

Make Work Pay duty to inform workers of their right to join a union Acas response

22 December 2025

This is the Acas Council response to the consultation on the [duty to inform workers of their right to join a union](#).

About Acas

1. Acas welcomes the opportunity to respond to the government's [Make Work Pay: duty to inform workers of their right to join a trade union](#) consultation and the government's commitment to strengthen collective voice in the workplace.
2. Ambition 1 of our new 2025 to 2030 strategy is to promote healthier employment relations by helping employers, workers and their representatives prevent conflict arising in the first place.
3. In 2024 to 2025 we saw approximately [20.5 million visits to our website](#). Of those, 13.7 million visits were to our advice pages. The Acas helpline received almost 600,000 calls, and Acas advisers delivered nearly 2,000 training sessions. Demand for our conciliation services remained high: we handled over 500 collective conciliations as well as 124,000 individual early conciliation notifications.
4. The in-depth practical insights we gain through the provision of our services mean that Acas is the evidential authority on what does and does not work at work.

Executive summary

5. Acas welcomes the opportunity to respond to this consultation. The policy is relevant to Acas's statutory duty and strategic aim to promote the improvement of industrial relations. It also fits closely with recent [Acas Executive positions](#) on the importance of collective voice at work.
6. Acas supports the stated policy intent of the new duty to inform workers of their right to join a trade union: to strengthen employees' voices and enhance their representation in the workplace. In our view, the most effective way of achieving this is to make it simple, fair and empowering.
7. If successfully implemented, this policy could support stronger collective voice, employee engagement and workplace collaboration. In our experience, good workplace relations and well-managed conflict are enablers of resilient, successful organisations.
8. Additionally, Acas believes that the policy can have a broader positive impact on industrial relations beyond the practical questions addressed in this consultation. This is because:
 - There is [evidence](#) that a workforce that is informed and empowered to use its voice is more likely to engage in two-way dialogue and work collaboratively with management. The [Institute for Employment Studies](#) point to an 'increasing awareness that employee engagement is pivotal to successful commercial and business performance', describing engaged employees as 'the backbone of good working environments'.

- Collective bargaining and social dialogue have benefits for productivity, industrial change, equality and employment, as [recognised by the Organisation for Economic Cooperation and Development \(OECD\)](#). The OECD notes that they can 'provide voice to workers and endow employers and employees with a tool for addressing common challenges'.
- Additionally, there is growing evidence of a correlation between employee engagement and increased productivity and business performance. For example, the [2025 Engage for Success Report](#) notes that there is 'clear evidence that employee engagement and a focus on people issues are not optional; they are essential to economic recovery and long-term workforce sustainability'. Globally, a [2024 report by Gallup](#) found that businesses with the highest levels of employee engagement outperformed those with the lowest by 14% in productivity and by 23% in profitability.

9. Acas notes that the value of trade unions is perceived differently by unionised and non-unionised employers. [Recent CIPD research](#) revealed that organisations with union representatives are positive about the relationship between trade unions and management. The report highlighted that 30% of employers without union representation oppose the introduction of new rights for trade unions to access workplaces, compared to only 8% of unionised employers. These findings mirror Acas's own experiences: that employers who work with unions are generally positive about doing so. By contrast, employers with little or no experience of working with unions are more likely to be anxious about it.

10. Employer concerns may be exacerbated by the decline in skills, knowledge and confidence required to underpin effective collective relationships at work. [Acas research on 'Continuity and change in collective workplace conflict in Britain'](#) showed that collective industrial relations, both as a concept and a practice, have diminished in parallel to the decline in union membership, leaving employers and unions without the expertise to engage.

11. It is [Acas's view](#) that underpinning the success of healthy employment relations is the strategic intent of the organisation: a deliberate co-design for collaboration and problem solving at the heart of the organisation, based on mutual trust and respect. Skills, knowledge and confidence therefore need to be built from the ground up and integrated into employers' business models.

General principles for implementation

12. Meeting the challenges posed by the new duty will require balancing the policy intent with the practical considerations of how to implement it. Having drawn on insights from our conciliation services and several Acas Council members, Acas believes there is ample scope to find this balance.

13. While the duty under consultation is new, in practice it should be a simple extension of the existing employer duty to provide new employees with a statement of employment particulars. Though some micro, small and medium-sized employers may have concerns about the new duty, Acas agrees with the government's impact assessment that the policy design aims to make compliance low cost. For example, the government has estimated the cost of communicating the statement by email would be a maximum of £5.64 based on around 10 minutes labour time, regardless of the size of employer.

14. It is important that many employers' first experiences of dealing with trade union rights are not overly burdensome or partial. Likewise, employer concerns about the costs of the new duty must not come at the expense of the standard of the statement received by workers. Making the process simple will help lead to a balanced outcome for both.

15. To maximise the benefits of the policy to workers and employers, Acas encourages the government, employers and trade unions to work together to deliver the new statement in a way that promotes the benefits of partnership working. One practical suggestion from Acas would be for the government to introduce guidance for employers about the conditions for success when implementing the new regulation. Part of this guidance should be to encourage both employers and trade unions to approach the changes with a positive, strategic intent to collaborate and problem-solve together.

Annex A: Responses to specific consultation questions

Section A: Content

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

A brief overview of the functions of a trade union

Acas response: Yes

16. This proposal is likely to help workers improve their understanding of the purpose of and rights associated with trade union membership. Acas notes that many workers lack knowledge and information about the functions of a trade union. We therefore firmly support the principle and practical importance of including the proposed overview in the new statement.

17. Trade unions are an important source of information for workers to understand and use their rights at work. However, there is evidence that employees' understanding of what a trade union does is not widespread, especially among younger workers. For example, [a survey of young workers in Scotland](#) found that only 49% of respondents were confident in defining what a trade union is, while only 29% knew how to join one. Similarly, [a report by Young Women's Trust](#) concluded there is not enough accurate information for young women on their workplace rights and, where there is support available, such as from unions, charities and government, it is under-used.

18. As experts in employment rights, trade unions should rank highly as a source of information used by workers. However, only 32% of respondents to a [2022 BEIS public attitudes survey](#) said they would seek information about their employment rights from a 'Trade union/other professional body', significantly below 'General internet search' (42%) and only marginally above 'Family and friends' (29%). As the latter 2 sources may not provide accurate information, this statistic highlights the need to inform workers about trade unions. As part of this goal, the government should also consider additional ways to provide accurate information on trade unions, particularly for under-represented and vulnerable worker demographics.

19. User data from Acas's website shows that interest in trade unions has grown over the last year with total sessions on trade union related pages increasing by 6.3% to 33,600. Total website sessions for Acas's guides on trade union and employee representation totalled 13,286, an increase of 19.5% on the previous year and representing 40% of all website sessions on trade unions.

20. We welcome the intent to make the overview factual and neutral. Acas believes that workers are best placed to assess the benefits of trade union membership. Neutral information provision protects their right to make an informed and independent choice.

21. Acas strongly recommends that the overview is written in plain English. Wording should avoid language that may be unfamiliar to workers who have not been a member of a trade union before, such as 'collective bargaining' or 'union dues'. This will help ensure clarity for the reader and reduce any potential administrative burden on employers who may face follow-up questions from workers if the language of the overview is unclear.

22. Acas recommends that a brief explanation of the purpose and duties of a trade union representative (rep) is included in the statement. As the likely first point of contact, and an essential role in employer-employee relations in a workplace, we believe it is important that new members understand the role of the rep. It may also have the additional positive impact of encouraging greater engagement with collective bargaining.

23. We recommend that any explanation of the union rep role should also highlight their statutory rights and refer to the [Acas Code of Practice on time off for trade union duties and activities](#).

24. To aid understanding for workers and employers, Acas recommends that the government creates and signposts readers to additional resources, such as a glossary or further detail on what trade unions do. This would not only provide information for workers but would also help avoid unnecessary questions for employers by guiding readers to other resources. Noting the gap in employers' perceptions of trade unions outlined in paragraph 9 of our response, we also encourage the government to communicate their role in the workplace and the value of employee voice more widely.

A summary of the statutory rights in relation to union membership

Acas response: Yes

25. Acas believes that summarising an individual's associated statutory rights in relation to union membership is an essential part of the statement if workers are to be informed and empowered as the policy intends.

26. The new duty for employers to inform workers of their right to join a trade union presents an opportunity to increase workers' understanding of their own rights at work. Recent survey data highlights the existing gap in this area that the policy can start to address. For example, the [2022 BEIS public attitudes survey](#) revealed that:

- only 45% of those surveyed believed they knew at least 'a fair amount' about their own employment rights
- employees aged 16 to 24 were the least likely to say they knew at least a fair amount about their rights at work

27. Acas recommends that the summary is as clear and concise as possible and is written in plain English, avoiding legal language where possible.

28. To reassure workers who may be new to the concept of trade union rights, we suggest including the key rights and protections connected to union membership in this part of the statement.

29. Given the importance of union representatives in employee-employer relations, Acas also recommends briefly outlining their key statutory rights in this section of the statement, particularly as these rights are expanding through the Employment Rights Bill.

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

Acas response: Yes

30. Acas agrees with the government's proposal to include a list of recognised unions in the statement. We note that some employers already include information about unions in their induction of new workers. Acas welcomes making this standard practice.

31. We firmly believe that it is in employers', workers' and unions' interest that new union members are signposted towards existing collective bargaining arrangements with recognised unions (whilst respecting workers' right to join any union of their choosing). This avoids fragmenting collective bargaining structures and ensures that existing recognition arrangements effectively represent the workforce.

32. Acas recommends that the proposal should be explicit that only independent unions listed by the Certification Officer may be included in the statement. This would reduce the risk of workers confusing independent unions (which have associated statutory rights) with non-union and employer-led bodies (which do not have statutory rights and often serve different functions).

33. To increase workers' engagement with existing collective bargaining structures, we recommend that the government advises employers to include more detailed information, such as which bargaining groups unions are recognised for. The statement should also provide information and contact details of the relevant local union representative (where applicable). Whilst Acas recognises that including and updating this information (when a new union representative is elected, for example) in the statement may bring a cost to employers, such information will also bring benefits mentioned in paragraph 31. Additionally, information of this kind is already regularly updated by employers who recognise trade unions in any case.

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

Acas response: Yes

34. Workers should be signposted to clear and concise information written in plain English based on content design good practice to promote understanding, especially among vulnerable groups. Because for many users this may be their first interaction with a trade

union, the information should avoid jargon and spell out acronyms used by many unions.

35. Acas believes that users of the proposed gov.uk list of trade unions require context and relevant further information for workers to be able to make informed decisions about which union they may wish to join. The current gov.uk list provided by the Certification Officer is not user-friendly due to its length and because the name of a trade union does not necessarily indicate whether it is relevant to a worker's job without further research.

36. To raise awareness and increase understanding of trade unions, Acas suggests that a new or amended webpage is created which meets some minimum criteria such as:

- basic relevant information such as union size and which sector/s, profession/s and location/s it operates in
- the ability to filter options by these criteria and any others that may help workers make informed choices

37. Based on the above, Acas also recommends that the government conduct user testing of the website with workers from non-unionised and high conflict sectors to gain feedback on what they understand best. This should include user testing what information workers require to make an informed decision about joining a trade union.

Add other types of information (please specify)

Acas response: Yes

38. To ensure workers do not feel unduly pressured to join a particular union (or any union at all), Acas recommends that the statement also clarifies that it is only designed to help the reader make an informed decision and does not carry any endorsement for joining or not joining a particular union.

Section B: Form of the statement

2. Do you agree the statement should be a standardised statement provided by the government?

Acas response: Yes

39. Acas favours the option for a standardised statement on the basis that it closely matches our recommendation that the duty should be simple and balanced whilst also empowering workers and employers to collaborate. Establishing a standardised minimum is important as a first step towards embedding the duty in workplace culture and gives employers the option to go above and beyond it.

40. Additionally, a standardised statement would make a comparably small impact on employer resource and capacity, applies the duty on employers consistently, and reduces the scope for accidental non-compliance. Acas believes that the latter is particularly important given the lack of direct enforcement associated with the duty.

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?

Acas response: Yes

41. In Acas's experience, templates and model statements are vital tools that can help establish minimum standards whilst also offering the opportunity to go beyond them. If the government chooses to provide a model statement that employers can adapt, this may have the additional benefit of minimising any burden on employers. It also presents an opportunity to build up employers' skills, knowledge and confidence in working with trade unions.

42. Acas has extensive experience of helping workers to understand and utilise their workplace rights through our guidance on written statements. These resources are an important and popular staple of the support offered to workers and employers by Acas. Over the last year, Acas's webpage on what must be included in a written statement was visited over 17,000 times, whilst the pages with written

statement templates for employees and workers were visited over 16,000 times in total.

43. Similarly, Acas's e-learning courses on contracts of employment and written statements are growing in popularity. Demand in the first seven months of the 2024 to 2025 financial year has already exceeded the whole of the previous year.

Section C: Manner of delivery

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

Acas response: Yes

44. Acas has no evidence that employers struggle to meet the current duty to provide employees with a written statement – and the new policy is an extension of this existing duty. Therefore, Acas recommends a direct method of delivery in writing to ensure that the policy intent is met and that any burden on employers is limited.

45. Acas believes that employers being able to easily evidence that they are complying with the duty will help minimise conflict, build trust and engagement from day one, and signal to workers that the employer respects their rights. The lack of ambiguity associated with direct delivery may also have the benefit of limiting unintended non-compliance.

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

Acas response: No, it should only be delivered directly

46. Acas believes that the statement should be delivered in writing directly to existing workers for the same reasons as given in question 4.

47. Employers should make clear to the recipients of the statement – in the communication subject header, for example – that the information concerns their right to join a trade union. To enhance clarity and understanding, Acas recommends that the statement is a standalone communication that is not bundled with other internal employer matters or updates. If the government chooses not to make this point, then we believe that it should be clear that the communication includes information about the right.

48. Whilst Acas favours the direct method of delivery, it also acknowledges the value of less formal and indirect methods of communication between employers and their workforce. Therefore, Acas recommends that providing additional indirect information, such as on staff notice boards or intranet systems, should be encouraged but left to the discretion of the employer.

Section D: Frequency of delivery

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

Acas response: Yes

49. Acas agrees with the government's proposal that employers should be required to provide workers with the statement, or reminder, on an annual basis. This option reflects our position that the duty should be simple and balanced for employers whilst also being effective for workers. Acas recommends that the government considers how to build on this minimum to promote positive engagement between employers and trade unions.

50. Acas would like the government to clarify how the annual date is decided. Acas believes that this part of the duty would be most effective if employers set an annual date for their whole workforce to avoid needing to track annual reminder dates for every employee. Ideally, this would also align with conventional annual or quarterly reporting dates, such as the end of the financial or tax year to help limit unintended non-compliance.

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

Acas response: Yes

51. Whilst Acas acknowledges the reasoning for a targeted approach based on sector or size of employer, we feel that treating all employers and employees consistently are key principles and practical elements of the policy.

52. Acas notes that there is already provision for all new workers to be guaranteed a statement of written particulars, regardless of their employer's sector or size. Adding unnecessary complexity to the duty may also increase non-compliance, particularly for fast growing or multi-sector employers.

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?

53. The government's current proposal is to use the existing enforcement mechanism that applies to a failure to provide the written statement of particulars of employment, set out in Section 38 of the Employment Act 2002. This means that workers can only make a 'piggyback claim' of non-compliance with the duty if they have successfully brought another substantive claim to an employment tribunal.

54. As a new duty it is unclear at this stage how extensive non-compliance may be. Though the present legislation design makes it difficult for workers to bring a case of non-compliance with the duty to an employment tribunal, there is still the potential for increased pressure on the already severely overburdened tribunal system and, therefore, Acas's early conciliation services.

55. The current legislation design places a great weight on employers voluntarily complying with the new duty. Non-compliance, whether intentional or not, is therefore a possibility that needs mitigation by making the duties associated with the policy as clear and practical as possible.

56. Acas is concerned that, without a direct enforcement mechanism, a minority of employers, particularly those opposed to a union presence in their organisation, could seek to undermine or ignore the new duty. We also recognise that enforcement should be proportionate and not onerous on the vast majority of employers who will comply. We therefore recommend that in the first instance the government finds ways to monitor compliance to understand if further measures need to be taken at a later stage to improve uptake. Acas notes that transparency initiatives, such as gender pay gap reporting duties, have generally improved compliance (though not necessarily policy outcomes, which are a separate matter) without having to resort to legal or regulatory action.