

**Making Work Pay: Consultation on duty to inform workers of their right to join a trade union**

Submission to the Department for Business and Trade

**Chartered Institute of Personnel and Development (CIPD)  
December 2025**

## **About the CIPD**

The CIPD is the professional body for HR and people development. The not-for-profit organisation champions better work and working lives and has been setting the benchmark for excellence in people and organisation development for more than 100 years.

It has 160,000 members across all sectors and sizes of organisation and provides thought leadership through independent research on the world of work, and offers professional training and accreditation for those working in HR and learning and development.

Public policy at the CIPD draws on our extensive research and thought leadership, practical advice and guidance, along with the experience and expertise of our diverse membership, to inform and shape debate, government policy and legislation for the benefit of employees and employers. It also seeks to promote and improve best practice in people management and development and to represent the interests of our members.

## General remarks

A CIPD survey of 1,176 employers carried out in September 2024 found that almost half (47%) support the obligation to inform new employees of their right to join a union (as part of their 'Section 1 statement') and to inform all staff regularly (26% neither support nor oppose, 20% oppose and 7% don't know).

The findings show that more than twice as many supported than opposed the new statutory duty on employers to inform workers of their right to join a trade union. However, subsequent roundtables on this issue that the CIPD has since conducted with its community of people professionals reveal there are several issues that need to be considered alongside this new right. We cover the key ones below.

## Submission

**Question 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.

Yes

A summary of the statutory rights in relation to union membership.

Yes

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

Yes

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

Yes

Add other types of information (please specify)

It's important that employers take the opportunity to educate workers about all of the above to improve their understanding of what union membership means. Many will have no in-depth factual knowledge of the role and functions of a trade union and what membership entails. Other aspects that could be considered for inclusion in the above list include the cost and benefits of trade union membership.

**Question 1f: If no, please explain your answer.**

n/a

**Question 2: Do you agree that the statement should be a standardised statement provided by the government?**

We believe that the government should provide a model statement including prescribed pieces of information that employers could issue to workers adding specific workplace details. We agree that providing this option will help to minimise the administrative burden on employers, in particular small businesses, most of which will have no experience or in-depth knowledge of trade unions. Therefore, this option will ensure consistency in that all workers will receive the same basic level of information.

However, many organisations, such as very large employers with long standing trade union recognition arrangements, will have very well-developed employment relations frameworks or will be aiming to develop one. Therefore, it's important to give employers the flexibility to communicate additional helpful information to workers as part of this new duty to inform. However, there should be clear guidance preventing employers from having the flexibility to include negative information about union membership that could unduly influence workers from joining a union.

Our members don't view this new obligation as purely a tick box exercise and view it as an opportunity to strengthen the organisation's employment relations climate in relation to collective employee voice. Therefore, there should be the flexibility for employers to build on the specific generic information and tailor the statement to suit the organisation's needs and aims.

Specific points made by CIPD members during roundtables CIPD ran include:

- Employers would prefer drafting their own statements based on a government-provided legal baseline. Government should provide templates or bullet points.
- This ensures consistency while allowing flexibility in tone and content.
- Smaller employers may need extra support to comply as they may not have the resource or expertise to draft a statement themselves.
- There was a strong view that **the onus should be on government**, not individual employers, to explain how to fulfil these requirements.
- Employers fear **additional administrative burden** and **confusion** without clear guidance, especially for those without prior union engagement.

**Question 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?**

See response to Question 2.

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

Yes. The written statement should be delivered directly to new workers as part of the existing legal requirement to provide a 'written statement of employment particulars' to new workers. It should be included in the 'principal statement' on the first day of work, in line with other key legal requirements. We agree that this is the most straightforward approach for employers, thereby encouraging compliance with the new duty.

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

On balance we agree with the government's proposal (B), that employers should be able to deliver the statement to existing workers through indirect or direct methods, without the requirement for a reminder.

Again, this flexibility of approach is important to enable employers to adopt an approach that suits its established methods of employee voice and communication channels.

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

We agree that the statement should be provided to existing workers on an annual basis as a minimum level of frequency. This approach would not prevent individual employers from communicating more frequently with workers about their right to join a trade union if they so wish.

**Question 7: Do you agree that a standardised frequency should apply to all organisations regardless of sector or size?**

Yes. Implementing a standardised frequency will be simpler for all employers to comply with and will ensure greater consistency and fairness in terms of how workers are treated in relation to awareness about their right to join a trade union. However, we do have some concerns about the capacity of smaller employers to fulfil this requirement and urge Government to consider their needs in terms of promoting additional awareness and education.

**Question 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?**

We would suggest this is through contracts of employment and for existing colleagues made available via intranet sites or notice boards.