compliance risk. Others questioned the evidence for ongoing reminders, noting that employers are not required to regularly restate other employment rights and that unions already have access routes to promote membership. Some preferred no fixed frequency at all, instead favouring employer discretion, sector-specific approaches, or event-triggered reminders.

A smaller group argued that more frequent reminders (for example six-monthly or quarterly) were necessary in high staff turnover or precarious sectors. These respondents highlighted that an awareness of employment rights can be weaker, particularly among younger workers and those in

sectors with higher levels of precarity or non-standard working arrangements. Some of these responses suggested that in sectors with high staff turnover, workers could miss the statement if issued only annually, especially where indirect delivery is used or where employment is seasonal or time-limited.

In addition, some respondents suggested that the statement should be reissued in response to specific changes in circumstances, such as when an individual changes role or when a new access or recognition agreement is put in place.

Question 7: Do you agree that a standardised frequency should apply to all organisations regardless of sector or size?

Question 7a: If you selected 'no', please explain your answer.

A total of **172 (56%) respondents answered "Yes"** to this. 119 (39%) answered "No", 2 (0.7%) had mixed views, and 14 (5%) left it blank.

Respondents who supported standardised frequency generally valued simplicity, clarity and ease of compliance. They argued that a single rule would reduce confusion, lower the risk of inadvertent non-compliance, and make the duty easier to administer and enforce. Several noted that standard frequency aligns with other statutory employment obligations and avoids the complexity of sector-specific rules. Some supporters accepted that a standardised approach might not be perfect for every organisation but considered it a reasonable trade-off to ensure fairness and clarity across the labour market, provided the frequency itself was not overly burdensome.

Respondents who opposed a standardised frequency most commonly argued that a "one-size-fits-all" approach would be disproportionate, particularly for SMEs, micro-businesses and organisations with limited HR capacity. Recurring themes included calls for exemptions or reduced obligations for small employers, flexibility based on workforce size, turnover, sector, and existing union recognition arrangements, and concern that rigid requirements would increase administrative burden and the risk of non-compliance. They also argued that in highly unionised or stable workplaces, additional reminders were unnecessary, as workers were already aware of their rights through recognition agreements, visible union presence, or ongoing engagement mechanisms. Others opposed reminders altogether, arguing that once workers have been informed, responsibility should rest with individuals and unions rather than employers.

A group of respondents also opposed a single standardised frequency on the grounds that certain sectors may require more frequent reminders than others. These responses were typically linked to low unionisation, high workforce turnover, less secure employment, or heightened risk of labour market non-compliance, particularly in sectors such as social care, healthcare, hospitality, retail, and parts of the gig economy. These respondents argued that more frequent communication in such contexts would better reflect workforce mobility, improve awareness among vulnerable or transient workers, and support enforcement of workers' rights. They generally favoured a sector-sensitive or risk-based approach, rather than uniform application across all organisations.

Government response to Questions 6 and 7

The government thanks respondents for their views on how often the statement, or a reminder of it, should be provided to workers. In reaching its conclusions, the

government has considered the need to maintain awareness of workers' rights alongside the importance of keeping requirements clear, proportionate and manageable for employers.

A number of respondents emphasised that periodic communication can play an important role in maintaining awareness of employment rights, particularly in workplaces with workforce turnover or a varied working patterns.

In determining an appropriate approach, the government has also considered suggestions for sector-specific or size-based frequencies. While the government recognises the concerns raised about workforce turnover or precarious sectors, it considers that introducing differentiated requirements would add unnecessary complexity and create uncertainty for employers. A single standard frequency therefore provides greater clarity and consistency across the labour market.

Having considered the range of views expressed, the government has decided that where employers choose to deliver subsequent statements to existing workers through direct methods, this should be done on an annual basis by 5 April in the year following the initial delivery, and by 5 April annually thereafter. The government considers this to be a proportionate and workable approach, supporting continued awareness of workers' rights and compliance, while avoiding the administrative burden associated with more frequent requirements and allowing employers to plan delivery within existing annual communication cycles.

Where employers choose to provide the statement through indirect methods, the government considers that the information should remain continuously and reasonably accessible to workers through existing workplace systems, such as internal platforms or workplace materials used for the communication of employment information. The government also considers that an annual direct reminder is important to ensure that workers remain aware and can readily locate the statement when needed, while allowing employers to use existing communication channels.

The government considers it important that the information provided remains accurate. Where there is a change in the identity of recognised trade unions or unions with a statutory access agreement at the workplace, employers will be required to provide an updated statement within one month of the change taking effect.

Where the employer delivers the statement indirectly and the location of the statement changes, employers will be required to inform the workers directly and in writing of the new location within one month of the change taking effect.

Section E – Additional Comments (Optional) (Q8)

Question 8: Do you have any further comments on how the duty to inform workers of their right to join a trade union should be implemented?

Across the further comments provided several themes emerged. These included:

- **Administrative burdens and flexibility:** respondents stressed the importance of flexibility and keeping administrative demands to a minimum. Many argued that the duty should not place excessive workload on employers, particularly small organisations with limited HR capacity. It was stated that employers should be able to choose communication methods that reflect their existing systems, rather than being required to follow a rigid process. Concerns about over-regulation were common, with several respondents warning that frequent or repeated reminders could lead to message fatigue and disengagement rather than improved awareness.
- **Guidance:** A further recurring theme was the need for clear, neutral and accessible government guidance. Respondents frequently called for centrally produced templates or model wording to support implementation and reduce legal uncertainty, while still allowing employers scope to adapt content to their circumstances. Many felt that official guidance would be important in complex scenarios, such as workplaces with multiple recognition agreements, high staff turnover, remote or dispersed workforces, or arrangements involving agency workers and TUPE transfers. Sector and size-sensitive guidance was widely seen as necessary to ensure the duty is workable across different contexts.
- **Enforcement, compliance and monitoring:** Respondents sought clarity on how compliance would be assessed, what evidence employers would be expected to retain, and which bodies would be responsible for oversight. There was broad preference for a light-touch, guidance-led approach focused on supporting compliance rather than penalising failure, with particular concern that disproportionate enforcement could affect smaller employers. Alongside this, many argued that improving awareness should not rest solely with employers, and suggested a national, government-led information campaign, supported by continued engagement with employers and unions alike. Some unions expressed concern that without clear enforcement arrangements, the duty could be applied inconsistently or undermined in practice. These respondents suggested that responsibility for monitoring compliance should sit within the remit of the FWA, and that compliance checks could be incorporated into existing regulatory activity, including health and safety inspections. Some also proposed that unions should be able to raise concerns or complaints where employers fail to meet their obligations.
- **Neutrality:** Respondents emphasised the importance of neutrality in messaging, including making clear that joining a union is voluntary and that workers also have the right not to join. Others highlighted the need to recognise alternative forms of employee voice alongside trade unions. Some questioned the need for this duty and reiterated that union recruitment and promotion should primarily remain the responsibility of unions rather than employers.
- **Accessibility:** Some respondents emphasised accessibility, literacy and language considerations, particularly for non-desk-based or digitally excluded workers.

Government response to Question 8

The government thanks respondents for their additional comments on how the duty to inform workers of their right to join a trade union should be implemented. In considering these views, the government has focused on how the duty can be delivered in a way that is effective, neutral and proportionate, while remaining workable for employers across different sectors and organisation sizes.

The government has also considered the views expressed regarding enforcement and compliance. The government intends that the duty will operate within existing employment law enforcement frameworks, under the Employment Act 2002, rather than creating a new standalone regulatory regime. This approach supports compliance while avoiding unnecessary complexity or disproportionate enforcement burdens.

In relation to neutrality, the government agrees that the statement must remain factual and balanced. The statement will therefore make clear that workers have the right to choose whether to join a trade union. The intention of the duty is to ensure workers are aware of their rights, rather than to promote trade union membership.

The government also recognises the importance of ensuring the information provided is accessible to workers across different workplace settings. To support implementation, the government will ensure that accompanying guidance encourages employers to consider accessibility issues where relevant, including the needs of workers without regular digital access or those who may require information in alternative format. This guidance will support compliance with the duty while helping to maintain constructive workplace relationships and avoid unnecessary administrative complexity.

Conclusion & Next Steps

The government would like to thank all respondents for their submissions to this consultation. The views and inputs provided have been valuable in informing the development of the operational and practical details that will now be set out in secondary legislation.

The government has carefully considered the views expressed through the consultation and subsequent stakeholder engagement. Taking these views together, the government has determined the key implementing details for the duty to inform workers of their right to join a trade union. These details will be set out through secondary legislation. In summary, this will include:

Form: the statement will be standardised and provided by the government. Employers will be required to issue this statement adding only workplace specific information. Employers must also either include a link to the Certification Officer's publicly available list of trade unions within the statement or provide a copy of the list alongside the statement

Content: the written statement will contain a set of clear, neutral, and factual information. The statement will include:

- a. A brief overview of the functions of a trade union
- b. Information on recognised trade unions (where applicable), including their contact details
- c. Information on statutory access agreements (where applicable), including their contact details
- d. Information on the Certification Officer's list of trade unions
- e. A summary of statutory rights in relation to union membership

Manner of delivery:

- a. new workers must receive the statement directly at the start of employment at the same time as the written statement of employment particulars.
- b. existing workers may receive the statement either directly or indirectly. Where indirect methods are used, the worker must receive an annual reminder delivered directly and in writing informing them that the statement is available and where to find it. The statement must remain continuously available and reasonably accessible to workers.

Frequency of delivery: The government has decided to retain a single, standardised annual frequency for employers who choose to deliver the statement through direct methods following the initial provision. The statement will be delivered by 5 April each year. Where employers choose indirect methods, they will be required to ensure the statement remains continuously and reasonably accessible to workers and must issue an annual reminder. Where there is a change to the identity of recognised trade unions, trade unions with statutory access agreements or the relevant union contact details, the statement will be required to be reissued within one month of the change. Where an employer delivers the statement to existing workers indirectly and there is a change in location of the statement, they will be required to notify workers of the new location within one month of the change.

This duty is expected to come into force in January 2027. Employers will be required to issue the statement to all new workers that join from the commencement of the duty and deliver it to all existing workers by 5 April 2027.

Annex A: Summary of Consultation Questions

Question 1: Do you agree that the following types of information should be included in the statement provided to workers?

- a) **A brief overview of the functions of a trade union.**
 - a. ☐ Yes
 - b. ☐ No
- b) **A summary of the statutory rights in relation to union membership.**
 - a. ☐ Yes
 - b. ☐ No
- c) **A list of all trade unions that the employer recognises (if any).**
 - a. ☐ Yes
 - b. ☐ No
- d) **A signpost to a GOV.UK page containing a list of trade unions.**
 - a. ☐ Yes
 - b. ☐ No
- e) **Any other types of information (please specify).**

Question 1f: If you answered “no” to any part of Question 1, please explain your answer.

Question 2: Do you agree that the statement should be a standardised statement provided by the government?

Question 3: If the proposal for an employer-drafted statement is chosen, do you agree that the government should provide a model statement that employers can adapt?

Question 4: Do you agree that the written statement should be delivered directly to new workers?

Question 5: Do you agree that employers should be able to deliver the statement either directly or indirectly to existing workers?

Question 6: Do you agree that employers should be required to provide workers with the statement, or a reminder of it, on an annual basis?

Question 7: Do you agree that a standardised frequency should apply to all organisations regardless of sector or size?

Question 8: Do you have any further comments on how the duty to inform workers of their right to join a trade union should be implemented?

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