

How to inform and consult

When consulting employees, an employer should:

- keep employees informed
- hold genuine consultation

Keeping employees informed

Employers should use internal communication channels to keep employees informed. For example:

- employee representatives
- a workplace forum – a group where an employer and employees discuss important matters
- video calls
- noticeboards
- the organisation's intranet
- emails, letters or leaflets given directly to affected employees

Employers must make sure all employees can access the information. This includes:

- disabled employees who might need [reasonable adjustments](#) – for example documents in an accessible format
- employees on sick leave
- employees on maternity, adoption, paternity, shared parental, neonatal, carer's or parental bereavement leave

Employers should also put feedback channels in place to answer questions and address concerns through the process.

Holding genuine consultation

Consultation must be genuine and meaningful.

This means employers must:

- make sure representatives can contact the affected employees
- provide facilities for meetings and time to meet up with the affected employees
- seriously consider any responses and suggestions from the representatives
- try to reach agreement

They should also consider providing training for representatives to carry out their role effectively.

If an employer fails to carry out genuine and meaningful consultation, the trade union or employees could make a claim to an employment tribunal.

Considering suggestions from employees and representatives

Employers do not have to make changes suggested by employees and representatives during consultation.

But employers must show that they have:

- discussed any changes with all affected employees and their representatives
- listened to their suggestions and fully considered them
- tried to reach an agreement

If agreement cannot be reached, the employer should tell employee representatives why they're rejecting the suggestions. This must be in writing, for example a letter or email.

If there are no employee representatives, the employer must give this information to the affected employees.

Get more advice and support

If you have any questions about informing and consulting during TUPE, you can [contact the Acas helpline](#).

You can also find more advice on [TUPE transfers](#), including:

- [employee liability information](#)
- [transferring employees](#)