

Obligation on employers to inform workers of their right to join a trade union:

Now coming into force in January 2027 (UK)

September 2026

The new duty on employers to inform workers of their right to join a trade union will now come into force on 1 January 2027, and not 30 October 2026 as previously indicated in the government's implementation timetable. We have updated our [October 2026 checklist](#) to reflect this latest development.

Key requirements

Form

The government will publish a standardised statement for employers to issue to workers, which they will only be able to amend to include any specific workplace information. As a result, no changes will need to be made to template contracts, Section 1 statements or other onboarding documentation. A draft of the statement has not yet been published.

Content

According to the government's [response](#) to the consultation, the statement will provide "clear, neutral information" on a worker's right to join a trade union. It will also include:

- a brief explanation of a trade union's functions
- details of any trade unions recognised by the employer and/or any statutory access agreements (where applicable), together with contact details for the unions. Where the listed trade unions do not apply to all workers, employers must specify the relevant staff group(s), grades or locations covered
- a summary of the statutory rights in relation to trade union membership

Employers must also either include a link to the Certification Officer's list of trade unions within the statement or provide a copy of the list alongside the statement. The Certification Authority is the independent authority with responsibility for maintaining a list of trade unions.

The statement will also clarify that trade unions may charge a membership fee.

Delivery

This new obligation applies to both new and existing workers.

For new workers, the statement must be delivered directly (e.g. by email, post or in person) at the same time as the Section 1 written statement of employment particulars, i.e. at the outset of the working relationship.

For existing workers, employers may provide the information either directly or indirectly. If provided directly, the statement must be re-issued annually by 5 April. Where an indirect method is used (e.g. by placing it on an intranet, digital platform or workplace noticeboard), employers must ensure that the statement remains continuously and reasonably available to workers. Employers must also issue annual reminders explaining that the statement is available and where it can be found.

If there is any change to the identity of the unions that have recognition or statutory access agreements, the statement must be reissued within one month of the change.

Frequency

Employers will need to issue the statement to all new workers from 1 January 2027 and ensure that all existing workers receive it by 5 April 2027. There must then be annual reminders, as outlined above.

Enforcement

The government's response confirms that this new duty will operate within the existing enforcement framework under the Employment Act 2002, i.e. if this information is not provided, and the worker is successful in a separate employment tribunal claim, they will be able to receive compensation of between two and four weeks' pay (subject to the statutory cap) – in the same way a worker can currently do this in relation to any other failure to comply with the information requirements in Section 1 of the Employment Rights Act 1996.

Practical considerations for employers

The revised implementation date means employers have one fewer change to address in October 2026. Furthermore, with the government providing the template statement to be issued to workers, there will not be as much for most employers to do before 1 January 2027, save to consider how they are going to provide this information to their workers (directly or indirectly) and what changes (if any) need to be made to their existing processes to reflect this. Employers with an existing trade union presence should ensure they have the necessary information available to allow them to include the specific workplace information in the statement.

Remember also that the government's aim in introducing these provisions (coupled with the new right for trade unions to access workplaces) is to raise awareness among workers of the role of trade unions, which in turn it hopes will lead to an increase in trade union membership and increased worker engagement in collective bargaining. As such, this new duty to inform workers should be viewed not simply as a compliance issue, but as part of the wider package of trade union reforms that is being introduced by the government.



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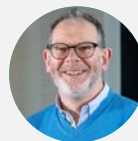
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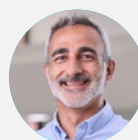
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