



Trade Union Law Changes: What Employers Need to Do Now

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Your People. Our Priority



Introduction

The Employment Rights Act reforms will strengthen a number of trade union rights and protections over the coming months. While some of the changes will affect all employers, others will primarily affect organisations with 21 or more workers.

For most employers, the key focus should be on ensuring documentation, onboarding processes, manager training and employee relations practices are up to date and compliant.

KeystoneHR have put together this guide to help you through this change.

Let's begin.



Duty to Inform Employees of Their Right to Join a Trade Union



What's Changing?

Employers will be required to provide employees with written information about their right to join a trade union. This information must be issued alongside employment contracts or statements of particulars and employers will be required to remind employees of this right during their employment.

What Does This Mean for Employers?

You will need a clear process to:

- Provide the required information to new starters
- Demonstrate that employees have received the information
- Issue periodic reminders
- Ensure managers understand the new requirements

Failure to comply could result in compensation claims of up to two or four weeks' pay.



KeystoneHR Can Help:

- ✓ Draft compliant trade union rights statements
- ✓ Update contracts, onboarding and induction documentation
- ✓ Create reminder processes and communication templates
- ✓ Train managers on the new requirements

Trade Union Rights of Access



What is Changing?

From October 2026, qualifying trade unions will be able to request access to workplaces to meet, support, recruit, organise and represent workers where voluntary arrangements cannot be agreed. A formal process will apply, including potential escalation to the Central Arbitration Committee (CAC).

Who Does This Apply To?

Current guidance indicates that the statutory workplace access regime will apply to employers with 21 or more workers. Organisations below this threshold are expected to be exempt from the new workplace access provisions.

What Does This Mean for Employers?

Organisations with 21+ workers should prepare to:

Manage formal union access requests

Respond within statutory timeframes

Keep records of requests and responses

Ensure compliance while minimising operational disruption

KeystoneHR Can Help:

- ✓ Develop workplace access procedures
- ✓ Create response templates and guidance
- ✓ Support consultation and negotiations
- ✓ Provide practical employee relations advice

Enhanced Protection for Trade Union Representatives

What is Changing?

Trade union representatives will receive stronger protections against unfair treatment linked to their trade union activities. Employees participating in protected industrial action will also receive enhanced legal protections.

What Does This Mean for Employers?

Employers should ensure:

- Policies reflect the new protections
- Managers understand their responsibilities
- Decisions affecting union representatives are carefully managed
- Employee relations processes are consistently applied

How KeystoneHR Helps

- ✓ Policy and handbook reviews
- ✓ Manager training
- ✓ Employee relations support
- ✓ Workplace investigations and resolution services



Building Positive Employee Relations



These reforms underline the importance of strong communication, fair management practices and effective employee relations.

Employers that address concerns early, communicate clearly and train managers effectively are likely to be better placed to minimise disputes and maintain productive workplace relationships.

How KeystoneHR Helps

- ✓ Employee engagement programmes
- ✓ Workplace mediation and resolution
- ✓ Consultation support
- ✓ Management coaching
- ✓ Employee relations strategy



What do employers need to do?

We have created an employer action list on the next page.

Employer Action Checklist

Documentation & Onboarding

- ☐ Create a trade union rights statement
- ☐ Update contracts and onboarding documentation
- ☐ Introduce a process for issuing employee reminders
- ☐ Keep evidence that communications have been provided

KeystoneHR can help: Review and update your contracts, onboarding documentation and employee communications to ensure compliance with the new requirements.

Policies & Procedures

- ☐ Review employee relations policies
- ☐ Update disciplinary and grievance procedures where required
- ☐ Ensure policies reflect enhanced protections for trade union representatives

KeystoneHR can help: We can carry out a policy review and update your documentation to reflect legislative changes and HR best practice

Manager Training

- ☐ Train managers on the new trade union rights
- ☐ Provide guidance on responding to employee questions
- ☐ Ensure managers understand the protections surrounding trade union activities

KeystoneHR can help: We provide practical manager training that helps leaders confidently manage employee relations issues and understand their responsibilities.

Organisations with 21+ Workers

- ☐ Develop a process for managing union access requests
- ☐ Create standard response templates
- ☐ Establish record-keeping procedures
- ☐ Review operational arrangements for managing workplace access

KeystoneHR can help: We can help develop workplace access procedures, create response templates and support organisations in managing trade union engagement effectively.

Employee Relations

- ☐ Review communication and engagement processes
- ☐ Encourage early resolution of workplace concerns
- ☐ Strengthen employee relations practices across the organisation

KeystoneHR can help: Our consultants can support workplace resolution, employee engagement, management coaching and proactive employee relations strategies.

Final Readiness Review

- ☐ Review your current workforce and management capability
- ☐ Assess potential employee relations risks
- ☐ Develop an action plan before the legislation takes effect
- ☐ Seek professional advice where required

KeystoneHR can help: We can undertake an HR Health Check to identify risks, review current practices and help prioritise the actions needed to prepare for the upcoming changes.

Our Key Message

While not every employer will be affected by the new workplace access provisions, all employers should prepare for the new duty to inform employees of their right to join a trade union and the wider strengthening of trade union protections. Reviewing documentation, strengthening employee relations practices and training managers now will help minimise risk and support compliance when the changes take effect.

KeystoneHR | Helping Employers Navigate Change with Confidence

From policy reviews and manager training to workplace investigations, employee relations support and organisational change, Keystone HR provides practical HR solutions that help employers stay compliant while building positive workplace relationships.

Simply contact our team on



www.keystonehr.co.uk



[07866 487673](tel:07866487673)



hello@keystonehr.co.uk

