

Final stage impact assessment

Electronic and Workplace Balloting Phase 1

Title:

Type of measure: Secondary Legislation

Department or agency: Department for Business and Trade

IA number: DBT-095-25-CMRR

RPC reference number:

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1. Summary of proposal

1. The government committed in the Plan to Make Work Pay¹ to introduce trade union reforms to increase participation and modernise union operations, making it easier for members to vote securely and conveniently. They explicitly committed to “allow modern, secure, electronic balloting and workplace ballots, as political parties and listed companies use, while ensuring we maintain high standards of engagement and participation”.
2. ‘Next Steps to Make Work Pay’, published in October 2024², reinforced the government’s pledge, confirming the government’s intention to enable secure electronic voting and workplace voting for trade union statutory ballots following Royal Assent of the Employment Rights Bill.
3. The government is taking a phased approach to the delivery of electronic and workplace voting:

¹ [LABOUR'S PLAN TO MAKE WORK PAY - Delivering A New Deal for Working People](#)

² [Next Steps to Make Work Pay \(web accessible version\) - GOV.UK](#)

- a. **Phase 1:** We will deliver electronic balloting methods for the following statutory union elections/ballots: industrial action ballots, political fund / resolution ballots, union elections, and union merger ballots. We will also deliver workplace balloting for industrial action ballots.
 - b. **Phase 2:** In 2027, the government intends to allow for the use of e-balloting for recognition and derecognition ballots.
 - c. **Phase 3:** Ongoing work with input from stakeholders to assess implementation and scope potential enhancements to the electronic balloting and workplace balloting regime.
4. Under the proposed policy, trade unions will be permitted to use electronic balloting for all statutory ballots except for recognition and derecognition ballots conducted by the Central Arbitration Committee (CAC), either as a fully online (“electronic voting”) method or as a hybrid voting method (online and postal). Postal balloting will remain a permitted option in all cases. Unions may choose to use a single method or a combination of methods within a ballot, subject to meeting the statutory requirements. For CAC ballots, postal and workplace voting will remain available until further reforms are introduced in Phase 2.
 5. Additionally, physical workplace voting will be permitted for statutory union industrial action ballots. However, workplace voting will not be introduced for other types of statutory union ballots.
 6. The intention of this policy is to improve union member access to statutory ballots with the potential of increasing ballot turnout to ensure trade union ballots continue to secure meaningful and relevant mandates, while reducing unnecessary cost burdens to unions. To use electronic or workplace balloting for statutory union ballots, the union will have to appoint an independent scrutineer to conduct the ballot on their behalf. This will ensure the integrity and security of the ballot conduct.
 7. The following table shows which methods will be permitted for each statutory ballot.

	Postal Balloting	Electronic Voting	Hybrid Voting	Workplace Voting
Industrial Action	✓	✓	✓	✓
Union Elections	✓	✓	✓	✗
Political Fund / Resolution	✓	✓	✓	✗
Union Merger	✓	✓	✓	✗
Recognition / Derecognition ³	✓	✗	✗	✓

³ The Central Arbitration Committee has sole discretion over the method or combination of methods used for individual statutory recognition or derecognition ballots. Workplace voting is already permitted for these ballots.

8. The addition of new voting methods to be permitted for statutory union ballots, and the specific details of what is allowed are to be set out in secondary legislation accompanied by a code of practice. This impact assessment is an update on a previous impact assessment published in October 2025⁴, before the introduction of this measure was split into two phases, and provides a high-level appraisal of the final policy position for Phase 1 of the reforms. As mentioned, Phase 1 enables additional voting methods for most statutory trade union ballots but does not extend electronic balloting to statutory recognition and derecognition ballots conducted by the CAC. This will be addressed in Phase 2, which is expected to go live in 2027. The requirement that scrutineers can only be appointed to conduct ballots using the new methods if they are named in the 1993 Order⁵, set out in the previous impact assessment, has been removed. These changes are not expected to materially affect the cost estimates set out in the previous impact assessment.

2. Strategic case for proposed regulation

What is the problem under consideration?

9. At present, postal voting is the only method permitted for most statutory ballots by trade unions. These are statutory ballots and elections conducted under the Trade Union and Labour Relations (Consolidation) Act 1992 (“the 1992 Act”). These cover statutory ballots for:
- a. Industrial action
 - b. Trade union National Executive positions, including General Secretary and President (unless exceptions apply).
 - c. Decisions on mergers (transfers and acquisitions).
 - d. Political Fund Resolution ballots, required for a union to set up a political fund.
10. The current legal requirement for predominantly postal-only voting is increasingly seen as outdated and restrictive. The main issues are:
- High cost: Unions must cover the full cost of printing, distributing, and returning postal ballots. 1st class stamps can cost between £1.80 – £3.30 and 2nd class stamps £0.91 – £1.55⁶.
 - Postal reliability: Recent postal reforms from Royal Mail means that as of July 2025, 2nd class letters and standard bulk business letters are to be downgraded to a three-day delivery aim⁷, hence any delays could inhibit the number of ballot returns that meet the vote deadline. Research from Citizens Advice finds that the reliability of the Post Office services is in decline⁸.

⁴ [Electronic and Workplace Balloting Impact Assessment](#)

⁵ The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993

⁶ [Royal Mail stamp prices to rise from April – how to beat the hike](#)

⁷ [Letter deliveries are changing to deliver a better all-round service | Royal Mail Group Ltd](#)

⁸ [Post - the state of the sector in 2023 - Citizens Advice](#)

- Low turnout: Postal ballots often result in low participation, particularly among younger and more mobile workers.
- Limited accessibility: Postal voting may disadvantage members with limited access to reliable postal services (such as those with mobility issues, living in rural areas, or working offshore/overseas or away from home for extended periods) or those who move frequently. According to the English Housing Survey 2023/24, 1 in 5 private renters have a tenure of less than one year⁹.
- Technological lag: The law does not reflect modern, secure digital voting technologies that are widely used in other democratic processes. E-balloting has been used for political party leadership elections in the UK¹⁰, and for corporate AGMs¹¹.

11. These concerns were echoed in the 2017 independent review of electronic balloting, led by Sir Ken Knight¹². The review concluded that electronic balloting could be introduced securely and recommended a phased implementation, beginning with non-statutory pilots.

Why is government intervention necessary?

12. The government legislates to extend balloting methods for reasons of efficiency and equity.

- a. Allowing different voting methods to be used in statutory union ballots will improve the ease of voting for workers which could increase turnout. This will help in enabling a stronger worker voice through unions.
- b. Stronger collective voice can lead to improved equity for workers by rebalancing power between workers and employers. The government is uniquely positioned as TU requirements are set out in legislation.
- c. Being able to use e-balloting will reduce costs, enabling unions to have more resources for other members, improving efficiency through better resource allocation.

13. There are no other modes of voting permitted for statutory union ballots (except for workplace balloting for statutory union recognition or derecognition ballots) other than postal. Postal voting is costly for unions because they must cover both the mailing and return costs, as ballots must be free for voters to send back. Unions may hold multiple industrial action ballots each year, alongside statutory elections for Executive members such as the General Secretary and President—typically at least once every five years, unless exceptions apply¹³. For unions, conducting ballots for the entire membership or significant subgroups can incur substantial costs. Political fund and union merger ballots are ad hoc, occurring only when members express interest in establishing or changing a political fund or merging with another union.

⁹ [English Housing Survey 2023-24: rented sectors - GOV.UK](#)

¹⁰ [Conservative leadership: What are the rules and how is the winner chosen? - BBC News](#)

¹¹ [Notice for Sainsburys PLC 2025 AGM](#)

¹² [Electronic balloting for industrial action: Knight review - GOV.UK](#)

¹³ [Trade Union and Labour Relations \(Consolidation\) Act 1992,](#)

14. Postal voting is heavily contingent on a functional postal system (to ensure that voting papers are sent out to the right people, votes are sent back, and that there is minimal risk of tampering or interference in transit). There is no guarantee that members update their home address when it changes, thereby inadvertently disenfranchising themselves. Though there is also a risk of members not updating their email addresses after changing them, this could be mitigated by using a combination of ballot methods such as electronic voting and postal or hybrid voting.
15. Postal voting also has potential negative environmental effects¹⁴, though these can be lessened by using sustainable materials. Evidence suggests that the environmental cost of post is higher than that for e-mail¹⁵.
16. E-balloting is considered to offer a higher level of security to postal balloting (as it will require encryption, robust process design and comprehensive auditing) and has been used in other significant ballots, such as political party leadership elections and high-level ballots by large corporations.
17. For the aforementioned reasons, it is fair and reasonable to allow electronic voting for statutory union ballots. This would reduce costs, time, and theoretically make voting easier for members, which could increase voter turnout.
18. Workplace ballots have been used in statutory recognition ballots commissioned by the CAC. They can in some specific circumstances such as a single workplace that workers need to attend to work make it easier for workers to participate. However, the costs of running such a ballot are generally higher, according to ballot providers.
19. The government believes strong collective bargaining rights and institutions are key to tackling problems of insecurity, inequality, discrimination, enforcement and low pay. When workers are empowered to act as a collective, they can secure better pay and conditions. The government also wants to help unions to represent their members' interests in the workplace, provide independent worker voice to employers and enable unions to fully represent their members in collective disputes. By improving access to and accessibility of the balloting process, this policy could encourage higher voter turnout at statutory ballots, which could result in trade unions having stronger mandates to pursue their members' interests.
20. Legislative change using the powers set out in Section 54 of the Employment Relations Act 2004 is required to amend the 1992 Act to enable a wider range of methods to be used for trade union statutory ballots. Therefore, it is not possible to achieve the policy objectives through non-regulatory change.

¹⁴ [Royal Mail - LCA Technical Report.pdf](#)

¹⁵ [Ecotricity Explains: The environmental impact of a letter | Ecotricity](#)

What are the potential risks of non-intervention?

21. Should the government not intervene, then the failure of restrictive legislation imposing costs on unions and contributing to accessibility difficulties and potentially under-participation in statutory union ballots could persist.
22. Since unions are democratic and led by their members, limiting statutory ballots to postal voting may prevent these ballots from accurately reflecting members' views. For instance, evidence suggest that less frequent post users, including younger adults prefer to interact online, and would only engage with post where they had to¹⁶.
23. When union members vote, they contribute to collective bargaining power and ensure membership representation. When too few members vote then this can lead to unrepresentative decisions that do not reflect the majority's preferences. As industrial action ballots can only currently provide a mandate for action when a minimum turnout threshold of 50% is met, under-participation due to non-engagement with postal services could mean workers fail to gain a mandate for action even if there is broad support. For some groups of union members, such as those with disabilities, mobile and offshore workers and young and lower income workers in rental accommodation, postal ballots may make participation more difficult.
24. Unions will continue to have to pay higher costs for statutory ballots, which would reduce the resources available for other services and representation activities for their members.

3. SMART objectives for intervention

25. The aims of this policy are to:
 - Modernise the statutory framework for trade union democracy and improve accessibility and participation.
 - Reduce the administrative costs for unions in statutory ballots.
26. The intended outcomes of the intervention are to:
 - Improve accessibility of the balloting process, which in turn will potentially increase ballot turnout.
 - Strengthen collective worker voice by making it easier to vote in statutory union ballots and enable unions to reduce the resources spent on statutory ballots. This will lead to stronger representation and increased bargaining power, helping to more fairly balance the interests of workers, capital and the wider public.

¹⁶ [UK Postal User Needs: Qualitative Research Report](#)

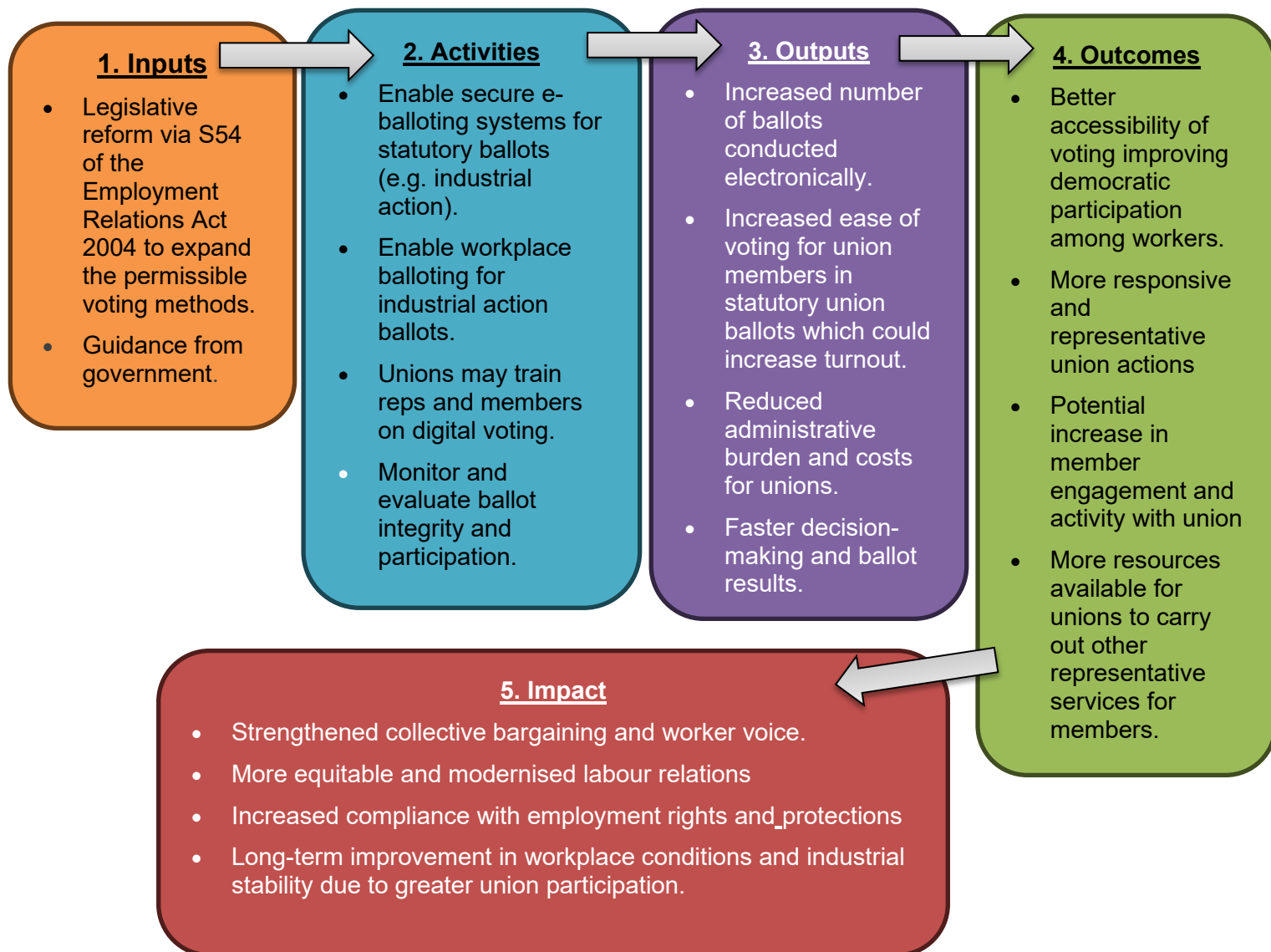
4. Description of proposed intervention and explanation of the logical change process whereby this achieves SMART objectives

27. The proposed policy is to introduce:

- Electronic balloting (e-balloting) as an optional method for statutory union ballots (except for recognition and derecognition ballots overseen by the CAC) in both an electronic voting form (where distribution and return of the ballot is electronic)', and a 'hybrid' voting form (where distribution is by post, but return can be by post or electronic). Use of electronic methods for union ballots, as an alternative to post, will be at the discretion of the "Responsible Person" within the union.
- Workplace balloting as an optional method for industrial action ballots (when voluntarily agreed with the employer).

28. The new optional methods for balloting meet the government objective of improving the living standards of working people by increasing the collective worker voice. They do this by making it easier for union members to participate in statutory ballots by increasing the methods available to unions to conduct ballots. Unions will therefore be able to choose the method or methods most likely to enable members to vote, including using modern online technologies which are increasingly the usual communication method for working people.

Theory of Change Diagram



5. Summary of long-list and alternatives

29. Several potential policy options have been considered and not taken forward as they would not achieve the policy aims, for the following reasons.

a. On **workplace balloting**:

- i. *Retaining the ban on workplace ballots for industrial action ballots* – this was discounted as workplace balloting is set out in the plan Make Work Pay, thereby a manifesto commitment, and has been used for statutory union recognition ballots organised via the Central Arbitration Committee. Industrial action ballots would also, like recognition ballots, have specific relevance to an employer or workplace, and therefore workplace ballots could be appropriate.
- ii. *Permitting workplace ballots for all statutory union ballots* - Discounted as it was not considered appropriate to conduct workplace balloting for internal

union matters, such as union elections (e.g. executive elections), which are matters that are not relevant to the employer.

- iii. *Workplace balloting could be carried out using other technology e.g. voting machines, rather than a paper ballot* - Discounted at this stage as other technology could add to the risk level of workplace balloting – machines will require assurance of security etc. Increased security would also incur additional costs.
- b. On E-balloting:
- i. *E-balloting only permitted initially for industrial action ballots, and subject to a review before it is extended to other ballots* - Discounted as the policy priority is to extend e-balloting and its benefits for all statutory ballots, and there are no grounds for delaying use for other types of ballots if e-balloting is deemed suitable for industrial action ballots.
 - ii. *Ballots must only use one voting method: That is, if a ballot is conducted using e-balloting, only e-voting is permitted* - Discounted as balloting organisations have successfully conducted hybrid voting approaches, and hybrid forms of voting will increase the number of ballots for which e-balloting can be used effectively, while also enabling those who do not want to use e-balloting to participate, thereby increasing accessibility and flexibility for unions.
 - iii. *E-balloting is piloted on non-statutory ballots first* - Discounted as requiring unions to pilot e-balloting would be an unnecessary restriction on their ability to effectively engage with their members. Non-statutory ballots do not require unions to use independent scrutineers, so this would not be a like-for-like test or would impose an additional cost burden on unions. Some unions have already carried out non-statutory ballots online. The government is assured of the security of electronic balloting and are working with stakeholders through engagement and working groups.
- c. Ballot security:
- i. *Workplace and electronic balloting would be allowed in line with the preferred policy option but would not require a statutory independent scrutineer to run it* – The government believes that it is important that the voting method used in statutory ballots minimises the risk of unfairness and malpractice and remains confidential (as set out in Section 54 of ERA 2004). Without a scrutineer, these two standards are not guaranteed to be met.
 - ii. *Electronic balloting to have higher and more stringent security requirements than the cyber security level of the balloting done for political parties* - Discounted as MWP committed to allowing unions to use electronic balloting in line with that which political parties (for leadership or executive elections) and listed companies use. It does not seem appropriate or justified to legislate for a higher-level security for e-balloting for trade union ballots.

Small, micro and medium businesses in scope

30. This proposed reform will primarily impact trade unions and their members. Trade unions are primarily small and micro businesses. DBT analysis of trade union expenditure on

wages and employee numbers from their annual returns to the Certification Officer indicates that nearly all the 86 unions with under £5 million annual income would have less than 50 employees, with many having under 10. These organisations are expected to benefit from the policy because there will be some reduced costs for balloting, and increased ease of voting for their members in statutory ballots, therefore facilitating greater representativeness of their members' wishes. The reduced costs could help unions to develop their other membership services, where more resources can be allocated, or otherwise improve the value for money from subscriptions.

31. Any wider impacts on other small and micro businesses will depend on the impact of using alternative voting methods in statutory ballots on turnout and outcomes. There is no clear and consistent evidence yet that using these alternative voting methods will improve turnout or change ballot outcomes. Therefore, it is difficult to say what these indirect impacts would be. It is estimated that over 90% of micro employers and those with 10–19 workers have no union members, and more than 80% of employers with 20–49 workers also lack union presence. As a result, non-union micro and small employers are unlikely to face significant direct effects. Alternative voting methods could increase worker participation in industrial action ballots, which if resulting action occurs possibly leads to spillover impacts – particularly when employers and employees remain in dispute. However, this would reflect ballot outcomes that more accurately represent member preferences.

Medium businesses in scope

32. The proposed reform primarily impacts trade unions and their members. Most of the remaining trade unions, which are not small or micro businesses, are medium sized employers, based on the same analysis of employee numbers and wages data. Only very few unions with the highest membership and highest income have 500 or more workers. These unions are likely to benefit in similar ways as the smaller unions, likely gaining more as the difference between postal and e-balloting costs will be greater.
33. As suggested, it is not clear whether other medium sized employers will be impacted. Medium-sized employers will be more likely to have union presence and recognised unions, with unionisation broadly correlating with employer size. Potentially, these employers might be more likely to be impacted directly if alternative voting methods increase voter turnout in industrial action ballots leading to unions winning a mandate for action, but there is no clear and consistent evidence that this will be the case. Other possible impacts from alternative voting methods affecting outcomes in other statutory ballots would be even more speculative.

6. Description of shortlisted policy options carried forward

Do-nothing

34. The do-nothing option would continue with the current postal-only balloting system as set out in the 1992 Act, which provides that a postal vote is required for statutory union ballots and elections, including industrial action ballots, union elections, union mergers, and political fund ballots.

Preferred Option

35. The preferred policy option intends to permit the use of electronic balloting for all statutory ballots except CAC recognition and derecognition ballots and to extend the use of workplace balloting to industrial action ballots.

36. This policy will allow for two forms of e-balloting:

- a. Electronic voting. Under this form, the ballot is provided entirely in electronic format, containing all the necessary information that would traditionally appear on a paper ballot. Ballots are delivered via email or telephone message to the personal email address or mobile telephone number provided by the voter as suitable for receiving ballot communications.
 - i. To cast their vote, the voter accesses a secure online platform using the details provided in the email/phone message. This platform is managed independently by a qualified scrutineer appointed to oversee the electronic vote process. The voter then submits their response electronically through the platform. This electronic voting approach offers a modern, efficient, and environmentally sustainable alternative to traditional voting methods. It simplifies the voting experience for members who prefer digital communication and ensures that the process remains secure and compliant with statutory requirements.
- b. 'Hybrid' voting. Under this form, each voter will receive a paper ballot delivered by post. The ballot will include an electronic internet return option (e.g., login credentials that provide access to a secure online voting platform operated by an independent scrutineer). Voters may choose to vote by marking the paper ballot and returning it via prepaid post, or by logging into the online platform offered by the scrutineer to cast their vote electronically.
 - i. This hybrid approach preserves the familiarity and reliability of postal voting while offering a modern, secure, and accessible alternative. It empowers voters with greater flexibility in how they participate, potentially increasing turnout and engagement in democratic processes.

37. The policy will also permit workplace balloting (for industrial action ballots only) – voters cast their vote in the workplace, via physical ballots, with balloting arrangements pre-agreed between the union, employer, and scrutineer. This option stipulates that workplace balloting can only be done on a voluntary basis, only upon agreement between union and employer on the logistics and arrangements of the ballot.
38. Any use of electronic and workplace balloting for statutory union ballots can only be conducted using an independent scrutineer who meets the requirements of, or is named in, the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993 who has been instructed by the union to conduct a statutory ballot. This is an expansion of the requirement for postal ballots, where for industrial action ballots only those of over 50 people require the use of a statutory independent scrutineer (though evidence suggests unions also tend to use them for smaller ballots).
39. In accordance with section 54(5) of the Employment Relations Act 2004, postal voting remains a permissible method for all statutory ballots. In the new flexible framework postal voting becomes one of several permitted methods. This will allow unions to adopt a hybrid approach, using postal voting for members without internet access and electronic and/or workplace voting.
40. As the reforms are being made using powers under section 54 of the Employment Relations Act 2004, the following required standards for these statutory ballots remain in place:
- a. All those entitled to vote have an opportunity to do so.
 - b. Votes casted are secret.
 - c. The risk of any unfairness and malpractice is minimised.
41. The proposed reform will primarily affect trade unions and their members. Most unions are small and micro businesses. These unions are likely to have lower incomes than unions with larger memberships, as membership subscriptions generally comprise the largest part of the unions' total annual income. These smaller unions may benefit less than larger unions, as the difference between the costs of postal and electronic balloting will be less, and they will be required to hire an independent scrutineer where such requirements are not needed for postal industrial action ballots with fewer than 50 people. However, it could still represent a financial benefit which could be proportionate with their overall income. There is also a benefit from unions in facilitating their members to participate in statutory ballots.
42. Medium sized unions and their members are also likely to benefit from the proposed reform as discussed previously.
43. It is difficult to speculate on any impacts on non-union micro and small businesses. They are much less likely to have union members in their workforce and have recognised

unions than larger employers¹⁷. Therefore, these businesses are much less likely to experience any direct effects. Generally, one purpose of the policy is to make it easier for union members to participate in statutory union ballots. If this increases turnout in some industrial action ballots and this leads to unionised workers winning a mandate for industrial action, and there is industrial action there could be indirect impacts on small and micro businesses, primarily depending on if there are spillovers to the wider economy. However, this would partly be a consequence of the newly available voting methods. As indicated previously, there is no consistent evidence of an uplift in turnout in statutory ballots from alternative voting methods.

44. Non-union medium sized businesses could be similarly affected if there were circumstances where using alternative voting methods led to unions winning a mandate for industrial action. Such businesses would be more likely to be affected directly, based on levels of unionisation – though this is only one factor in whether employers and workers are likely to be in dispute. It is possible that if unions are able to use the additional resource available from lower statutory ballot costs to improve representation in the workplace, then this could make potential employer benefits from union representation more likely.

¹⁷ DBT estimates from Management and Wellbeing Practices Survey 2018 data that under 5% of micro employers and employers with 10 to 19 workers have any recognised unions. This rises to 16% for employers with 20 to 49 workers.

7. Regulatory scorecard for preferred option

Part A: Overall and stakeholder impacts

(1) Overall impacts on total welfare		Directional rating
Description of overall expected impact	<p>Trade unions are likely to see reduced costs since e-balloting is cheaper than postal balloting. Workplace balloting is more expensive, though more likely to be used only when it is considered that it may facilitate increased voter turnout and be free from employer interference. Easier voting methods may encourage more members to vote, leading to higher participation.</p> <p>Where alternative ballot methods lead to increased likelihood of voting, stronger collective bargaining power may materialise, potentially giving rise to improved working conditions.</p> <p>It is possible that participation in voting could lead to some union members becoming more active within the union, which might strengthen worker voice.</p> <p>Scrutineers may see increased operational efficiency since e-balloting is cheaper to deliver than postal methods.</p>	<p>Positive</p> <p>Based on all impacts (incl. non-monetised)</p>
Monetised impacts	<p>Annual benefit to trade unions from paying reduced fees to scrutineers for some level of e-balloting rather than pure postal ballots ranges from £2.0m to £8.2m, depending on the extent to which trade unions opt to utilise or are able to use e-balloting.</p> <p>Estimated NPSV ranges from £17.6 million for (25% e-balloting) to £70.3 million (100% e-balloting).</p>	<p>Positive</p> <p>Based on likely £NPSV</p>
Non-monetised impacts	<p>By introducing more modern methods of voting in ballots, the policy may lead to an increase in voter turnout at union ballots. Increased turnouts mean more workers are exercising their voice and collective bargaining power is strengthened through more relevant and representative mandates being voted in. This could lead to improved worker conditions – pay, hours, benefits etc. – which can improve individual welfare.</p>	<p>Positive</p>

	<p>Employers could gain benefits from having a more active collective worker voice in the workplace, such as better worker retention and productivity.</p> <p>If trade unions opt to take up more e-balloting, they will reduce their outgoing costs as well as possibly increasing voter turnout, both of which are beneficial to the union. This will enable unions to devote more resource to other representative services for their members.</p> <p>We do not expect the use of alternative balloting methods to affect scrutineers' margins – as it will likely reduce operational costs of running a ballot.</p>	
Any significant or adverse distributional impacts?	We do not expect this policy to have any significant or adverse distributional impacts beyond increasing worker voice for union members who currently face obstacles in participating in a postal ballot, such as younger workers or those with disabilities.	Uncertain

(2) Expected impacts on businesses

Description of overall business impact	Trade Unions will likely see a reduction in the cost of running a ballot when using e-balloting. The extent to which they experience savings depends on the size of the union and the ballot, and the extent to which they utilise e-balloting (i.e. how much of a mix between postal balloting and e-balloting). Workplace balloting will in most cases be more expensive than postal and so will likely only be taken up in cases where the union is confident it will increase voter turnout.	Positive
Monetised impacts	We estimate that the Business NPV ranges from £17.6 million to £70.3 million based on the estimated reduced costs from using different amounts of e-balloting when conducting statutory ballots.	Positive Based on likely business £NPV
Non-monetised impacts	Familiarisation costs are likely to be small or negligible. Scrutineers already offer electronic balloting so will likely not require further training. However, independent scrutineers will have to be successfully audited, within a 1-year period, by an independent auditor against the Cyber Essentials Plus standard (or equivalent), and the method of electronic balloting offered will need to meet the security standards of the legislation. This may add a cost to scrutineers, though most indicate that they already	Uncertain

	<p>meet the Cyber Essentials Plus standards so they could already be audited (it would likely be a business selling point). Businesses may face a small cost with workplace balloting, due to having to provide some space for the balloting, though the take-up of this option is expected to be very low, due to higher costs and the employer interest in influencing the outcome of industrial action ballots. Workplace balloting will also be voluntary, so it will be the choice of the business whether to bear this cost. For trade unions there will be some familiarisation costs, though many will use some e-balloting already. Unions are likely to be working to ensure, where possible they have non-work e-mail and postal addresses to ensure they are able to adhere to the requirements on conducting electronic voting (namely that the e-ballot cannot be sent to a workplace email address).</p> <p>Other impacts depend on the extent to which workers decide to vote for industrial action and other trade union mandates, and how that develops into increased collective bargaining. There is no clear evidence that there will be a consistent positive impact on turnout in different statutory ballots. Predominantly, other factors will be more important than the method of balloting for industrial action ballots, though there may be some cases where difficulties with postal balloting has affected turnout.</p> <p>Businesses can gain benefits from having an active collective worker voice in the workplace, with analysis suggesting this can range from better worker retention, reduced costs from individual workplace problems, reduced workplace inequality, improved worker training and productivity.</p> <p>Strengthened rights and worker terms and conditions may incur a cost for employers.</p>	
<p>Any significant or adverse distributional impacts?</p>	<p>Most trade unions are small or micro businesses and will benefit from having the option to use more balloting methods for statutory ballots – as they can reduce the costs for balloting, so they have more resource for other worker representative activities, and they can choose approaches that make it easier for workers to participate in elections.</p> <p>It is likely to make it easier for mobile and offshore workers to participate in elections and could help facilitate participation for largely younger workers in private rental</p>	<p>Positive</p>

	accommodation who have to move frequently (as discussed in Paragraph 11).	
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(3) Expected impacts on households

Description of overall household impact	The policy will primarily make a difference by increasing the resource available to unions for other representative services for their members – which will benefit working people who are members of unions – and maybe other workers where the resource is used to increase recruitment and organisation in new workplaces. The proposed policy will also make it easier to participate in statutory union ballots – which could lead to increased voter participation, which could lead to a stronger democratic mandate for union activities – which are aimed at benefitting workers.	Positive
Monetised impacts	We have not monetised any potential impacts for households.	Neutral Based on likely household £NPV
Non-monetised impacts	These have been covered earlier in the document and will mainly come from additional resource devoted to union representative activities for their members. Depending on whether the different balloting methods lead to increased turnout, and possibly some increased union activism, there could be other benefits to workers resulting from increased democratic mandate for unions and increased union workplace representation.	Positive
Any significant or adverse distributional impacts?	There are potential distributional impacts. Union members who currently face obstacles in participating in a postal ballot, such as those with disabilities who struggle to access post office services or renters who move around often and may not update their address in time, may be more likely to vote via an e-balloting method. This would amplify the worker voice for these types of workers, improving the relevance of the union's mandate. Short-term renters tend to be younger, and workers with disabilities tend to have lower earnings, so they may experience positive distributional impacts from a modernised balloting method.	Positive

Part B: Impacts on wider government priorities.

Category	Description of impact	Directional rating
<p>Business environment:</p> <p>Does the measure impact on the ease of doing business in the UK?</p>	<p>The primary impact of the proposed reforms is likely to be the reduction in costs of conducting statutory ballots for trade unions. They should also make it easier for union members to participate in ballots, which may result in increased turnouts and increase the democratic mandate for the outcome of the vote (although there are a range of factors that will determine voter participation, of which relative ease of voting is only one).</p> <p>This is unlikely to have a significant impact on the business environment. Other reforms to trade union regulations as part of Make Work Pay are likely to have more impact in areas like unionisation and industrial relations.</p>	<p>Neutral</p>
<p>International Considerations:</p> <p>Does the measure support international trade and investment?</p>	<p>The proposed policy does not impact international trade as it is compliant with international obligations and does not have any implications for trade partners or foreign businesses operating in the UK.</p> <p>Furthermore, the preferred option will not introduce requirements for foreign-owned companies that go above and beyond those which are UK-owned.</p>	<p>Neutral</p>
<p>Natural capital and Decarbonisation:</p> <p>Does the measure support commitments to improve the environment and decarbonise?</p>	<p>The environmental effects of this policy are considered to be positive.</p> <p>Positive effect: The use of e-balloting is expected to lead to a reduction in physical paper use for voting papers and envelopes under the existing postal balloting method. Printing paper ballots is significantly more energy intensive than sending email ballots, and produces greater levels of CO₂.^{18,19} E-balloting is also expected to lead to a reduction in the need for physical post (and therefore the emissions associated with postal delivery lorries</p>	<p>Supports</p>

¹⁸ <https://emvide.com/email-vs-printed-letters-which-is-greener/>

¹⁹ *The Energy Saving Trust sets out that a standard text email has a footprint around 4 g CO₂, rising to ~19 g CO₂ if it includes a large attachment. In contrast, a paper letter (in a standard envelope) is about 29 g CO₂ when you account for the paper, envelope, ink, printing, and postal delivery. So, a mailed ballot (which might include multiple pages and a return envelope) easily emits tens of grams of CO₂ – an order of magnitude more than a typical electronic submission*
<https://www.ecotricity.co.uk/our-news/2025/ecotricity-explains-the-environmental-impact-of-a-letter>

	<p>and vans) to be transported around the UK as ballots are issued and/or returned electronically.²⁰</p> <p>Use of workplace ballots is expected to lead to a reduction in the need for physical post to be transported around the UK as ballots are returned in person at the workplace. There would still be some paper required for a workplace ballot vs an electronic ballot. But this is expected to be a significant reduction on postal ballot requirements.</p> <p>Negative effect: Use of electronic or hybrid voting will require use of an electronic platform for ballots to be returned. This will lead to demand for server use, and associated energy expenditure (water cooling, and server operation) that will consume electricity that would not have been used under the postal balloting system.²¹ However total energy expenditure is expected to be lower under electronic or hybrid voting, than under the 100% postal system.</p> <p>These effects are considered to be permanent effects, with an increase in electronic use expected over time as unions better understand the process of calling electronic ballots and increase their database of personal email addresses for their members, thereby enabling greater reach of electronic ballots.</p>	
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8. Monitoring and evaluation of preferred option

45. There will be a post implementation review (PIR) five years after the policies have been commenced, in line with standard practice. We anticipate that there will be reasonably substantial use of electronic voting and hybrid voting during this period.
46. The PIR will aim to evaluate the policy against the outcomes and impacts from the Theory of Change model:

²⁰ In 2023/24, delivering a letter through the Royal Mail network emitted on average about 22 g CO₂. Royal Mail has relatively efficient delivery (over half of routes on foot or bicycle, and a large electric van fleet) which helps keep per-letter emissions low. However, sending out and receiving back one paper ballot (~2 letters per voter) would produce on the order of 40–50 g CO₂ just in postal emissions. By comparison, the electricity used to send an email (and for the recipient to read/submit it) accounts for only a few grams CO₂, especially given the UK's increasingly low-carbon electricity mix. <https://www.royalmail.com/sustainability/environment>

²¹ ⁸ <https://netzeroinsights.com/resources/data-centers-environmental-cost/>

- a. Implementation of alternative balloting methods – we are investigating methods of obtaining administrative or published data on statutory ballots that will enable us to monitor uptake of e-balloting and workplace balloting by unions in a timely manner.
- b. Improved democratic participation – measured via analysis of turnout trends and participation rates in statutory ballots based on data collected.
- c. Impact on union costs and resources, participation and representativeness – some analysis of ballot data, but also gathering evidence from unions and members, through consultation and/or research.

47. We can evaluate the impact of introducing alternative voting methods—especially where data is limited—by consulting stakeholders such as unions, members, and independent scrutineers. This assessment will cover costs, service viability, operability, and potential voting issues like accessibility and security. Surveys of union members may also help assess policy impacts.

48. We will examine potential broader and unintended impacts, including cybersecurity or ballot security issues resulting from the policy change, by reviewing available information and consulting relevant stakeholders.

49. We will monitor industrial action ballot results and other ballot outcomes to identify any changes in turnout related to e-balloting and workplace balloting and assess the extent and manner in which these alternative methods have been implemented.

50. We will examine other data such as correspondence between the department and trade unions and scrutineers, or complaints to see if there are any emerging problems.

9. Minimising administrative and compliance costs for preferred option

51. The proposed preferred policy option introduces legislation that makes electronic and workplace ballots legal for trade unions to conduct – there is no obligation for unions to use these methods if they do not wish to. As such, administrative and compliance costs are negligible for trade unions, since they can opt to stick with the current postal balloting method and avoid the costs or administrative burden associated with the preferred option. Generally, the expectation is that running e-ballots would lead to reduced costs for trade unions.

52. As we understand it, most independent scrutineers already offer an e-balloting and workplace balloting service alongside postal balloting. They are likely to already meet the expected regulatory standards for ballot security.

Declaration

Department:

Contact details for enquiries:

Minister:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed:

Date:

Summary: Analysis and evidence

For Final Stage Impact Assessment, please finalise these sections including the full evidence base.

Price base year: 2025

PV base year: 2025

	1. Business as usual (baseline)	3. Preferred way forward (if not do-minimum)
Net present social value (with brief description, including ranges, of individual costs and benefits)	This is the no change option	Could range from £17.6m (25% electronic voting) to £70.3m (100% electronic voting), depending on the extent to which trade unions opt to utilise electronic voting over postal. Savings felt by trade unions through reduced charges by scrutineers due to significantly lower printing, postage and processing costs. Annual cost to trade unions could range from -£8.2m (100% e-balloting) to -£1.9m to (25% e-balloting).
Public sector financial costs (with brief description, including ranges)	N/A	None
Significant un-quantified benefits and costs (description, with scale where possible)	N/A	We have not monetised familiarisation costs. We would expect that unions and independent scrutineers (accounting for under 150 businesses) would familiarise themselves with the legislation, but that would be from of a position for most of already using or providing e-balloting and workplace balloting. Therefore, the costs would be relatively low (no more than the low £100,000s).

		<p>The evidence is not clear that allowing other methods of balloting for statutory union ballots will lead to a consistent increase in turnout. It will make it easier for union members to vote and may enable better mobilisation of the vote to help increase turnout, but these are only some elements that determine whether people vote. The reform has the possibility of increasing participation in statutory ballots such as elections for national representative posts and industrial action ballots, and increased participation could lead to more union members becoming active representatives. It is likely that for industrial action ballots the impact will be relatively marginal (as turnouts can be high, and difficulties with postal voting will only occasionally drive lower turnout).</p> <p>Reduced impact on the environment due to lower posting and printing – extent of reduction depends on the level of uptake of e-ballots/ workplace ballots.</p>
<p>Key risks (and risk costs, and optimism bias, where relevant)</p>	N/A	<p>Workplace balloting runs the risk of employers seeking to intervene, interfere or otherwise bias ballots that take place on the worksite.</p>
<p>Results of sensitivity analysis</p>	N/A	N/A

Evidence base

What evidence is there to support the problem statement?

53. Increased levels of voting help trade unions secure a democratic mandate for action. When turnout is high and results are clear, union leaders have a more transparent mandate for union policies, and a clearer direction on members' views in an industrial dispute. Where unions can demonstrate high levels of support among members (for instance for industrial action) employers are more likely to engage constructively to end the dispute. As mentioned, increased collective bargaining power can lead to improved worker conditions – pay, hours etc.
54. By introducing electronic and workplace balloting as permitted methods, the proposed policy reforms aim to make participation in union votes easier and more inclusive. This will likely reduce costs for trade unions and benefit union democracy.
55. It is difficult to precisely estimate the impact of the availability of electronic balloting for statutory trade union ballots – as until now such an approach has not been available. There is also a range of factors that can affect turnout in a ballot in addition to the method used. Where unions have used hybrid methods (post and online) or e-balloting for non-statutory ballots, they have shown that e-balloting can substantially increase the rate of votes received. However, clear and consistent evidence that e-balloting or workplace balloting will lead to a general increase in turnout relative to postal voting in ballots of workers is not available. E-balloting can enable scrutineers to digitally re-contact those entitled to vote who have not yet voted, to remind them of their opportunity to participate. Many of the larger unions report that they predominantly use e-balloting for non-statutory ballots, and members often complain about not being able to vote digitally in statutory ballots. E-ballots would help to increase accessibility to workers who work long periods away from home (offshore, construction, scientific work, seafarers etc).
56. The proposed policy will enable unions to use e-balloting options for union executive elections, political fund ballots, union merger ballots and industrial action ballots, and workplace ballots for industrial action ballots. The aim is to facilitate union members' engagement with the ballots, increasing voter turnout, and strengthening the democratic mandate of unions in practice. This would increase the bargaining power of trade unions (through increased leverage in industrial disputes) and could encourage more membership participation. The CIPD²² and NIESR²³ literature reviews suggest that unionised workplaces with active participation see better employee welfare and employer performance, especially where relationships are built on mutual gains.

²² [Collective employee voice: Recommendations for working with employee representatives for mutual gain \(cipd.org\)](https://www.cipd.org)

²³ [Microsoft Word - 1 WERS lit review new format RS.docx \(niesr.ac.uk\)](https://www.niesr.ac.uk)

NPSV: monetised and non-monetised costs and benefits of each shortlist option (including administrative burden)

57. We present our estimates in terms of present value costs for this period for business (NPV) and equivalent annualised net direct costs to business (EANDCB). All impacts are given in 2025 prices and use 2025 as the base year for the present value calculation.
58. We have attempted to monetise the costs and benefits where possible. For some stakeholders where the data is not available (such as households) we provide a qualitative assessment of impacts in later sections. Where the detail of the reforms will be considered at a later stage, a further impact assessment of the detailed proposals will take place at that stage.

Ongoing costs

59. This policy primarily affects trade unions, scrutineers, and households. We do not have the data to monetise household costs/benefits since they depend on the rate at which union members will choose to vote, and the impact on worker-employer negotiations.
60. We cannot monetise the impact on scrutineers – we do not know the extent to which a change in balloting methods will affect their profit margins if at all. E-ballots will be charged at a lower rate than postal ballots, particularly for larger ballots, which means less revenue, but this is linked with significantly lower operating costs. Monetisable trade union impacts centre around the cost charged to unions for the various ballots that they may run during a given year.
61. Workplace ballots may have a small cost for employers, as there may need to be a space provided for voting that the employer can't access during the balloting process, and scrutineers would need to be allowed in to conduct the ballots. However, there are unlikely to be many workplace industrial action ballots. The cost of running a workplace ballot is likely to be high, especially when involving multiple workplaces. There can also be issues around ensuring everyone entitled to vote can participate – as some may not regularly attend the workplace or be able to attend the workplace during the period the ballot is open, for example, due to shift work or sick or maternity leave. Unions and scrutineers also identified the risk of employer interference in workplace ballots. Employers will also have to agree to allow workplace industrial action ballots, in line with the requirements of the code of practice, so if such ballots do proceed it will be the choice of both the union and employer.
62. For all ballots, we calculate the cost where trade unions use 100% postal and 100% electronic voting online. We then estimate a range of costs/benefits by adjusting the mix of online/postal ballots – 25%, 50%, 75% 100% online. Trade unions will be able to choose which form of e-balloting they wish to use and how much they wish to use it. Whilst it is unlikely that they will opt to use 100% electronic voting from day 1, since this would require having access to the entire membership's personal email addresses or telephone

numbers, we use 100% electronic voting to represent the upper bound on what expected costs and savings could be.

63. The monetisation approach is set out in brief in this section, but more detailed workings are provided in the Annex.
64. For industrial action ballots, we use trade union annual returns data for 2018, 2019, and 2021 (2020 excluded due to the pandemic; 2022 and 2023 data are available but are excluded due to cost-of-living crisis having distorting effects on the frequency of ballots). We estimate the average annual number of ballots by ballot size based on number of members balloted (<11, 11-50, 51-100, 101-150, 251-500, 501-1,000, 1,001-10,000, 10,001–100,000, and >100,000). We then estimate the average number of workers balloted by ballot size. We estimate the cost per balloted worker data from broad cost estimates provided by scrutineers and unions and apply these rates to the number of ballots in each range times the average number of workers. We do this for both postal and e-ballot costs.

For example:

- a) Average annual number of ballots where 501-750 workers balloted: 37
- b) Average number of workers balloted: 615
- c) Postal cost per worker (for ballots with <1000 balloted): £3.90
- d) E-ballot cost per worker (for ballots with <1000 ballots): £2.50
- e) **Postal cost** = $37 \times 615 \times £3.90 = \text{£}89,000$ (to nearest 0000)
- f) **E-ballot cost** = $37 \times 615 \times £2.50 = \text{£}57,000$ (to nearest 0000)

Using this calculation method, and applying to different sizes of ballot, we estimate industrial action ballots under the do-nothing option (i.e. pure postal) to cost £1.3m annually. Industrial ballots under e-balloting we estimate to cost from £0.7 million (100% use of e-ballot) to £1.1m (75% postal, 25% e-ballot).

65. Merger ballots take place when trade unions plan to merge either through a transfer of engagements or an amalgamation. The cost of merger ballots is calculated by collecting data on the size of transferring trade unions in merger ballots from 2015 to 2025. Based on Certification Annual Reports, we estimate that there were 15 merger ballots during this period. These are grouped by size, and we then calculate the frequency of merger ballots by ballot size and apply the cost per balloted worker rates. Given the relatively low number of ballots, generally involving transfers of engagements rather than mergers, the overall estimated cost per year is low, below £100,000 for both postal and e-ballots.
66. Executive ballots costs are calculated by first grouping all 126 currently active trade unions by membership size (less than 100 members, 100-1000 members, ..., more than 1m members) and then estimating the average number of members within these groups. We then estimate (from available union rule books) the average annual number of elections by union size – for General Secretary, President, and NEC ballots – and then times by the number of trade unions and average size, before applying the cost per balloted worker rates.

Estimated annual cost = number of unions x size of union x number of elections per year.

67. We estimate merger ballots and executive ballots under the do-nothing option to cost £9.0m annually. Under various forms of e-balloting, we estimate annual costs to range from £1.2m (100% use of e-ballot) to £7.0m (25% e-ballot, 75% postal). Figures to the nearest 100,000.

68. Political Fund Resolution ballots are very rare, so we have not estimated any impact from the introduction of other ballot methods for these types of ballots.

Summary

69. We have not monetised familiarisation costs, but we would expect them to be relatively low as primarily only trade unions and independent scrutineers would need to familiarise themselves with the policy change. Essentially both groups would be interested in familiarising with the proposed change as they would see it as a positive removal of a restrictive legislative barrier. Many Scrutineers already offer electronic balloting so will likely not require extensive familiarisation.

70. We have not monetised the impacts of being able to use workplace balloting for industrial action ballots. Stakeholders suggest that unions would primarily want to use workplace balloting where they felt it might improve turnout. However, employers would need to agree to a workplace ballot, and the scrutineer and unions would need to be content that employers would not try and induce or pressure those balloted to vote against action. Evidence on costs suggest workplace ballots would not necessarily be cheaper than postal ballots.

71. There are potential benefits to unions and their members of increased participation in ballots. This may help ensure that the union executives fully represent the views of their members and ensure the democratic validity of mandates. However, the impact on turnout of different ballot methods is difficult to clearly evidence.

72. We have monetised the potential reduced costs to unions of using e-balloting. This leads to the following estimated reduced annual costs where unions are able to use e-balloting for different percentages of ballot papers (25%/50%/75%/100%). This could be through a combination of different methods being used in the same ballot and different methods used for different ballots.

Table 1: Estimated annual benefit in reduced costs from being able to use e-balloting.

Ballot mix	Postal share	e-ballot share	Estimated annual reduction in costs (£million)
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Postal and e-ballot mix	75%	25%	2.1
Postal and e-ballot mix	50%	50%	4.2
Postal and e-ballot mix	25%	75%	6.3
100% Electronic Voting	0%	100%	8.5

73. The estimated ten-year Net Present Social Value and equivalent annual net direct costs to business are estimated as follows.

Table 2: Estimated Net Present Social Value and Equivalent annual net direct costs to business.

Ballot mix	Postal share	e-ballot share	NPSV (£ million)	EANDCB (£million)
Postal and e-ballot mix	75%	25%	17.6	-2.0
Postal and e-ballot mix	50%	50%	35.2	-4.1
Postal and e-ballot mix	25%	75%	52.7	-6.1
100% Electronic Voting	0%	100%	70.3	-8.2

74. It is expected that unions would struggle to move to 100% e-balloting immediately. This is because not all members have provided e-mail addresses or mobile telephone numbers, and of those that have some have provided work e-mail addresses. Over time, unions are planning to improve the membership e-mail address information, to make it easier to use e-balloting for the whole membership. However, it is likely that some form of hybrid voting would be the default option once this policy reform has commenced.

Costs and benefits to business calculations

75. As part of the business community, trade unions will benefit from the introduction of e-balloting and workplace balloting for statutory ballots in two ways:

- a. They will be able to reduce the cost of balloting by some amount each year (as shown in Table 2). This will give them additional resource that they can use to provide other representation services to their members.
- b. They can select balloting methods that they can expect to maximise voting opportunity for the members being balloted and potentially have better information to improve their ability to encourage voting. Potentially, this could help increase turnout in statutory ballots. This could help strengthen the democratic mandate of the union leadership and the union's negotiating position in disputes.

76. Scrutineers' margins are unlikely to decrease; cost differences mainly result from varying operational expenses of each balloting method.

77. Scrutineers generally already provide e-balloting and workplace balloting services and therefore will not need to learn how to provide these services. They will need to demonstrate the security of their e-balloting systems with a regular independent audit by a qualified cybersecurity auditor. This might add to their costs, though they might already be audited to the required standard as systems security would be an important criterion for customers.

78. It is possible that the list of statutory independent scrutineers could be extended to enable providers specialising in these additional balloting methods. However, it is likely that the ability to carry out effective postal balloting would still be required for many ballots, especially in the early years post-commencement.

79. It is unlikely that the proposed policy and the lower cost of e-balloting would lead to more statutory ballots being conducted, increasing the demand for scrutineer services. The primary driver for unions to conduct ballots of their members will be the rules of union democracy, and evidence of members unhappiness with their employer offer in some way. Unions would generally try and establish the strength of feeling among their members in dispute, such as through non-statutory ballots which could also be used as leverage in negotiations, before taking the next step of balloting for industrial action, so any increase in statutory ballots due to lower costs is likely to be marginal at most.

80. Non-monetised costs for businesses will include costs related to familiarisation, though these are likely to be small or negligible. Scrutineers already offer electronic balloting to non-trade union customers, so will likely not require further training.

81. There will be a requirement for a regular (annual) audit for cyber security for ballot providers offering e-balloting for statutory ballots. It is clearly an important selling point for e-ballot providers that they have robust cyber security, and independent scrutineers claim that they do meet the current highest standards. Therefore, their systems may already be independently audited to the highest industry standard, and it would likely be a business benefit to have independent auditing on record.

82. For workplace ballots, employers would have to agree to provide scrutineers access to their workplace(s). There may be a slight cost to employers, in terms of building space being allocated to the ballot. However, there are unlikely to be many workplace ballots due to the costs and the potential for employer interference (or even the perception of such activity) to affect the outcome.
83. The proposed changes are aimed at improving accessibility to union ballots, facilitating higher union turnout. This will depend on whether union members are convinced of the benefits to them of voting in union ballots. If the additional balloting methods led to increased turnout in industrial action ballots (currently very difficult to clearly evidence) and the higher turnout remains in favour, then this could increase the leverage of unionised workers in a dispute. This could potentially lead to better negotiated terms for workers, but also possibly more industrial action. If the ease of participating in union democracy helps to increase worker engagement, then there could be potential mutual benefits for workers and employers. The CIPD Collective Worker Voice report²⁴ referred to in paragraph 56 suggests that there are potential benefits to employer performance as well as employee welfare benefits where employers engage cooperatively with unionised worker voice. NIESR's literature review²⁵ on research into union impacts indicates that benefits for employers are more likely to be realised where there is employer goodwill or where employers and unions have 'mutual gains' relationships.

Impact on small and micro businesses

84. According to data on employee numbers and wages contained in union annual returns to the Certification Officer, it is clear that most unions are small or micro businesses. Only very few are large employers. Unions of all sizes will potentially benefit from lower balloting costs for statutory ballots, and potential benefits from higher participation in ballots (which could lead to higher member engagement, according to anecdotal evidence from Ireland).
85. Independent scrutineers and ballot providers generally cater for e-ballots and workplace ballots as well as postal ballots. While the revenue for different ballot methods will vary as the operational costs vary, there is no evidence that these companies would necessarily get a lower margin from e-balloting compared to post.
86. It is likely that scrutineers will charge a minimum level for e-ballots and the difference in operational costs for e-ballots compared to post will widen with the number of people balloted. Therefore, the associated savings previously mentioned are likely to be smaller for trade unions with smaller memberships. However, these unions will generally have lower incomes than larger unions, so the cost savings could proportionally be significant.

²⁴ [Collective employee voice: Recommendations for working with employee representatives for mutual gain \(cipd.org\)](https://www.cipd.org)

²⁵ [Microsoft Word - 1 WERS lit review new format RS.docx \(niesr.ac.uk\)](https://www.niesr.ac.uk)

87. We do not expect much direct impact on other businesses. Other trade union reforms resulting from Make Work Pay are likely to have more impact on unionisation of workplaces than the reforms to statutory balloting. The main potential effect is that the use of different balloting methods, primarily e-balloting, may increase voter turnout. As previously noted, this potential effect is difficult to clearly and consistently evidence. This could lead to more industrial action ballots providing a mandate for industrial action, while the 50% threshold is retained. There is a possible small impact if an employer agrees to a statutory ballot taking place in their workplace(s). These occurrences are likely to be rare.
88. Micro businesses and small businesses are much less likely to have union members in their workforce and have recognised unions compared to larger employers²⁶. They are therefore unlikely to be affected by the proposed changes considered in this impact assessment.

Costs and benefits to households' calculations

89. The potential savings to unions from the use of cheaper e-balloting would result in more resources available for other services representing their members. This will provide a benefit for union members. Evidence from the NIESR literature review of research into trade union impacts suggests more active workplace representation can help with workplace equality, terms and conditions and dispute resolution in the workplace²⁷.
90. By widening the available balloting options available for statutory union ballots, it is likely to benefit union members by making it easier to participate in elections of senior officials and industrial action ballots. If they then choose to participate due to ease of voting it could increase the representativeness of ballot outcomes. E-balloting can enable unions, where appropriately specified in advance of the ballot, to better support voter participation by allowing for pre-planned alternative voting routes (for example, the use of hybrid methods) if an electronic invitation cannot be delivered. There is also some anecdotal evidence that participation in ballots can lead to some more active participation in union activities (which could strengthen the union in the workplace) However, we do not have clear and consistent evidence that different balloting methods will lead to different turnout rates.
91. If turnouts do improve with e-balloting, this could result in some stronger mandates for industrial action, which could increase the likelihood of negotiating better terms and conditions.

²⁶ DBT estimates from Management and Wellbeing Practices Survey 2018 data that under 5% of micro employers and employers with 10 to 19 workers have any recognised unions. This rises to 16% for employers with 20 to 49 workers.

²⁷ [Nasr literature review of research into trade union impacts in the workplace \(niesr.ac.uk\)](https://www.niesr.ac.uk/literature-review-of-research-into-trade-union-impacts-in-the-workplace)

Business environment

92. The primary impact of the proposed reforms is likely to be the reduction in costs of conducting statutory ballots for trade unions. They should also make it easier for union members to participate in ballots, which may result in increased turnouts and increase the democratic mandate for the outcome of the vote.

93. As indicated in Section 7, this is unlikely to have a significant impact on the business environment.

Trade implications

94. The proposed policy does not impact international trade as it is compliant with international obligations and does not have any implications for trade partners or foreign businesses operating in the UK.

95. Furthermore, the preferred option will not introduce requirements on foreign-owned companies that go above and beyond those which are UK-owned.

Environment: Natural capital impact and decarbonisation

96. The proposed policy aims to enable trade unions to utilise online or in-person methods of balloting. Since in most cases online balloting will be cheaper than postal, it is likely trade unions will look to use this method in some capacity, particularly so for larger ballots, where the cost saving is even greater. The use of electronic balloting is expected to lead to a reduction in physical paper use for voting papers and envelopes under the existing postal balloting method. Printing paper ballots is significantly more energy intensive than sending email ballots, and produces greater levels of CO₂.^{28,29} E-balloting is also expected to lead to a reduction in the need for physical post (and therefore the emissions associated with postal delivery lorries and vans) to be transported around the UK as ballots are issued electronically - (up to a reduction of 100% on postal balloting).³⁰ Use of electronic or hybrid voting will require use of an electronic platform for ballots to be returned. This will lead to demand for server use, and associated energy expenditure (water cooling, and server operation) that will consume electricity that

²⁸ <https://emvide.com/email-vs-printed-letters-which-is-greener/>

²⁹ *The Energy Saving Trust sets out that a standard text email has a footprint around 4 g CO₂, rising to ~19 g CO₂ if it includes a large attachment. In contrast, a paper letter (in a standard envelope) is about 29 g CO₂ when you account for the paper, envelope, ink, printing, and postal delivery. So, a mailed ballot (which might include multiple pages and a return envelope) easily emits tens of grams of CO₂ – an order of magnitude more than a typical electronic submission*
<https://www.ecotricity.co.uk/our-news/2025/ecotricity-explains-the-environmental-impact-of-a-letter>

³⁰ *In 2023/24, delivering a letter through the Royal Mail network emitted on average about 22 g CO₂. Royal Mail has relatively efficient delivery (over half of routes on foot or bicycle, and a large electric van fleet) which helps keep per-letter emissions low. However, sending out and receiving back one paper ballot (~2 letters per voter) would produce on the order of 40–50 g CO₂ just in postal emissions. By comparison, the electricity used to send an email (and for the recipient to read/submit it) accounts for only a few grams CO₂, especially given the UK's increasingly low-carbon electricity mix.* <https://www.royalmail.com/sustainability/environment>

would not have been used under the postal balloting system.³¹ However total energy expenditure is expected to be lower under electronic or hybrid voting, than under the 100% postal system. The exact impact on the environment will depend on the extent to which trade unions opt to use e-balloting and also the size of the ballot itself. However, it will be marginal at the whole economy level.

97. Workplace ballots will also likely have a net positive impact on the environment. Instead of ballot papers being sent to different addresses – requiring multiple different delivery vehicles – all papers can be sent to one address, reducing the environmental impact of delivery. The exact impact on the environment will depend on the extent to which trade unions opt to use workplace ballots and also the size of the ballot itself.

98. These effects are considered to be permanent effects, with an increase in electronic use expected over time as over time unions better understand the process of calling electronic ballots and increase their database of personal email addresses for their members, thereby enabling greater reach of electronic ballots.

Other wider impacts (consider the impacts of your proposals)

99. The policy is not specifically designed to aid the equality of those with protected characteristics. However, it could indirectly have some equality benefits.

100. The proposed policy will benefit union members by improving the ease of voting in statutory union elections. Union members are more likely to be disabled, older (35 plus), women, of Black or White ethnicity than employees overall³². The proposed policy may lead to strengthening of worker rights and conditions through stronger collective voice (from higher participation in ballots).

101. A report by the RNIB in 2019³³ on the experiences of blind and partially sighted people indicated that voting in person at polling stations and postal voting caused difficulties in terms of accessibility and having a secret vote. It identifies that ‘online voting would be a popular choice for many’. The government has also published a response to a Call for Evidence on Access to Elections³⁴. Many disabled respondents identified online voting as a way to improve accessibility and secrecy of voting (electronic devices could be used to facilitate understanding of voting materials).

102. There is the potential for e-balloting to increase access to voting and voting secrecy for workers with disabilities, workers who are younger and move addresses frequently and mobile and offshore workers. The ability to use hybrid voting should mean that the ability to use electronic voting would not prevent those without online access from participating. Unions and independent scrutineers have indicated that they are well aware of their duty to ensure that all those entitled to vote are given the opportunity to vote.

³¹ <https://netzeroinsights.com/resources/data-centers-environmental-cost/>

³² [Trade union statistics 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/trade-union-statistics-2023)

³³ [Turned Out 2019](#)

³⁴ [Government response to the Call for Evidence on Access to Elections .pdf](#)

Evidence from Ofcom³⁵ suggests that well over 90% of working age adults have home internet access – though those with DE socioeconomic status are less likely to have it than other groups.

Risks and assumptions

103. The proposed legislation changes for enabling workplace balloting does not include any mechanism to mandate employer engagement or agreement for a workplace ballot to be held on their premises. Furthermore, there is nothing in legislation to prevent an employer from interfering with a workplace ballot that is not a CAC-run ballot³⁶. This means that there are risks unions must consider when opting for this method of balloting – such as mitigating possible lack of control and maintaining a fair and untampered ballot.
104. It is difficult to know to what extent trade unions will utilise the e-balloting method, either in 'electronic or hybrid form. Since trade unions can use a mix of postal and e-balloting to suit their needs/wants of their membership, costs and benefits can vary from ballot to ballot, and from trade union to union. We have modelled the costs of the e-balloting method based on different mixes of postal ballots and e-ballots: 100%, 75%, 50%, 25%, and 0% postal (with a corresponding 25%, 50%, 75% and 100% e-ballot take-up) to provide an insight to the possible range of costs the trade union sector might face with the new policy reform.
105. Unions and scrutineers have stressed that a range of factors determine whether people participate in votes, and the ballot method/ease of balloting is only one factor. E-balloting or workplace balloting may positively impact turnout, but the available evidence is not clear that there is a consistent increase in turnout relative to post. Therefore, we have referred to possible impacts of increased turnouts in industrial action ballots – which could lead to more mandates for action (if turnout thresholds remain in place) or more strongly demonstrated mandates. However, it is likely that workers affected will be more strongly motivated to participate in ballots relating to a collective dispute with their employer than in the less immediate union executive votes, so it is likely to only be in a few industrial action ballots where making it easier to vote has a material effect on turnout: while the 50% threshold remains in place, those opposed to action are incentivised not to participate in the ballot.
106. It is worth noting that unions with more members will tend to have elections for their National Executive Councils (or equivalents) where various sub-groups of the membership are the electorate. We have assumed that these NEC elections are all carried out in one ballot when they are required, but that may not be the case. There may be multiple ballots, some national, some sub-national – which would add to the costs, and the potential benefit from lower cost e-balloting. There is also the potential for re-ballots

³⁵ [Adults' media use and attitudes 2025](#)

³⁶ The code of practice on unfair practices only applies to statutory CAC run recognition and derecognition ballots. It cannot apply to industrial action ballots, and TULRCA 1992 has nothing in legislation mandating an employer does not interfere in union ballots (As the existing legislation is post only so there would be no opportunity for an employer to interfere).

for key elected national roles that require statutory ballots. So, we are probably estimating for a minimum level of elections (though there may also be some cases where there are no elections as there is only one candidate).

Annex

Methodology

107. The calculation approach for the monetised costs of postal balloting verses e-balloting is as follows:

108. Data provided by some unions and scrutineers on the costs of ballots was collated to arrive at an estimated cost per worker balloted for the two ballot methods based on different numbers of worker balloted.

	Online	Postal	Online	Postal	Online	Postal	Online	Postal	Online	Postal
Qty	100	100	1,000	1,000	10,000	10,000	100,000	100,000	1,000,000	1,000,000
Cost per balloted member (£)	18.70	22.00	2.50	3.90	0.60	1.90	0.30	1.60	0.20	1.80

109. For industrial action ballots, we used the data from the trade union annual returns for 2018, 2019 and 2021 to get an estimated annual average number of ballots by size of ballot, and the average number of workers balloted by size of ballot. For this analysis, where it could be determined that the data showed separate figures for the same ballot asking both a strike and short of strike question, we counted the ballot only once³⁷. We did not include the data for 2020 or 2022 because these were likely outliers due to covid and the period of high industrial unrest in public services that was atypical of recent decades.

Ballot size	Average number of ballots	Average number of workers balloted
10 or fewer workers balloted	82	6
11 to 50 workers balloted	288	29
51 to 100 workers balloted	143	72
101 to 150 workers balloted	71	123
151 to 200 workers balloted	42	175
201 to 250 workers balloted	39	224
251 to 500 workers balloted	84	351
501 to 750 workers balloted	37	615

³⁷ This is where the union data showed the number balloted and the number voting was the same.

751 to 1000 workers balloted	15	849
over 1000 workers balloted	31	1,886
over 10000 workers balloted	1	36,138
over 100k	1	203,043

110. The figures are then multiplied together, along with the corresponding costs per balloted member figure (using the costs for 100 people ballots for all categories up to 100 workers balloted, cost for 1,000 people ballots for all categories from 101 to 150 workers up to 751 to 1,000 workers, and so on).

Ballot size	Postal cost (£, to nearest 000)	Online cost (£, to nearest 000)
10 or fewer workers balloted	11,000	9,000
11 to 50 workers balloted	184,000	156,000
51 to 100 workers balloted	227,000	193,000
101 to 150 workers balloted	34,000	22,000
151 to 200 workers balloted	29,000	18,000
201 to 250 workers balloted	34,000	22,000
251 to 500 workers balloted	115,000	74,000
501 to 750 workers balloted	89,000	57,000
751 to 1000 workers balloted	50,000	32,000
over 1000 workers balloted	111,000	35,000
over 10000 workers balloted	58,000	11,000
over 100k	365,000	41,000
Total	1,306,000	669,000

111. By combining these figures using different percentages we then estimate a range of costs for different mixes of postal and e-ballot usage:

Postal	Online	Total Cost (£m)
100%	0%	1.31
75%	25%	1.15
50%	50%	0.99
25%	75%	0.83

0%	100%	0.67
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112. For executive elections, we use trade union rule books to try and estimate the frequency of whole membership elections for General Secretary, President, and NEC elections for unions of different sizes. Here we looked at the rule books for all the larger unions and a proportion of unions in the smaller categories. For NEC or equivalent elections, we have assumed that there is one ballot distribution across all members, although especially among larger unions some categories of NEC representative would only be voted for by a sub-section of members (such as region or industry section or women, ethnic minority or LGBTQ+ representatives):

Union size	General Secretary	President	NEC	Annual frequency
<100	0.2	0.0	0.4	0.6
100-1k	0.2	0.3	0.4	0.9
1k-10k	0.2	0.3	0.4	0.9
10k-100k	0.2	0.3	0.4	0.9
100k-1m	0.3	0.2	0.5	0.9
>1m	0.3	0.0	0.3	0.5

113. We then estimate the number of unions in these size groups, and the corresponding average number of members from the latest annual returns data.

114. We multiply these with the annual frequency of ballots and the cost per balloted member to estimate the total annual cost of executive ballots (figures rounded for illustrative purposes and ease of understanding):

Union size	No of unions	Average no. of members	Postal cost	Online cost
<100	4	49	2,200	1,800
100-1k	35	415	53,200	34,100
1k-10k	40	3,594	246,000	77,700
10k-100k	28	29,969	1,208,300	226,600
100k-1m	10	300,031	4,752,500	528,100
1m<	2	1,228,481	2,653,500	294,800
Total:			8,915,700	1,163,100

115. For merger ballots, there are 15 ballots across a 10-year period (2015-2025) according to data from the Certification Annual Reports. We allocate these to the same union size groups as the executive ballot calculations (based on the membership sizes of the unions transferring or merging). We calculate the annual frequency for each group size, and apply the cost per balloted member rates to estimate the annual cost of merger ballots (figures rounded for illustrative purposes and ease of understanding):

Union size	Count	Per year	Postal cost	Online cost
<100	1	0.1	100	100
100-1k	4	0.4	600	400
1k-10k	6	0.6	4100	1300
10k-100k	3	0.3	14400	2700
100k-1m	1	0.1	54000	6000
Total:			73200	10500

116. We combine the merger and executive ballots costs and calculate a cost mix as we did with industrial action ballots:

Postal	Online	Cost (£ million)
100%	0%	8.99
75%	25%	7.04
50%	50%	5.08
25%	75%	3.13
0%	100%	1.17

117. We then apply our costs to the [Impact assessment and options assessment calculator - GOV.UK](#) to calculate the EANDCB and Business NPV of the preferred option, with a range of postal-e-ballot use-mix:

	Postal	Online	EANDCB (£ million)	BNPV (£ million)
postal and e-ballot mix	75%	25%	-£ 2.0	£ 17.6
postal and e-ballot mix	50%	50%	-£ 4.1	£ 35.2
postal and e-ballot mix	25%	75%	-£ 6.1	£ 52.7
100% Electronic Voting	0%	100%	-£ 8.2	£ 70.3