

What to consult on

As an employer, you should consult employees and their representatives:

- when a change or issue is identified
- before any final decision is made

What issues employers can consult on

As an employer, you can consult employees and their representatives on almost any issue and at any time. However, the subject needs to be clearly defined and relevant to the needs of the organisation and the group of employees you will be consulting.

You should think carefully about what issues are appropriate to consult on and who needs to be consulted in the organisation. It might be that only senior managers will have the authority to make certain high-level changes but all employees could contribute to discussions.

For example, if you're an employer deciding whether to introduce working from home to one part of your organisation you could consult the people it will affect. It could also be useful to consult with people from the parts of the organisation that are not having working from home introduced.

This could help you understand how fair employees think this change is, and if there are any other changes that could be made in other parts of the organisation.

As an employer, you might wish to limit the range of subjects open to consultation, for example because of confidential business information. You should consider carefully whether it's appropriate to limit the subjects you will consult on and make sure that the decision to limit is fair and transparent.

To avoid misunderstandings and possible conflict in the organisation, management and recognised trade unions could agree on the issues that employees will be consulted on.

When consultation is legally required

In certain circumstances consultation is legally required and involves a specific process. This includes:

- 'collective consultation' when an employer proposes to dismiss and rehire or plans to make redundant 20 or more employees
- consultation on health and safety matters
- if a formal agreement is in place to inform and consult employees
- consultation on some employment contract changes
- informing and consulting before a TUPE transfer

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

Good practice consultation

As an employer, you could hold regular 'good practice consultations' with staff about smaller issues where employees might have an interest. For example, you could hold a consultation to find out how employees feel about a new training platform, new equipment or the introduction of a working from home policy.