

Holding a consultation

As an employer, how you consult with employees will be different depending on your organisation and the issue you want to consult on. It's important for you to carefully choose the sort of consultation procedure that will best suit your organisation's structure and culture.

Factors you might want to consider include:

- the size and structure of your organisation
- the quality of employment relations
- the management style
- the issues to be discussed
- whether trade unions are recognised

Some employees and managers may find a period of change difficult. You should offer help and support, for example through an employee assistance programme (EAP) if there is one.

Before starting the consultation

Consultations must always be a genuine two-way discussion about whether a change is needed and what kind of change is appropriate.

Everyone involved must have the chance to have their views heard and be able to discuss the issues in a meaningful way. Employers must listen openly to any concerns or suggestions and genuinely consider them.

Before starting a consultation employers should decide on the method of consultation and inform staff:

- what the decision-making process will be
- how long the consultation will last
- what changes are being considered and why

There are no rules for how long consultation must last, unless the employer is holding a collective consultation. Employers should check if they have a policy or agreement in place that does set out rules about how long consultation must last.

Employers should also check whether there are any legal requirements that apply to the changes they're proposing as this might affect how they consult.

[Find out more about when consultation is legally required](#)

Deciding who to consult

Employers should consult with all the employees who are affected by the issues or proposed changes. This includes anyone who might be absent from work, for example people who are off sick or on adoption, maternity or paternity leave.

Employers might also have a voluntary arrangement in place which means they could also consult with the organisation's:

- joint consultative committee who work to promote good practice in the way an organisation is managed
- joint working party who consider and suggest ways of resolving specific issues affecting the organisation

Depending on the circumstances, by law employers might also need to consult with employee representatives. If you're not sure, you should get [legal advice](#).

Consulting with employee representatives

If employers need to consult with employee representatives, they should encourage the representatives to speak on behalf of employees.

Representatives need to be able to:

- tell employees about the proposals and share information
- ask employees for their views, suggestions and any questions they may have
- talk to other representatives and work out a collective staff response
- meet with management and give feedback on the staff response
- engage in open discussions to solve problems and reach agreements
- tell employees the outcome of consultations

By law, trade union and employee representatives have the right to:

- reasonable paid time off for trade union duties
- reasonable time off for training
- reasonable access to employees and workplace facilities

Employers must not dismiss someone or treat them unfairly because they're a trade union or employee representative.

[Find out more in the Acas guides on trade union and employee representation](#)

During the consultation

Employers should invite employees and their representatives to suggest ideas and talk about their concerns. Employers should consider their ideas and do anything they can to resolve any concerns.

As an employer, you can demonstrate your commitment to listening to employee feedback by taking an active role in consultation. For example you could:

- chair a consultative committee meeting
- participate in staff meetings
- talk to your employees directly

Direct communication between senior managers and employees can help to keep the chain of communication as short as possible. However, it's important that line managers and supervisors are also kept informed.

Line managers and supervisors are also responsible for passing on information in both directions and giving instructions to employees.

Once the consultation has ended, employers will need to make a decision on the next steps.

[Find out more about making a decision after a consultation](#)

Having a consultation policy

Employers should make sure that how they consult employees matches the organisation's consultation policy, if there is one.

If the organisation does not have a consultation policy, it can be helpful to create one with the involvement of employees and their representatives.

A policy can set out:

- the purpose of holding consultations
- the importance of consultations being a two-way process
- the responsibility for communication at each level in the organisation
- the methods of consultation
- how consultations will be run and how employees can participate
- training available for people involved in the consultation process
- how the policy will be monitored

Training in consultations

Training for managers and employee representatives can help all those involved in consultation keep discussions constructive and encourage helpful behaviours like:

- listening effectively
- not making assumptions about others
- not insisting on a fixed outcome
- considering other suggestions
- genuinely exploring other people's needs and interests
- being willing to consider things objectively
- avoiding confrontational language or appearing aggressive
- being patient
- not adopting an attitude where someone must win and someone must lose
- being open to creative ways of finding workable solutions

[Find out about Acas tailored training for your organisation](#)