

Final stage impact assessment

Title: Trade Union Statutory Access to Workplaces Final Impact Assessment

Type of measure: Secondary Legislation

Department or agency: Department for Business and Trade

IA number: DBT-038-26-CMRR

RPC reference number: Not applicable

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Date: 06/07/2026

1. Summary of proposal

1. The Employment Rights Act 2025 (ERA) created a framework for independent trade union officials to obtain statutory access to workplaces in Great Britain, either through negotiation between the union and the employer or by decision of the Central Arbitration Committee (CAC). Access may be used to meet workers, recruit new members, organise within the workplace, support members on employment matters, or assist with collective bargaining.
2. The Impact Assessment for the primary legislation provided a high-level, non-monetised assessment of the possible impacts of these powers. It did not assess a specific implementation approach.
3. The ERA 2025 gives the Secretary of State for Business and Trade powers to set out further detail in secondary legislation. Following the consultation conducted between October and December 2025, the proposed regulations establish:
 - a clear and consistent process for submitting, responding to, and negotiating access requests, ensuring transparency and efficiency for both unions and employers
 - the ability for unions to request both physical and digital access, reflecting the realities of modern workplaces and hybrid working patterns
 - a role for the CAC in determining whether and the terms on which access takes place where parties cannot agree

- a streamlined route for less complex cases, reducing administrative burden and supporting timely access where circumstances allow
 - a penalty framework operated by the CAC that ensures compliance, with sanctions that deter repeat breaches and uphold the integrity of access agreements.
4. This assessment provides a high-level appraisal of the proposed policy, revised to take account of the responses to the consultation.

2. Strategic case for proposed regulation

Problem under consideration

5. Under the existing legislative framework in Great Britain, unions do not have a general statutory right of access to workplaces for independent trade union officials and can only exercise their functions through individual trade union members in the workplace, or through access that has been agreed on a discretionary basis between the trade union and the employer. In situations where membership is limited or not present, there is limited scope for trade unions to exercise their core functions, such as supporting workers and facilitating collective bargaining.
6. While the UK has close to historically high working age employment rates and close to historically low unemployment rates, there are some underlying problems in the UK labour market that are relevant to this policy. For example, higher levels of union recognition and collective bargaining could potentially help to tackle:
- a. broadly unchanged real average weekly wages in January 2026 compared to early 2008,
 - b. over a fifth of jobs having low weekly pay,
 - c. increased number of workers on zero hours contracts and other more precarious work,
 - d. reduced employer spending on training per employee despite skills shortages.
7. Union membership and collective bargaining coverage has fallen substantially since the late 1970s/early 1980s. There is evidence of substantial management hostility to trade unions, especially among employers that are not unionised. There is a substantial unmet demand for unionisation among workers in non-unionised workplaces, while research indicates that collective bargaining as a result of union recognition is associated with improved terms and conditions for workers. Active union workplace representation can also provide benefits to employers.
8. The detailed evidence for the information summarised above in paragraphs 5 and 7 is set out in [evidence base](#) section.

Reason for government intervention

9. There is evidence that increased union presence and collective bargaining coverage could help to address some labour market challenges, including low pay, weak wage growth, job insecurity, uneven access to training and workplace voice¹. There is also evidence of unmet demand for unionisation among workers in non-unionised workplaces. However, unions do not currently have a statutory right of workplace access and may face employer resistance when seeking to communicate with workers, particularly where they have no presence (members or workplace representatives). While some employers might agree voluntary access to union officials, in some cases, workers who may wish to be represented collectively are less able to access union support and representation. Government intervention is therefore intended to provide a clear and proportionate statutory route for access where voluntary arrangements are not agreed, while allowing worker demand for union representation to be better met over time.
10. Government intervention is intended to establish a clear and proportionate statutory framework for union officials to access workspaces, where voluntary arrangements are not agreed. This would provide a consistent route for unions to communicate with, recruit, organise and represent workers who wish to engage with them, while also giving employers greater clarity about the process and its limits. By reducing barriers to access in cases where voluntary agreement is not possible, the policy may, over time, support an increase in union presence and collective bargaining coverage, particularly in workplaces where workers would otherwise have limited opportunity to access collective representation.

Consequences of non-intervention

11. In the absence of intervention, existing barriers to union access are likely to remain. Voluntary access arrangements would continue where employers are willing to agree them, but unions would continue to face difficulties in workplaces where there is limited existing union presence or employer resistance to union activity. As a result, growth in union presence and collective bargaining coverage would likely remain limited, and workers who may wish to access collective representation and support may continue to face barriers in doing so.

3. SMART objectives for intervention

12. The objective of the policy is to provide a statutory route for trade union officials to access workplaces, or workers in the workplace, for the purposes set out in the Employment Rights Act 2025, including meeting, supporting, representing, recruiting, organising and facilitating collective bargaining. This policy is intended to improve access where voluntary arrangements are not agreed, while supporting the collective worker voice in the labour market over time.
13. The intended near-term outcomes are:

¹ [Inequality between capital and labour and among wage-earners: the role of collective bargaining and trade unions - Maarten Keune, 2021](#), and [NIESR \(2021\), The added value of trade unions](#)

- An increase in the number of access arrangements
- Improved ability of union officials to communicate with, recruit, organise and represent workers who wish to engage with them
- Greater clarity and consistency for unions and employers on the process for agreeing access

14. There are limits to the resources unions can allocate to recruitment and organising activities²², therefore it is likely that the outcomes would be achieved at a gradual pace. The intended medium-term outcomes are:

- Increase in union presence and membership and collective bargaining coverage in workplaces where access arrangements are put in place
- Improved ability of workers, who wish to do so, to access collective representation and support
- Where collective bargaining is put in place it may support improved terms and conditions for some workers

15. Over time, if the policy is effective, increased access may support additional union membership, recognition and collective bargaining coverage in some workplaces. This may in turn contribute to improvements in terms and conditions for some workers. However, these effects are likely to vary by workplace and sector and will depend in part on employer responses and the quality of workplace industrial relations. These outcomes will also be influenced by other labour market interventions (e.g. National Minimum Wage) and wider economic conditions, so the contribution of this policy on its own may be difficult to isolate.

16. The policy will be monitored using relevant indicators directly linked to the intervention, including:

- The number of access agreement/arrangement notifications.
- The number of statutory applications and outcomes.
- The number of unionised employers and workplaces.
- Union membership among workers in Britain.
- Collective bargaining coverage.
- Wages of workers covered by collective bargaining and data on terms and conditions in unionised workplaces compared to the economy as a whole.

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

17. The proposed intervention is a statutory framework to enable independent trade union officials to request, and negotiate with employers, access to workplaces, or to workers in the workplace, for the purposes set out in the Employment Rights Act

²² DBT analysis of trade union annual returns to the Certification Officer, looking at employee numbers and expenditure on wages indicates that only a few unions have a large number of workers. Unions have said that the focus of their expenditure is on the current membership, who largely fund unions through their subscriptions. Therefore, there is a limit to the amount of resource that can be allocated to recruitment, organisation and representation of workers not currently unionised.

2025. The framework is intended to provide a clear route for access where voluntary arrangements are not agreed, while allowing voluntarily agreed access to continue.

18. The policy is designed to operate within the statutory principles set out in the Act. In particular, access should be granted in a way that does not unreasonably interfere with the employer's business; employers should take reasonable steps to facilitate access; physical and digital access should each be considered on their own merits; and access should only be refused entirely where it is reasonable to do so. These principles are intended to support access while limiting unnecessary burden on employers.
19. Under the proposed framework, access requests and responses would be made in writing. Standard templates would be provided to support consistency and reduce administrative burden. Employers would be required to respond within a specified period. Where the parties are unable to agree the terms of access following a period of negotiation, either party would be able to refer the matter to the CAC for determination.
20. The CAC would determine whether access should be granted and, where relevant, on what terms. In doing so, it would apply the statutory principles and consider relevant factors including the circumstances of the workplace, any existing recognition or access arrangements, and whether the request can be accommodated reasonably. The policy also provides for access to be time-limited, for agreements to be varied or revoked by agreement, and for overlapping applications or existing representation arrangements to be taken into account where relevant.
21. The statutory right of access would generally apply to employers with 21 or more workers. A targeted exception is proposed in 2027 for employers with fewer than 21 workers in sectors covered by statutory national bargaining frameworks. This is intended to align the access regime with those sector-specific arrangements while limiting the scope of the statutory framework for smaller employers more generally.
22. The policy also includes an enforcement mechanism. Where a party breaches an access agreement or arrangement, a complaint may be made to the CAC. The CAC may require steps to secure compliance and, in cases of repeated non-compliance, impose a financial penalty. Following consultation, a three-stage penalty structure is proposed, with maximum penalties of £75,000 for a first qualifying penalty, £150,000 for a subsequent qualifying breach, and £500,000 for further repeated breaches under the same agreement or arrangement. In deciding the level of any penalty, the CAC would consider factors including the gravity and duration of the breach, the reason for it, the number of workers affected, the size of the organisation, and any history of non-compliance.
23. A statutory Code of Practice will provide guidance on how the framework should operate in practice. This is intended to support consistent implementation, clarify

expectations for unions and employers, and encourage negotiated solutions where possible.

Theory of Change

24. Inputs:

- Secondary legislation establishing a clear legal framework for statutory access agreements for union officials to access workplaces.
- Statutory Code of Practice providing practical guidance to the various individuals and organisations who would be involved in the processes to establish and operate statutory access agreements.

25. Activities:

- Unions submit access requests
- Employers respond and, where appropriate, negotiate terms of access
- The CAC determines cases where agreement is not reached
- Access arrangements are implemented and, if necessary, enforced.

26. Outputs:

- access requests, responses and negotiated agreements;
- CAC determinations in disputed cases; and enforcement, and statutory or voluntary access arrangements in operation.

27. Outcomes:

- Improved ability of union officials to communicate with, recruit, organise and represent workers who wish to engage with them
- Greater clarity and consistency in the process for agreeing access;
- Over time, some increase in union presence and collective representation in workplaces where workers wish to engage with them

28. Impacts:

- Increased collective unionised worker voice, may contribute to:
 - i. Improved workplace terms and conditions for workers and reduced wage inequality.
 - ii. Employers adapting to newly unionised workforces, with potential costs (in wages and other terms) and benefits (worker retention, skills development, productivity).

29. Wider Impacts:

- Evidence suggests that stronger union presence and collective bargaining can be associated with a range of wider labour market, economic and workplace

outcomes, including improved wages and terms and conditions for some workers³, and, in some contexts, positive effects on productivity⁴ and innovation⁵.

- Survey evidence also indicates that many employers with union representatives report broadly positive union-management relations, although challenges can arise in practice⁶.
- Wider effects are relevant context for the longer-term rationale for the policy, but they are not expected to arise from statutory access alone. Any contribution from this intervention is likely to be indirect and gradual, and will depend on take-up of statutory access, employer and union behaviour, interactions with other labour market reforms, and wider economic conditions.

5. Summary of long-list and alternatives

30. The preferred option is set out in Section 4, and the shortlisted options taken forward through consultation are summarised in Section 6. In developing the preferred option, a number of alternative approaches were considered. Some were rejected before consultation because they would not have met the policy objective of creating a clear and enforceable statutory route for workplace access. Others informed the design choices within the preferred option.

31. The main options considered and rejected were:

- **Exempting workplaces with fewer than 250 workers.** This option was discounted as it would exclude a significant proportion (around 42%) of the national workforce from the right of access provisions and exclude employers where there is already evidence of union presence (as discussed in the small and micro and medium business assessments below).
- **Leaving operational detail of access arrangements to voluntary guidance only.** This option was not taken forward because it would not have created a consistent or enforceable framework in cases where employers and unions could not agree access voluntarily.
- **No notice period before workplace access.** This was discounted as it would not allow employers adequate time to prepare for access arrangements (e.g. practical arrangements), which could create operational difficulties.
- **No mandatory response period for employers.** This option was discounted as it would have reduced certainty and could have allowed access requests to be delayed without resolution.

Small and micro business scope

32. The preferred option provides that if asked to make a determination on access the CAC must refuse the union's request for access where the employer has fewer than 21 workers. This means that all micro employers and the majority of small employers (all those with 10 to 20 workers) are not required to allow access (although they could choose to do so). It is proposed that the 21 worker threshold will be disapplied

³ [IMF \(2012\) Income Inequality and Current Account Imbalances in: IMF Working Papers Volume 2012 Issue 008](#), [NIESR \(2021\), The added value of trade unions](#)

⁴ [Digital Futures at Work Research Centre \(2024\) The-economic-effects-of-changes-in-labour-regulation.pdf](#)

⁵ [NIESR \(2021\), The added value of trade unions](#)

⁶ [CIPD \(2025\), UK industrial relations: A future with trade unions](#)

in industries covered by national bargaining frameworks (i.e. adult social care and school support staff). This is intended to support the coherence of those sector arrangements by enabling unions to engage with workers across the sectors in scope, including where some employers are below the general threshold.

33. This threshold was selected to balance the objective of improving access with the need to limit burdens on smaller employers. It also aligns the statutory access regime more closely with the existing statutory recognition framework, under which statutory recognition generally applies only where the employer has 21 or more workers.
34. Evidence suggests that union presence and recognition are less common among employers with fewer than 21 workers than among larger employers, and that unions are less likely to prioritise recruitment and organising activity in very small workplaces. While employers with fewer than 21 workers make up around 90% of employers in Great Britain and around 20% of workers⁷, DBT analysis of the data from the Management and Wellbeing Practices Survey⁸ (Table 1) estimate that only 6% of employers with between 5 and 9 workers have union members, with this rising to 8% for employers with between 10 and 19 workers. Smaller employers may also face greater practical difficulty in facilitating access, particularly where they have limited space, limited management capacity, or less developed internal communications systems.
35. Outside those sectors, workers in employers with fewer than 21 workers would still be able to join a trade union, and unions and employers would remain able to agree voluntary access and voluntary recognition arrangements.
36. Given that there is union presence and some union recognition at employers with fewer than 21 workers, there are some workers at these employers who see a benefit in union membership and collective bargaining. This could be to help provide support in individual disputes, or to ensure small or micro employers have a more transparent collective approach to agreeing terms and conditions within the employer, that may help with fairness and equality, including considering industry or occupation standards. There is some evidence from the Low Pay Britain 2022 report that a higher proportion of workers with micro employers are on low hourly and weekly pay⁹. The Good Work report from 2017 also suggested that the challenge on good employment relations included extending good practices more widely, especially to smaller companies¹⁰. However, workers at these small employers will still be able to join a trade union, and unions can still push for voluntary access agreements and voluntary recognition outside the statutory process (though in consultation responses some trade unions identified some industries where they had faced employer hostility from micro and small employers).

⁷ DBT analysis of statistics of [DBT \(2025\) Business Population Estimates](#)

⁸ [NIESR \(2023\), Management and Wellbeing Practices Survey](#)

⁹ Resolution Foundation (2022) [Low Pay Britain 2022 - The Inquiry](#)

¹⁰ [Good work: the Taylor review of modern working practices](#) 2017

Small and micro employers covered by statutory national bargaining frameworks

37. The government has set up statutorily supported national bargaining frameworks in adult social care and for school support staff in the ERA. Secondary legislation will set out the detail of these frameworks. The purpose of introducing sector collective bargaining for these specific groups of workers is to address ‘low pay, poor conditions and a lack of career prospects’¹¹ in adult social care and to ensure school support staff are appropriately paid for the work they do and benefit from the protections of a core set of terms and conditions’¹².
38. There are around 1.5 million workers in adult social care, employed in around 19,100 organisations¹³. Skills For Care state that around 66% of employers in this industry have between 1 and 19 workers, lower than in the economy as a whole, and they account for a small minority of the workforce (ONS analysis of adult social care employment by size of employer for England suggested around 10%¹⁴). There are around 500,000 school support staff working in England, the majority of whom are teaching assistants¹⁵. Analysing the DfE’s School Workforce in England database for 2024/25¹⁶, there were around 2,367 state-funded schools with 20 or fewer staff in England. However, many were local authority maintained or parts of multi-academy trusts, so there is a question of whether the employer rather than the establishment qualifies as having fewer than 21 workers – though it is likely that at least some of the administration of agreeing and facilitating access would be at the individual school level.
39. The purpose for including the exception to the 21 worker threshold is to ensure unions would be able to reasonably access and engage with workers at these small and micro employers who would be covered by the national bargaining process, to enable the needs of these workers to be represented, and ensure the coherence of the process¹⁷. Overall, very few small and micro employers will be covered by the exception, and it is not likely that unions will devote substantial resources to recruiting and organising workers at these employers, for the reasons set out in this section. Also, trade union membership is around 22% in adult social care, so where unions are looking to build membership in this sector they may devote most resource to larger employers. Trade unions may look to build on existing membership with small or micro employers, or in practice have relatively few meetings with workers (as they will not be meeting many workers per employer).

Inclusion of small, medium size and larger employers

40. Employers with between 21 and 49 workers are included in the preferred option. While union presence is lower in this group than among larger employers, there is evidence of some union activity and statutory recognition applications at this size.

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](#)

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](#)

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](#)

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](#)

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](#)

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](#)

Including these employers supports the policy objective while remaining consistent with the statutory recognition threshold.

41. Medium-sized and larger employers are also included. Although employers with 50 to 499 workers account for 3.3% of employers in Great Britain,¹⁸ they account for around 20% of the UK workforce. Existing union presence is materially higher in this section of the employer population, with union presence in over a quarter of employers with 50 to 99 workers, close to half of employers with 100 to 249 workers, and over 70% of employers with 250 to 499 workers. Around half of statutory recognition applications between 2017 and 2024 were for bargaining units of workers in employers with 50 to 499 workers. This evidence suggests that union activity and potential use of the statutory access regime are more likely to be concentrated among these employers, supporting their inclusion within scope.

42. Overall, the preferred scope is intended to target the statutory regime where it is most likely to be used and where it is most likely to support the policy objective, while limiting unnecessary burdens on smaller employers.

6. Description of shortlisted policy options carried forward

Other policy options consulted on

43. The government carried out a consultation on trade union right of access to workplaces between 23rd October and 18th December 2025. The consultation sought views on key design features of the regime, including scope based on employer size, process requirements and enforcement arrangements.

44. The preferred options for the policy have been set out in Section 4. In addition to the options that have been excluded (as outlined in Section 5), several alternative policy options were consulted on.

- Threshold related to employer size before statutory access is allowed.
- how employer size should be taken into account in deciding whether access should be granted; and
- the design of the penalty regime.

45. In relation to scope, the consultation considered alternatives to the preferred threshold of 21 or more workers, including applying the statutory regime to all employers and relying on the CAC to take employer size into account on a case-by-case basis. The final policy retains the general threshold of 21 or more workers, together with a targeted exception for employers below that threshold in sectors covered by statutory national bargaining frameworks. In relation to enforcement, the final policy adopts a three-stage financial penalty structure for repeated non-compliance, following consultation responses on deterrence and proportionality.

Consultation summary

¹⁸ DBT analysis from the tables in [DBT \(2024\) Business population estimates 2024 - GOV.UK](https://www.gov.uk/government/statistics/dbt-2024-business-population-estimates-2024)

46. The government has published its [response to the consultation](#)¹⁹. This Impact Assessment reflects the final policy design following the public consultation. Consultation responses and stakeholder engagement informed the development of options and key analytical assumptions. Details of the views respondents expressed and the government's response are set out in the published consultation response.
47. The consultation received 1,612 responses²⁰, the vast majority from employers, with responses also received from business representative organisations or trade associations, and unions or staff associations and others. The government has revised the preferred policy option consulted upon in a number of ways, including:
- Reducing the information requirements for access applications
 - Extending and adding flexibility to the time limits for responses, negotiations and referring to the CAC for a decision
 - Enabling the CAC to refuse access where an employer faces more than one overlapping access application covering at least some of the same workers.
 - Introducing a third-stage penalty maximum of £500,000 to enable appropriate punishment for multiple breaches of an agreement by the same organisation

Small and medium business impact

48. The policy is not expected to have a disproportionate impact on micro, small or medium sized employers. The preferred option puts in place a threshold of employers with at least 21 workers before statutory access provisions can apply, which therefore excludes most micro and a share of small employers. A targeted exception will be introduced so that statutory access can be requested at employers with fewer than 21 workers in adult social care and state funded schools, those covered by statutory national sector collective bargaining.
49. In practice, we expect the use of statutory access to be concentrated among larger employers. Evidence from unions (and other evidence presented in the Evidence Base section) suggests that trade unions tend to prioritise recruitment, organisation, and representation activities in larger employers, reflecting the limited resources available for such activities and the higher resource intensity required per worker in smaller workplaces.
50. Where statutory access applications involving small employers within the targeted exception do occur (particularly adult social care and state-funded schools), they may involve some administrative and negotiation activity for employers, and potentially some worker time. However, these impacts are expected to be limited in scale, arising infrequently, and confined to a narrow set of sector-specific circumstances. Overall, the threshold and exception structure is intended to balance the policy objective of improving access with the need to limit burdens on micro, small and medium-sized businesses.

¹⁹ [Government Response to the consultation on trade union right of access](#)

²⁰ Only responses where respondents input answers were counted.

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>We expect that the overall social impact to be positive. Statutory access is intended to enable union officials to support, meet, recruit, organise and represent workers in the workplace where previously access was limited. This may help address unmet demand for union representation in some workplaces and support collective worker voice over time.</p> <p>The proposed policy will impose some costs to employers, and unions going through the regulatory process, but overall the costs are expected to be relatively low, as we do not expect many applications a year.</p> <p>Evidence suggests that stronger union presence and collective bargaining is associated with improved outcomes for some workers and, in some contexts, employers. However, such effects arising from this policy are expected to be gradual and difficult to attribute.</p>	<p>Positive</p> <p>Based on all impacts (incl. non-monetised)</p>
Monetised impacts	<p>We expect that the equivalent annual direct cost to business (EANDCB) to remain below the £10m de minimis threshold. This is because access agreements are unlikely, on average, to involve 10 or more meetings with all workers covered by agreements during paid working time; consequently, the direct employer cost of such meetings is expected to be limited.</p> <p>The potential benefits of the policy have not been monetised.</p> <p>For the potential cost elements we have monetised: Employer annual familiarisation costs are estimated at between £0.02 million and £0.07 million for the proposed policy.</p> <p>We estimate the cost of negotiation to employers as between £0.53 million and £2.15 million a year. The costs of employers facilitating in-person access to the workplace and union communications is estimated as between £0.12 million and £0.50</p>	<p>Negative</p> <p>Based on likely £NPSV</p>

	million in year 1 of statutory access plans, and £0.04 million to £0.14 million in year 2	
Non-monetised impacts	<p>We have not monetised the benefits of the policy. Where statutory access procedures are used, workers who choose to engage with trade unions may benefit from improved access to representation and support, as set out in the first row of this table.</p> <p>Similarly, there are potential benefits for employers affected. However, employers may face challenges in adapting to having a recognised union in the workplace and building an effective mutually beneficial relationship.</p>	Positive
Any significant or adverse distributional impacts?	<p>While the policy widely enables access to workplaces for union officials, we expect that only a small proportion of employers will be affected each year. The policy is expected to largely affect private sector employers, and the evidence suggests that most statutory access applications will be directed towards larger employers. Employers with under 21 workers will be exempted from the policy, except for state schools or those in adult social care (which are proposed for inclusion from a further change in 2027).</p>	Uncertain

(2) Expected impacts on businesses

Description of overall business impact	<p>Employers will face some costs associated with the statutory access processes. However, these costs are not expected to have a material impact on overall business output, as statutory access is expected to affect a small proportion of employers each year.</p> <p>Where statutory access is used, some employers may potentially benefit from unions being able to better represent their members in the workplace, and from better collective worker voice. However, outcomes are likely to vary by workplace and size and will depend in part on whether employers and unionised workers develop a cooperative industrial relations approach.</p> <p>In cases where statutory access leads to union recognition or where unions are able to represent members more effectively, there may be a transfer to workers through higher wages/improved terms</p>	Uncertain
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	<p>and conditions. There is a risk of increased workplace disputes in some settings. At the same time, statutory access cases are expected to occur where there is existing worker interest in unionisation, which may provide scope for more structured workplace relations over time.</p> <p>For unions, statutory access is expected to support more efficient delivery of their recruitment, organisation and representation functions. This may enable unions to expand or better target their activities.</p>	
Monetised impacts	<p>We have not fully monetised the costs to business but expect them to be below the de minimis threshold of £10m a year.</p> <p>The main costs are set out in row 2 of the Overall Impacts on total Welfare table. Any potential benefits have not been monetised.</p>	<p>Negative</p> <p>Based on likely business ENPV</p>
Non-monetised impacts	<p>These have been described in the first row of this table.</p>	Uncertain
Any significant or adverse distributional impacts?	<p>As above, we expect there to be a low proportion of employers affected each year. It is not possible to predict which business sectors or regions these employers will operate in. Significant short term distributional impacts are not expected.</p> <p>Costs are expected to be concentrated among larger businesses, as they are likely to face more access applications and these will cover more workers based over more workplaces. The vast majority of employers with fewer than 21 workers will be exempted and not expected to face any costs.</p>	Uncertain

(3) Expected impacts on households

Description of overall household impact	<p>We expect that some workers interested in unionisation, or already represented by unions, may benefit from the policy which is intended to facilitate unions in recruitment, organisation and representation, especially in workplaces where employers are reluctant to agree access voluntarily.</p> <p>While we expect only a small proportion of workers to be affected each year, those who engage with</p>	Positive
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	unions as a result of statutory access may experience improvements in representation and in some cases improved terms and conditions.	
Monetised impacts	Household impacts have not been monetised.	Neutral Based on likely household £NPV
Non-monetised impacts	All the household impacts are non-monetised, and are discussed briefly in row 1 in this table and in the Overall Impacts table	Positive
Any significant or adverse distributional impacts?	<p>As discussed above, only a small proportion of workers are expected to be affected each year, and it is not possible to predict which workers these will be. Impacts are likely to be concentrated among non-unionised workers with access applications expected to be focused on private sector employers.</p> <p>The preferred option excludes nearly all workers with employers with fewer than 21 workers from directly benefitting from statutory access. Evidence suggests that workers in employers of this size are more likely to have lower weekly pay and can face poor working conditions. However, workers on low pay employed by larger employers remain within scope and could benefit where statutory access facilitates union engagement.</p>	Uncertain

Part B: Impacts on wider government priorities

Category	Description of impact	Directional rating
Business environment: Does the measure impact on the ease of doing business in the UK?	<p>Unions primarily achieve recognition through voluntary agreements with employers, and currently aim to recruit and organise through voluntary agreements with employers when not recognised. Voluntary access agreements are likely to remain their preferred option, with statutory access used where employers are resistant or reluctant to engage with unions, and workers are interested in union representation. We expect statutory access applications to affect a low proportion of employers a year, so it is unlikely to affect investment or trade.</p> <p>There is some evidence that stronger collective worker voice can improve workplace innovation, so some affected employers could benefit.</p>	Neutral

<p>International Considerations: 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 on foreign-owned companies that go above and beyond those which are UK-owned.</p>	<p>Neutral</p>
<p>Natural capital and Decarbonisation: Does the measure support commitments to improve the environment and decarbonise?</p>	<p>We expect that there is no or negligible impact on the environment, natural capital, and decarbonisation as a result of these proposed reforms. The regulation does not directly relate to environmental or decarbonisation goals</p>	<p>Neutral</p>

8. Monitoring and evaluation of preferred option

51. A Post-Implementation Review (PIR) of this policy will be undertaken within 5 years following introduction. The PIR will assess the extent to which the policy has met its objectives and consider any unintended consequences.
52. Section 4 sets out a Theory of Change which includes high level expected activities, outputs, outcomes and impacts of the proposed policy. These will form the basis of the PIR.
53. Monitoring will focus primarily on indicators that are more directly linked to the operation of the statutory access regime. This is expected to include:
- a. The number of statutory access applications, agreements, arrangements and the relevant CAC decisions.
Information on the characteristics of access agreements and arrangements including the types of access requested.
54. These data will largely be available through notifications to the CAC, statutory applications and CAC determinations.
55. The PIR will also consider evidence on how the statutory access process operates in practice, including the use of statutory access compared with voluntary

arrangements and experiences of employers and trade unions. This may draw on stakeholder engagement, feedback from the CAC, and other qualitative evidence.

56. There is currently no quantitative information available on voluntary access agreements or voluntary recognition agreements outside the statutory process. To collect such information a new survey would need to be set up. Similarly, to collect specific information on the impacts of statutory access, given the expected small number of employers affected, specific quantitative or qualitative research of the parties involved would be needed.
57. While regular ONS datasets (LFS and ASHE) collect information on union membership and collective bargaining coverage, such headline indicators can be affected by a range of factors. These include economic and labour market conditions, legislation on union rights more widely, and broader social values. Therefore, it would be difficult to identify any specific impact of these policy changes on these headline measures.
58. The impact assessment takes account of issues raised in the consultation. However, given the lack of quantitative data in a number of key areas the monetised costs are based on assumptions. The PIR will consider whether there has been any unforeseen impacts to employers or workers. Ongoing engagement with stakeholders will provide a route for issues to be raised following implementation.

9. Minimising administrative and compliance costs for preferred option

59. The proposed policy includes a threshold that statutory access legislation only applies to employers with 21 or more workers (except for where there is a statutory national bargaining framework in place – adult social care and state schools). Therefore, the vast majority of employers (around 90%) would be excluded from statutory access and would not need to be concerned that they may potentially face any applications.
60. For independent trade unions and employers with 21 or more workers, the government is proposing that standard templates for applications and responses at the initial stage, the stage of applying to the CAC for a decision, and other statutory access processes will be available. This should help unions and employers focus on the key information needed in both cases and help to reduce the administrative burden of the policy.
61. The government has provided a draft Code of Practice for the policy to provide guidance for parties involved on the various stages and sets out 'model terms' to facilitate the decision process, and make it easier to ensure that applications meet some key criteria.
62. The CAC will be able to reasonably refuse access applications where an independent union is already recognised to represent at least one worker covered by the application, or similarly where an access agreement is already in place. It can

also reasonably reject multiple applications where at least one worker falls within the two or more groups of workers specified. This should help reduce the burden on employers by limiting the number of access applications they receive and need to facilitate.

63. The draft Code of Practice specifies that in-person and virtual union meetings with workers should be held at times that minimise disruption in the employer's activities, if possible. The government is clear that employers do not have to take unreasonable steps to facilitate union access. This means that employers should not have to make significant structural changes to their existing spaces and IT systems to facilitate access.

Declaration

Department:

Department for Business and Trade

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:

Sign here

Date:

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

This table may be reformatted provided the side-by-side comparison of options is retained	1. Business as usual (baseline)	2. Proposed policy
Net present social value (with brief description, including ranges, of individual costs and benefits)	N/A	Benefits have not been monetised. Costs have not been fully monetised – we expect the costs to business to be below the £10m de minimis threshold The monetised costs are: Annual employer familiarisation costs of between £0.02 to 0.07 million, costs of negotiation between £0.5million and £2.1 million, cost to employer of facilitating access and communications between £0.12 million and £0.50 million in year 1 of statutory access plans, and £0.04 million to £0.14 million in year 2.
Public sector financial costs (with brief description, including ranges)	N/A	The CAC could face familiarisation and preparation costs of £0.1 million, and an estimated annual administration cost of between £0.1 million and £0.5 million. There could be estimated annual costs to public sector employers of up to £0.8 million a year from administration, negotiation and facilitating access and communications.
Significant un-quantified benefits and costs (description, with scale where possible)	N/A	The benefits have not been monetised – we expect benefits to workers from more efficient, better representation and recruitment and organisation where employers are resistant to union officials having access to workers. In the medium to long term this could start to build collective bargaining coverage in the GB workforce.

		<p>There could be potential benefits to employers resulting from statutory access – especially where unions become recognised. This will depend to an extent of the quality of the relationship built between employers and worker representatives. Potential benefits include dispute resolution, staff retention, access to training and impacts of improved worker wellbeing.</p>
<p>Key risks (and risk costs, and optimism bias, where relevant)</p>	<p>N/A</p>	<p>High estimates represent the likely maximum of access applications based on current data, so actual costs are expected to fall between the high and low figures. However, there are obvious uncertainties here as we don't have data on current voluntary access agreement numbers, or the number of voluntary recognition agreements that involved a formal application to the employer.</p> <p>There is a lack of quantitative evidence on what negotiations and access agreements in operation involve. Analysis assumes that access negotiations have to be conducted around other work commitments for employers, and union resource limits (and time constraints for employers) could mean that if average negotiations are active for longer then there would be a reduction in the number of applications. We have assumed that most access agreements would primarily be for recruitment and organisation purposes, and could in many cases move towards a recognition agreement which would replace access agreements – and that during this process, if the union builds membership worker representatives would increasingly lead organisation, recruitment and representation.</p>

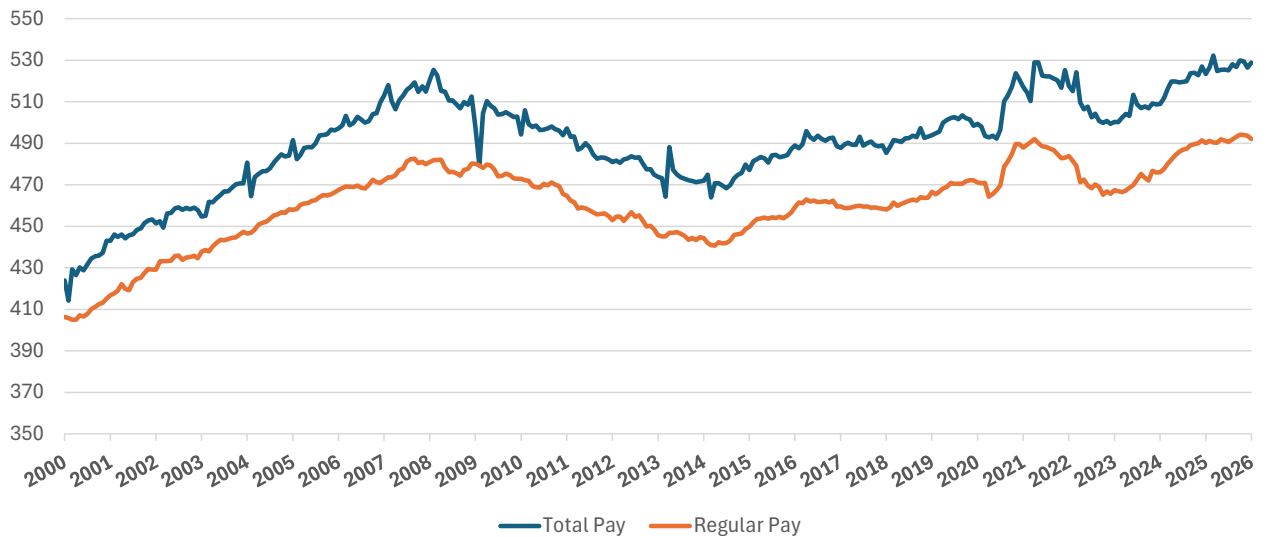
Results of sensitivity analysis	N/A	N/A
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Evidence base

Underlying labour market issues

64. The trends identified below provide important context on the UK labour market but are influenced by a wider range of factors and are not, in themselves, attributable to the absence of statutory access.
65. According to ONS data, total real average weekly earnings (nominal wages deflated by the Consumer Prices Index) were broadly the same in January 2026 as in early 2008, while real average regular weekly wages had risen by 2% over the same period²¹. This compares with real GDP growth of around 20% between Q1 2008 and Q4 2025 (with GDP per head growing by 7% indicating weak productivity growth)²².

Figure 1: Real average weekly earnings average weekly earnings deflated by CPI), £, 2000 to 2026, ONS



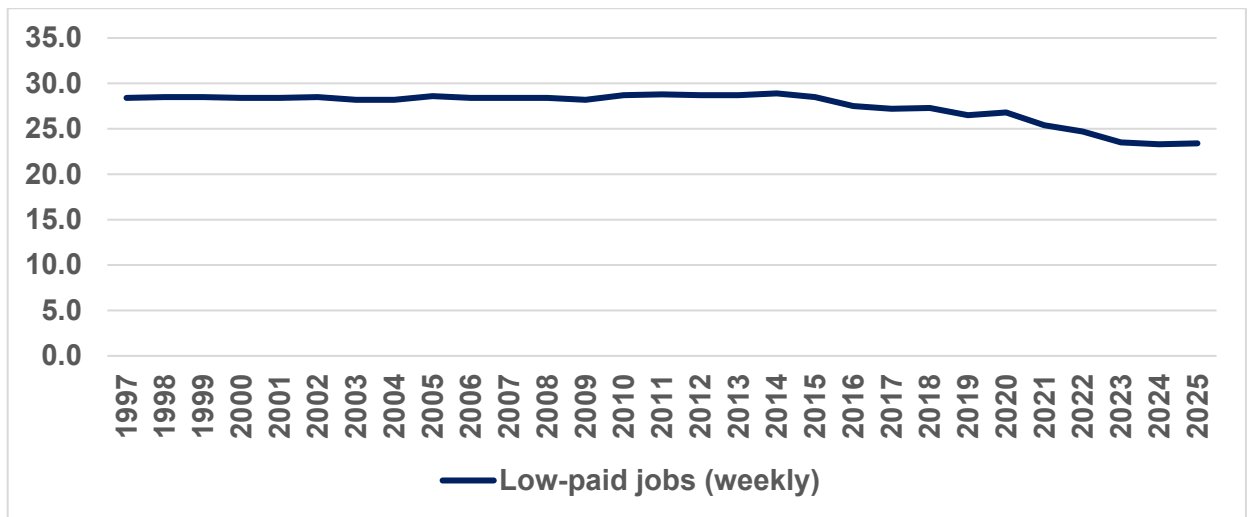
66. ONS data shows that low weekly paid jobs (under 2/3 of median pay) accounted for well over a fifth of jobs in 2025, indicating that despite the impact of the National Minimum Wage on reducing low hourly pay there remains a problem of low wage work in the UK labour market²³.

Figure 2: low weekly paid jobs in the UK as % of total jobs

²¹ [ONS \(2026\), Real average weekly earnings using consumer price inflation \(seasonally adjusted\)](#)

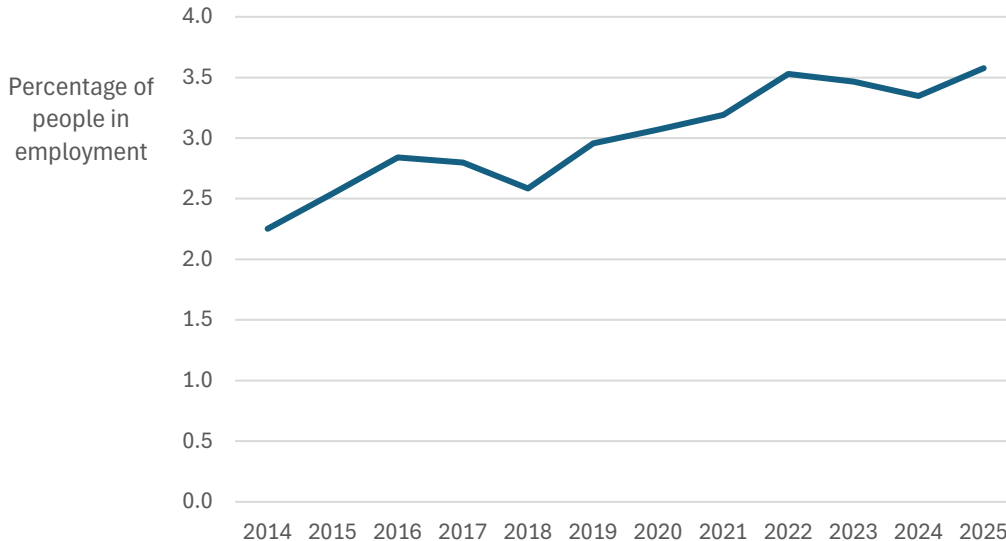
²² [GDP quarterly national accounts time series - Office for National Statistics](#)

²³ [ONS \(2023\), Low and high pay in the UK](#), Plus DBT analysis of Annual Survey of Hours and Earnings



67. ONS data from the Labour Force Survey shows that the proportion of individuals whose main job is a zero hours contract has risen from 2.3% of people in employment in Q4 2014 to 3.6% in Q4 2025, at a time when employment levels have been increasing²⁴. Other workers in temporary or agency work make up a larger proportion of the UK workforce (around 5.6% in temporary employment in Q4 2025)²⁵. This suggests that a significant number of workers face the risk of more precarious, less guaranteed regular work.

Figure 3: Proportion of individuals in employment whose main job is a zero hours contract, Q4, 2014 to 2025, ONS



68. Although the percentage of vacancies due to skill shortages fell from 2022, it remained high at over a quarter of total vacancies (27%) in the UK, according to data from the Employer Skills Survey. Despite this, the survey shows that employer expenditure on training per employee continued to fall, from around £2,400 in 2011 to around £1,700 in 2024 (both at 2024 prices).

²⁴ [ONS \(2026\), People in employment on zero hours contracts](#)

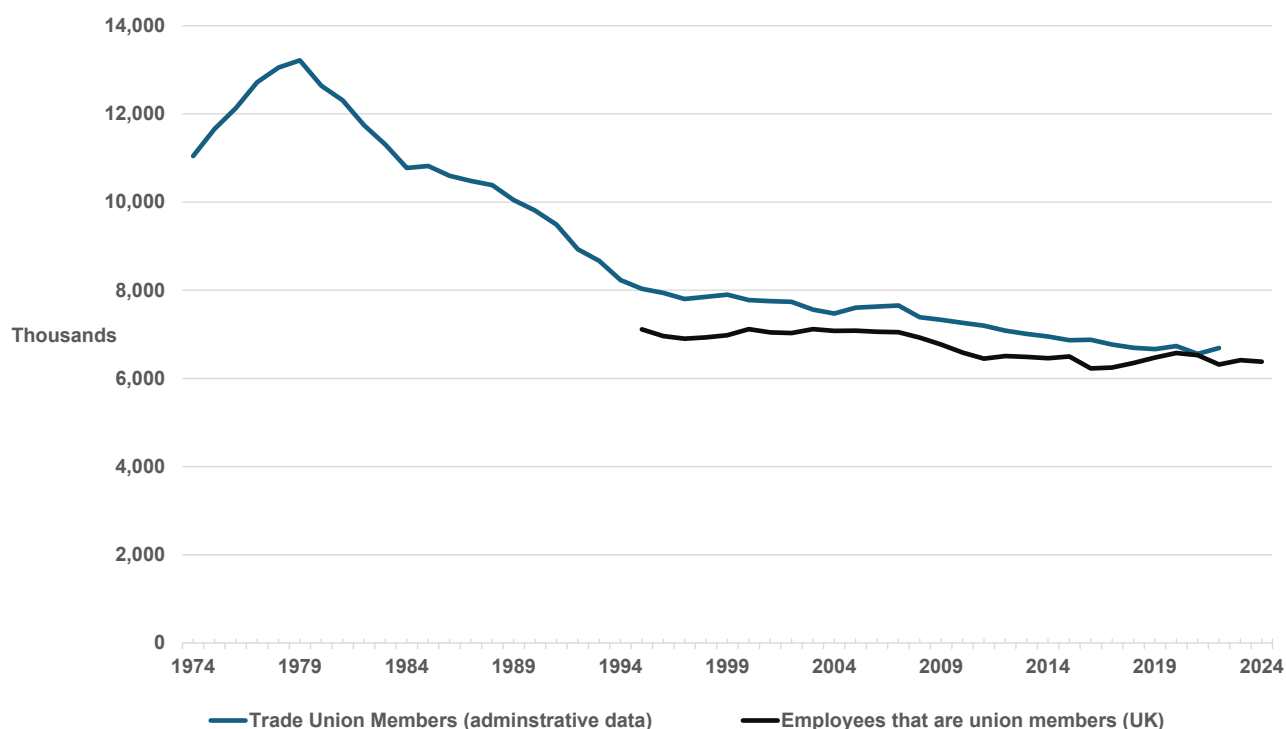
²⁵ [ONS \(2026\), Summary of labour market statistics](#)

69. The UK also faces persistent and complex inequalities. In the financial year 2023/24, the richest 20% of the population received 43% of the UK’s gross income, compared with the poorest 20% receiving 7%²⁶. Wealth inequality is even starker: the ONS estimates that between 2018 and 2020, the richest 10% of households held 43% of all wealth, while the poorest 50% held only 9%²⁷. The UK’s income inequality is above both the OECD and G7 average²⁸.

Decline in union membership and collective bargaining coverage

70. Union membership and collective bargaining coverage has fallen substantially since the late 1970s/early 1980s. As data from union annual returns and the Labour Force Survey shows²⁹, membership of Great British registered trade unions totalled well over 13 million in 1979, around half the UK workforce, while the number of workers in the UK who were trade union members fell to 6.4 million in 2024 (22% of total workers). Union membership and collective bargaining coverage in the private sector has fallen to low levels (11.7% of workers being members, 20.1% of jobs where pay is determined by collective agreements) in recent decades³⁰. This compares to OECD ICTWSS estimates of around 46% membership density and 69% collective bargaining coverage in the UK private sector in the late 70s³¹.

Figure 4: trade union membership in the UK, 1974 to 2024



²⁶ Office for National Statistics. [‘The effects of taxes and benefits on household income, disposable income estimate’](#). 2024. Table 12. (Accessed April 2026)

²⁷ Office for National Statistics. [‘Household total wealth in Great Britain: April 2018 to March 2020’](#), 2022.

²⁸ Organisation for Economic Co-operation and Development. [‘Income inequality \(indicator\)’](#), 2022. (Accessed April 2026)

²⁹ [DBT \(2025\), Trade Union Statistics 2024](#)

³⁰ [DBT \(2025\), Trade Union Statistics 2024](#)

³¹ [OECD \(2025\), OECD/AIAS ICTWSS database](#)

71. Increased unionisation and collective bargaining coverage, especially in the private sector, could potentially help to tackle some of the underlying problems with the UK labour market. Evidence from research into the impact of trade unions suggest that unions are associated with improved terms and conditions, including wages, for their members (and other workers covered by collective bargaining) while limiting wage inequality. Terms and outcomes that tend to be better with unionisation include³²:
- a. family friendly practices,
 - b. equal opportunities practices,
 - c. holiday entitlement,
 - d. individual workplace dispute resolution
 - e. increased training for workers.
72. Since the statutory union recognition process began in 1999–2000, there have been around 60 applications per year, with only about 17 resulting in formal recognition annually³³. However, survey data from the CIPD³⁴ indicates that voluntary recognition—where employers agree to union representation without legal intervention—leads to significantly more recognised bargaining units than the statutory route. However, only a small number of workplaces become unionised annually.
73. Union officials lack a general statutory right to enter workplaces, so they must either secure voluntary access agreements with employers or communicate with workers offsite, such as during arrival or departure. Voluntary arrangements with employers often work well when in place, but unions can face employer opposition when they try and meet workers for the purposes of representation and organisation. Where there is management hostility towards unionisation then it can be very difficult for unions to communicate and organise workers, with employers, including some with recognised unions, looking to prevent such communication and representation.
74. There is research evidence of management hostility to unionisation among non-unionised employers in the UK. A survey of 117 organisations in 2000 by Cardiff University found that 40% of employers actively discouraged workers from joining unions, while around a quarter ‘victimised union activists’³⁵. The Workplace Employment Relations Survey showed a decline in the already minority workplace management support for unionisation in the workplace from 28% of workplaces with 10 or more workers in 1998 to 19% in 2011³⁶. CIPD research in 2025 found that overall 30% of employers were opposed to union membership and 37% were neutral, while employers with union representation were generally positive about union relations with management (22% say very positive, 48% positive)³⁷.
75. There is evidence of demand for unionisation among workers in non-unionised workplaces. The 2024 Skills and Employment Survey found that 36% of workers in non-unionised workplaces would vote in favour of establishing a union in their workplace, with a further 32% undecided³⁸.

³² [NIESR \(2021\), The added value of trade unions](#)

³³ [CAC \(2025\), Annual report](#)

³⁴ [CIPD \(2022\), Collective employee voice](#)

³⁵ [Industrial relations journal \(2008\), Employer opposition and union avoidance in the UK](#)

³⁶ [NIESR \(2015\), Trade union membership and influence, 1999 - 2014](#)

³⁷ [CIPD \(2025\) UK industrial relations: A future with trade unions](#)

³⁸ [Wiserd \(2025\), Has the tide turned for trade unions?](#)

76. DBT analysis of the Management and Wellbeing Practices Survey 2018³⁹ (Table 1) suggests that a minority of employers, including among those with 20 or more workers, have recognised unions or union presence in the workplace. Only among larger employers with 250 or more workers (a very small proportion of employers in Great Britain, though they account for a substantial amount of employment) do the majority have recognised unions.

Table 1: Estimated percentage of employers with recognised unions and union presence, 2018, Great Britain

Estimated employer size (number of workers)	Employers with recognised unions (%)	Employers with union members (%)
5 to 9	4%	6%
10 to 19	5%	8%
20 to 49	15%	19%
50 to 99	20%	27%
100 to 249	46%	47%
250 to 499	62%	73%
500 or more	73%	77%

Estimated costs and benefits

Detailed calculations for the low and high estimates of annual statutory access applications

77. Quantitative data on the amount of unionisation (new union presence and/or recognition) among employers or establishments is not readily available. There is data on statutory recognition applications, but the CAC does not have a record of those cases where a union applies for recognition under statutory regulations but reaches a recognition agreement with the employer without applying to the CAC for a decision. We do not know how many applications there will be, but there are a number of factors that suggest that the number will be relatively low each year:

- a. The draft Code of Practice⁴⁰ states, “trade unions and employers are strongly encouraged to continue to ... agree new access arrangements on a voluntary basis outside the statutory process’.
- b. Most trade unions are small or micro employers⁴¹, with only some of the larger unions having teams focused on recruitment and organisation. In discussions with unions, they have flagged up that their resources are focused on existing members who have largely financed the union, so unions have limited resources for recruitment and organising in new workplaces.
- c. Unions have also been clear that they favour voluntary agreements to statutory arrangements, and in their consultation responses have indicated some concerns about the framework for statutory access. Therefore, it is likely that statutory access will be used where it has proved difficult to reach a voluntary agreement.

³⁹ [NIESR \(2023\). Management and Wellbeing Practices Survey](#)

⁴⁰ [Draft Code of Practice: Right of Trade Unions to Access Workplaces](#)

⁴¹ DBT analysis of trade union

Low estimate – employers with 21 or more workers

78. CAC data on statutory recognition applications shows that there have been close to 60 statutory recognition applications per year on average⁴². This is likely to understate the potential demand for statutory access, as some recognition requests are resolved by agreement before reaching the CAC, and statutory access may also be used in other circumstances, including where a union is already recognised or where access is sought for recruitment, organising or representation without an immediate recognition application. On this basis, we use an illustrative lower bound estimate of **around 120 statutory access applications per year** for employers with 21 or more workers – approximately twice the average number of statutory recognition applications.

High estimate – employers with 21 or more workers

79. We have estimated a rate of new recognitions from the Workplace Employment Relations Study⁴³ (WERS) panel data, encompassing over 900 workplaces during the years 2004 and 2011. From these data, we have calculated a rate of new recognition (unions achieving recognition in a workplace) for workplaces in employers of 20 or more workers during the period of around 3.5%:

- a. To standardise this, we produced an annualised unionisation rate by dividing the observed rate by 7 (to cover the 7-year period). This resulted in an annualised rate of unionisation of workplaces in employers with 20 or more workers of approximately 0.5%.
- b. Applying this 0.5% rate to ONS 2023 data on the number of workplaces in employers of 20 or more workers⁴⁴ yields an estimate of 2,603 workplaces becoming unionised each year.

80. There are a number of factors to consider to arrive at a reasonable maximum estimate for illustrative purposes using these data:

- Applications for voluntary or statutory access can cover multiple workplaces. This is because many, especially larger, employers have multiple workplaces in Great Britain, and unions will be interested in meeting with workers (which may comprise a current or potential bargaining unit) based across more than one of an employer's workplaces.
- Some processes of unionisation of workplaces, such as having a union presence, could be achieved through workers joining a union, workers could organise in a workplace and join a union without first being engaged by an official of the union.

81. CIPD research into collective worker voice⁴⁵ suggests that voluntary union recognition is approximately 3.5 times more common than statutory recognition. Applying this ratio to the estimated 2,603 workplaces unionised each year produces an estimate of 744 workplaces ($2,603 \div 3.5$) that may be unionised through statutory access each year.

⁴² [CAC \(2025\) Annual Report](#)

⁴³ [The 2011 Workplace Employment Relations Study \(WERS\) - GOV.UK](#)

⁴⁴ [Local units by Class and enterprise employment size - Office for National Statistics \(2024\)](#)

⁴⁵ [CIPD \(2022\) Collective employee voice: Recommendations for working with employee representatives for mutual gain](#)

82. Statutory access applications can cover multiple workplaces (as with statutory recognition). We do not have available quantitative data on the number of workplaces per statutory recognition application. However, between 2016 and 2025, the median proposed bargaining unit on statutory recognition applications received was 53 workers, with the average being 143. This indicates that while most applications may be single workplace, a reasonably big minority may cover multiple workplaces⁴⁶. To take a conservative approach, we assume that under half of access applications may involve more than 1 workplace, but some will involve more than 2 workplaces. Therefore, we divide the estimated 744 workplaces involved in statutory access applications a year by 1.8 (to account for applications covering multiple workplaces) we arrive at 413.

83. However, there could be additional statutory access applications:

- a. For supporting individual workers.
- b. For meeting workers where trade unions are already recognised for collective bargaining purposes.
- c. For recruitment and organisation where workplace access for union officials does not lead to recognition (Table 1 indicates that there are small differences in rates of workplaces with union members and those with recognised unions)
- d. Because statutory access will make it easier for union officials to access workers where employers are resistant, union resources for recruitment and organisation may be used more efficiently:
 - i. enabling additional access applications, including statutory applications.
 - ii. Encouraging unions to devote more resource to recruitment and organisation.

84. Estimating the number of such “extra” applications is challenging given the lack of data. However, we assume that predominantly statutory access applications will be for the purpose of recruitment, organising and gaining recognition for collective bargaining, so we round the figure up to an estimate of **500 annual statutory access applications**, around a 20% increase on the 413 figure. This estimate is based initially on data on total changes to workplace recognition status.

85. Given that we do not have data on the current number of voluntary access applications, or the number of voluntary recognition agreements that are reached following formal applications referencing the legislation, there is uncertainty in the numbers of statutory access applications that may arise given that the statutory access framework legislation creates a new right.

Employers with fewer than 21 workers: adult social care and state school education

86. For adult social care, DBT estimates that there may be around 14,000 adult social care providers in Britain with fewer than 21 workers; most of these (55%) have

⁴⁶ Looking at the WERS panel data, for estimated organisations with 20+ workers, the median workplace size is 38 workers, while the average is 636 workers.

between 1 and 4 workers⁴⁷. DfE statistics show that there are 2,367 state funded schools with under 21 staff, mostly with between 10 and 20 workers (91%)⁴⁸. In both industries, these employers have a low proportion of the overall workforce.

87. We assume that the limits to union resources, and the reasons why unions will generally focus on larger employers for recruitment and organisation, will mean that there will be relatively few statutory access applications in these industries to these employers with under 21 workers. This is partly mitigated by the fact that unions have pushed for their inclusion due to the introductions of the statutory sector bargaining frameworks in the ERA. Unionisation in adult social care is around 22%, a similar rate to UK employees overall, while teaching assistants (accounting for most school support staff) have quite high unionisation rates of over 50%⁴⁹. It also seems quite likely that in a highly unionised sector like state funded schools that it will be possible for voluntary access agreements to be reached more easily. While in adult social care, the priority for union resources may be in recruiting and organising with larger employers.

88. We therefore estimate that for employers with fewer than 21 workers there will be between 10 and 25 statutory access applications to state funded schools and between 30 and 75 statutory access applications in adult social care per year. These are high estimates relative to those for employers with over 20 workers, where union resources are likely to be concentrated, because the statutory bargaining frameworks are likely to drive some activity.

Monetised costs

89. There is a lack of information about voluntary access to workplaces for trade union officials, and about negotiations for voluntary access or trade union recognition. We have monetised administration and negotiation costs making assumptions based on anecdotal information and information in consultation responses.

90. However, we do not have any information on the extent or operation of voluntary trade union access agreements. We have requested information from some unions and from some business representative organisations, but they did not provide any details. Information from union websites suggests that union recruitment and organisation is primarily driven by interested workers who become union members and activists, with the support of trade union officials. Information from actual and template recognition agreements also suggest that workplace union representatives lead and carry out workplace trade union activity. It is likely that voluntary access enables union officials to offer support to workplace activists in building membership, a key factor in enabling unions to achieve recognition. Statutory access is likely to be similar.

⁴⁷ DBT calculations based on the ratios for England in the Skills for Care report and Welsh and Scottish government social care statistics [The state of the adult social care sector and workforce in England, 2025](#), [What is social care? | Social Care Wales](#), [Publications | Scottish Social Services Workforce Data](#)

⁴⁸ [Create your own tables on school workforce in England - Explore education statistics - GOV.UK](#)

⁴⁹ DBT analysis of the Labour Force Survey.

Familiarisation costs

91. We estimate that all trade unions with an independence certificate would familiarise themselves with the policy. As only a low number of statutory access applications are expected each year, we assume that employers would familiarise themselves with the legal requirements when they receive an application. We expect that familiarisation would take around 3 hours on average as unions and employers would have to assess both the details set out in the secondary legislation and the statutory Code of Practice.

92. We assume that familiarisation would be carried out:

- a. For employers with 50 or more workers by a human resources director or equivalent, at an hourly labour cost of £36.59⁵⁰. For employers with between 21 and 49 workers by a CEO or owner at £57.24 hourly labour cost. For employers with fewer than 21 workers not in adult social care or schools by a head teacher (£54.43) or care manager or proprietor (£26.37) – with a unit cost based on the estimated ratios of cases of £33.39.
- b. For independent unions with an annual income of £1 million or above by the General Secretary and senior official leading on organising, at a combined hourly labour cost of £81.86.
- c. For independent unions with an annual income below £1 million, by the general secretary, at an hourly labour cost of £48.20.

93. We estimate that there are between 120 and 500 statutory access applications each year under the proposed policy. Applying the data above gives an estimate for familiarisation of around £0.02 million to £0.07 million.

Table 2: estimated annual familiarisation costs for employers

Employer size (number of workers)	Unit cost (£)	Number of applications (low)	Number of applications (high)	Low estimate (£, nearest 000)	High estimate (£, nearest 000)
1 to 20	100	40	100	4,000	10,000
21 to 49	172	11	48	2,000	8,000
50 to 249	110	43	176	5,000	19,000
250 to 499	110	17	72	2,000	8,000
500+	110	49	204	5,000	22,000
Total	N/A	160	600	18,000	68,000

94. Based on the latest information from the Certification Officer's website, there are 83 trade unions with an independence certificate. Based on the latest available trade union annual returns for these unions during the week commencing 21st July 2025,

⁵⁰ Based on hourly wages data from 2025 Annual Survey of Hours and Earnings, and an estimate of non-wage labour costs as a percentage of wages of 22.8% based on 2025 data from ONS Economic Accounts data for wages and employers' social contributions.

45 had an annual income of £1 million or above, with 38 having an income below £1 million⁵¹. This leads to a familiarisation cost for trade unions of around £17,000⁵².

Familiarisation and preparation by the CAC (both preferred option and other options)

95. The CAC will play a key role in administering and enforcing statutory access to workplaces for union officials. It will be a new duty, and will therefore involve significant preparation. Initial estimates from the CAC Chief Executive⁵³ identify the need to map the legislation and Code of Practice, drafting new guides and other documents including on enforcement, setting up a database and amending the website. This is estimated to cost around £89,000.

Table 3: Estimated familiarisation and preparation costs, the CAC

Worker grade	Hourly labour cost (£)	Number of hours	Total (£, nearest 00)
Grade 11	22.76	10	200
Grade 10	26.00	30	800
Grade 9	32.10	1800	57,800
Grade 8	37.87	800	30,300
Total			89,100

96. In addition, the CEO estimates indicate that the CAC will need to train the committee members on the new statutory access process. This will involve 72 hours of Grade 9 time to prepare the training plus 14 hours to deliver the training. The committee members will also need seven hours each for the training. We use an estimate of 58 committee members, as potentially membership up to this size could be required. This would be split between 14 chair and deputy chairs, and 44 other committee members. Hourly rates are £90.57 and £51.49 respectively for deputy chairs and members. The estimated training cost is £27,500.

Table 4: Estimated training costs, the CAC

Activity	Hours	Hourly labour cost (£)	Total £ (nearest 00)
Preparation	72	32.10	2,310
Delivery	14	32.10	400
Attending training	406	67.72	24,700
Total			27,500

Familiarisation Summary

97. The estimated familiarisation costs for each option are as follows.

Table 5: Summary of estimated familiarisation costs (£ million)

Organisation type	Annual familiarisation cost (£ million)
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⁵¹ Certification Officer website – trade union annual returns, Certification Officer Annual Report. 2 new independent unions who have yet to provide an annual return are included in the lower income group.

⁵² While most trade unions are employers, we are counting a separate familiarisation as this would be from a trade union rather than employer perspective.

⁵³ Using 2025-26 labour costs.

Independent trade unions	0.02
The CAC	0.12
Employers with fewer than 21 workers (low estimate)	<0.01
Employers with fewer than 21 workers (high estimate)	0.01
Employers with 21 or more workers (low estimate)	0.01
Employers with 21 or more workers (high estimate)	0.05

Annual Costs

98. The annual costs of the policy will primarily be around four main areas:

- a. Writing statutory access applications and responses
- b. Negotiating statutory access agreements
- c. The CAC considering the applications, and deciding on access arrangements
- d. Putting the access agreements or arrangements into practice.

99. Our case estimates are mainly based on analysis of existing activity. Statutory access is expected to make it easier for union officials to reach workers, especially where employers are uncooperative. This may allow trade unions to use their resources more efficiently, expand recruitment and organising efforts, and improve representation and collective bargaining. Trade unions may also allocate some additional resource where they are able towards recruitment and organisation activity due to the introduction of statutory access.

100. While the formal statutory access approach will have some costs for unions, they will only use the statutory approach if they think it is beneficial overall for them to do so. Instead, it presents an opportunity for unions to get access to workers in their workplaces, to support, meet, recruit and organise them, and for collective bargaining processes. Therefore, we have not monetised the cost to unions as they will have chosen to have incur that cost.

Writing statutory access applications and responses

101. Union officers are expected to draft statutory access applications, following a set format with key information. In their responses to the consultation, trade unions raised concerns about the information requirements (details like worker descriptions and workplace lists can be challenging), especially for employers where they did not have an existing presence. It is likely that they will have used the voluntary route prior to making a statutory application, but this might not always lead to information sharing. The complexity of an application is likely to vary by size and industry (type of work) of employer – though trade unions may be able to use their existing experience from access and recognition agreements to shape their applications.

Cost of drafting response to statutory application

102. Employers already hold key information about their workforce and workplaces. The response template requires fewer details than the application template, so could

be relatively straightforward to complete as it is a starting point for negotiation (though where statutory applications have been made employers are likely to be cautious about what they need to provide). Employers need to consider which workers are covered, which workplaces (where they have multiple workplaces) meeting spaces, digital communication options, and existing union representation. Responses must be provided within 15 days. If refusing the application, employers must give a reasonable explanation, likely based on the CAC principles. Based on consultation responses, we expect that employers will consider the response carefully, and the lead respondent (head teacher or care manager/proprietor, CEO, HR director or equivalent – as with familiarisation) will consult with their estates manager and IT manager (or equivalent) where relevant. We assume larger employers consult with their internal lawyers, while some SMEs will consult with external HR or legal advisors. We estimate that:

- a. the lead respondent takes about 6 hours on average for employers with under 100 workers (as they are likely to have one or two workplaces, are less likely to have digital communications) and 8 hours for larger employers.
- b. Small and micro employers will not consult an estates manager (hourly labour cost £26.24), as they predominantly have 1 workplace, while based on the likelihood of having multiple workplaces (and rising numbers of them covered by the applications), those with 50 to 99 workers would consult the estates manager for 10 minutes on average, those with 100 to 249 workers for half an hour and those with 250 or more workers for an hour.
- c. Discussions with IT managers (hourly labour cost £35.24) would be based on likelihood of having an intranet⁵⁴ or more complex IT arrangements across the workforce: for SMEs (1 to 249 workers) we assume a half an hour discussion where they use an intranet, while for larger employers we assume a 1 hour discussion where they use an intranet (the percentages using an intranet are; 10 to 19 workers – 30%, 20 to 49 workers – 36%, 50 to 99 workers – 62%, 100 to 249 workers – 66%, 250 to 499 workers – 80%, 500+ workers – 88%).
- d. We assume all employers with 250 or more workers would consult their internal lawyers (hourly labour cost £37.66) for an hour. Where SMEs have a record of consulting external advisors on employment law matters, we assume they consult them for an hour at a cost of £200⁵⁵. The Longitudinal Small Business Survey⁵⁶ estimates that 16% of small employers (10 to 49 workers) and 17% of medium sized employers (50 to 249 workers) consulted external advisors on employment law in 2024.

103. This produces the following estimates for producing a response to a statutory access application.

Table 6: Estimated annual costs of drafting statutory access responses

Employer size (number of workers)	Unit cost (£)	Number of responses	Number of responses	Total estimated cost (low) £	Total estimated cost (high) £
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⁵⁴ Based on DBT analysis of methods used by employers to communicate with workers from the 2018 Management and Wellbeing Practices Survey [Management and Wellbeing Practices Survey - NIESR](#)

⁵⁵ Based on prices quoted in 4 sites on external HR and legal advice on employment law issues (accessed week commencing 13.04.2026)

⁵⁶ [Small Business Survey 2024: businesses with employees - GOV.UK](#)

		(low estimate)	(high estimate)	(nearest 000)	(nearest 000)
1 to 20	238	40	100	10,000	26,000
21 to 49	379	11	48	4,000	19,000
50 to 99	269	22	90	6,000	26,000
100 to 249	351	21	86	8,000	32,000
250 to 499	385	17	72	7,000	28,000
500+	388	49	204	19,000	79,000
Total	N/A	160	600	44,000	184,000

Cost of negotiation: for applications to employers with over 20 workers

104. During negotiation, several outcomes are possible:
- The union and employer reach an agreement, which may or may not be referred to the CAC for notification.
 - If no agreement is reached either party can apply to the CAC for a decision. The CAC may ask them to continue negotiations for a short period if there is the potential for an agreement to be reached.
 - If the employer does not respond, or negotiations do not take place, the union can apply to the CAC.
105. The statutory recognition process also involves unions applying to employers and a negotiation period. However, we do not know how many statutory recognition applications result in a negotiated agreement without an application being sent to the CAC for a decision, or to what extent employers respond to recognition applications or enter negotiations prior to the CAC involvement. Around 6% of statutory recognition applications are rejected or withdrawn at the primary stage after being sent to the CAC because the employer may not have received the application, or workers already having a recognised union. Based on consultation responses, it is likely that some other employers would not negotiate, though it may be that the vast majority with statutory access engage to some extent to mitigate the risk of a CAC decision. We assume that 10% of applications do not result in a negotiation.
106. The preferred option sets a 25 working day limit for negotiations, with the option to agree an extension. Consultation responses make clear that the employer negotiating teams will have other work to do (which often will be of higher priority for the employer) so the time spent on negotiations will be a fraction of the days available. Union negotiators are also likely to have other work commitments (representing existing members, other access and recognition negotiations). Evidence on negotiation duration is limited, but Unison guidance on dispute resolution within recognition agreements suggests most cases start with an initial meeting followed by two more detailed meetings, with further meetings if an agreement isn't reached⁵⁷. Where a statutory access application has been submitted, it is likely that the employer is slightly cautious to actively hostile to trade union presence in their workplace. Therefore, while some negotiations may take a few meetings to reach an agreement others might stall quite quickly, though over time the outcome of CAC decisions may influence this.

⁵⁷ [Unison \(2025\) Recognition agreements](#)

107. On this basis, we assume that:
- a. For all employers with 50 or more workers the negotiating teams would involve an HR director, an estates or building manager and an IT manager (or communications manager) or equivalent for smaller employers. For employers with 21 to 49 workers a CEO or owner would replace the HR director (as it is more likely that they would have oversight on staffing). For employers with 50 or more workers we assume that there would be CEO input and sign-off of 2 hours for those with 50 to 249 workers and 3 hours for those with 250 or more workers.
 - b. On average for employers with 21 to 99 workers that employers would spend 4 days (32 hours) on negotiations, those with between 100 and 499 workers would spend 5 days (40 hours), and those with 500 or more workers would spend six days on average; this reflects the likely additional complexity resulting for more workers spread over more workplaces as employer size increases.
 - c. Some employer correspondents indicated that they would get legal advice on negotiations, so we have assumed that employers with 250 or more workers would use 8 hours of internal legal resource, while 16% of employers with 21 to 49 workers would obtain 4 hours of external legal/HR advice, while 17% of employers with 50 to 249 workers would also obtain external legal/HR advice (6 hours' worth for those with 50 to 99 workers, 8 hours' worth for those with 100 to 249 workers)⁵⁸.
 - d. The estimated hourly labour costs are as follows: HR director (£36.59), Estates Manager (£26.24), IT manager (£35.24), Chief Executive (£57.24), solicitor (£37.66), external legal/HR advice (£200)⁵⁹.
108. The estimated annual cost of negotiations for employers with 21 or more workers therefore ranges from £0.5 million to £2.0 million.

Table 7: Estimated annual costs of negotiations to employers with over 20 workers

Employer size (number of workers)	Average Unit cost of negotiations (£)	Number of negotiations (low estimate)	Number of negotiations (high estimate)	Total cost of negotiations (low estimate, £ million)	Total cost of negotiations (high estimate, £ million)
21 to 49	3,927	10	43	0.04	0.17
50 to 99	3,457	20	81	0.07	0.28
100 to 249	4,309	19	77	0.08	0.33
250 to 499	4,396	15	65	0.07	0.29
500+	5,180	44	184	0.23	0.95
Total	N/A	108	450	0.48	2.02

⁵⁸ Rates for small and medium sized employers using external advice for employment law matters in 2024 [Small Business Survey 2024: businesses with employees - GOV.UK](#)

⁵⁹ Based on median hourly wages excluding overtime from ASHE 2025, uprated by non-wage labour costs as % of wages estimates for UK National Accounts 2025. External advice estimated from price quotes from 4 websites accessed week commencing 13.04.2026.

Cost of negotiation: for applications to employers with fewer than 21 workers

109. It is likely that for employers with fewer than 21 workers the negotiating teams would be smaller. We assume for schools it would be the head teacher (hourly labour cost £54.43) and a senior teacher (hourly labour cost £35.49), and for adult social care it would be the care proprietor/manager (hourly labour cost £26.37) and a senior care worker (hourly labour cost £17.44).

110. We assume that negotiations would take up 3 days (24 hours) on average including preparation, as there are likely to be fewer issues to focus on, given the low numbers of workers being discussed. Some of the affected employers may get external legal/HR advice on negotiations – we estimate 2 hours at 17% of employers (in line with 2024 Small Business Survey figures).

111. As before, we assume that in 10% of cases there is no negotiation. Therefore, for adult social care we estimate between 27 and 68 negotiations a year, while for schools we estimate between 9 and 23.

Table 8: Estimated annual costs of negotiations to employers with under 21 workers

Employer size (number of workers)	Average Unit cost of negotiations (£)	Number of negotiations (low estimate)	Number of negotiations (high estimate)	Total cost of negotiations (low estimate, £, nearest 000)	Total cost of negotiations (high estimate, £, nearest 000)
Adult social care	1,199	27	68	30,000	76,000
Schools	2,226	9	23	20,000	51,000
Total	N/A	36	91	50,000	127,000

Negotiations leading to voluntary (statutory) access agreements

112. Some negotiations triggered by a statutory access application will lead to an access agreement. We do not know how many statutory recognition applications to an employer result in voluntary recognition agreements without any application to the CAC. DBT analysis of information in the CAC Annual Reports for 2019/20 to 2024/25 indicate that around 27% of applications to the CAC were withdrawn at various stages because a voluntary agreement has been negotiated or is expected. To some extent, it is likely that if the application is referred to the CAC it is likely to be more difficult for the parties to agree, so it is likely that a higher proportion of applications to the employer result in a negotiated agreement. To keep broadly in line with the low estimate for statutory access applications to employers with over 20 workers, and take a relatively conservative approach, we assume that 40% of negotiations would lead to an access agreement. Split across size of employer, we estimate the following number of negotiated access agreements each year.

Table 9: Estimated annual negotiated statutory access agreements

Employer size (number of workers)	Negotiated access agreements (low estimate)	Negotiated access agreements (high estimate)
1 to 20	14	36
21 to 49	4	17
50 to 99	8	32
100 to 249	7	31
250 to 499	6	26
500 or more	18	74
Total	57	216

Applications to the CAC for a decision

113. We assume that all access applications that don't result in a negotiated agreement will lead to an application for a CAC decision. This is a conservative assumption as it is possible unions won't proceed (though there will be fewer qualifying conditions than for statutory recognition). It is currently unclear what the CAC application template will look like, but realistically it is likely to be similar to the template for access applications to be sent to employers, with maybe one or two further information requirements. The estimated annual number of applications to the CAC ranges from 103 to 384.
114. We similarly expect that the CAC employer response template will ask for some more information than the employer response template to unions. This will be to obtain information to inform the key criteria for the CAC decision. However, much will be information that most employers would have to hand after preparing their initial response and negotiations, which should help employers to reduce the additional time required to respond. As this stage moves towards a statutory decision, some employer responses to the consultation suggested that legal oversight and senior sign-off might be required.
115. We estimate that:
- a. for employers with under 50 workers, the main drafter would be the main decision maker (head teacher/care proprietor/CEO) with 29% also using external advisors to help⁶⁰. It would take them on average 4 hours (as these are likely to be issues already considered, with usually less complexity than for larger employers⁶¹), with 1 hours' worth of external advice when used.
 - b. For employers with 50 to 249 workers, we assume that an HR director or equivalent would draft the response, with senior director sign-off, and 26% getting external advice. We assume half an hour senior director sign-off, 1 hour external advice, and 4 hours HR director time for employers with 50 to 99 workers rising to six hours for those with 100 to 249 workers.
 - c. For employers with 250 or more workers we estimate half an hour senior director sign-off, with 1 hour of internal legal support plus 6 hours of the HR director's time for employers with 250 to 499 workers rising to 8 for those with 500 or more workers.

⁶⁰ Based on the 2024 Small Business Survey for employers estimates of SMEs using external advice for employment law or HR issues).

⁶¹ Micro and small employers are very likely to have one workplace, with fewer digital or other communication methods. They may also have less variation in working patterns among their workers.

116. We therefore estimate that the annual costs of responding to applications to the CAC are between £0.03 million and £0.11 million.

Table 10: Estimated annual cost of responding to access applications to the CAC

Employer size (number of workers)	Estimated unit cost of drafting response (£)	Number of responses (low)	Number of responses (high)	Estimated total cost (low) £ (nearest 000)	Estimated total cost (high) £ (nearest 000)
1 to 20	192	26	64	5,000	12,000
21 to 49	285	7	31	2,000	9,000
50 to 99	227	14	58	3,000	13,000
100 to 249	300	14	55	4,000	16,000
250 to 499	286	11	46	3,000	13,000
500 or more	359	31	130	11,000	47,000
Total	N/A	103	384	29,000	111,000

117. In the years 2019 to 2024-25 around 44% of applications to the CAC for statutory recognition were withdrawn by unions prior to acceptance by the CAC or rejected by the CAC at that stage. Around 6% were rejected or withdrawn because of failure to evidence majority support in the bargaining unit, which is not a requirement for statutory access. We therefore assume 38% of statutory access applications to the CAC will be predominantly withdrawn or rejected in this initial stage. This will be because of various administrative errors or practical reasons (such as existing arrangements, or a change in priorities), as well as some cases negotiating a voluntary agreement. Our estimates for annual withdrawal of applications range from **39 to 144**, with an estimated **64 to 240 being accepted** by the CAC for consideration.

118. We assume all of the applications would go to a CAC panel to decide on statutory access. This is a conservative estimate; under statutory recognition there continues to be withdrawals due to voluntary agreements being reached at further stages of the process, and it is also possible that in some cases the CAC will chair an informal meeting between the parties where they are in reach of an agreement. A CAC panel will involve a formal meeting where the parties will be questioned on the issues and the evidence.

119. For the formal meeting, some consultation responses and also the experience of the CAC is that parties will tend to reflect the formality with senior management in attendance and more usual appearance of legal or external advice. Our assumptions are that for the employer team all will spend on average 8 hours on average preparing and attending the meeting (Though only SMEs that use external legal or HR advice for employment law matters have those in attendance). The attendees are assumed to be:

- a. Schools or adult social care employers with 1 to 20 workers, the negotiating team (head teacher and senior teacher/care proprietor and senior care worker) plus external advisor for 29% of small employers⁶².
- b. Employers with 21 to 49 workers: CEO plus equivalent of estates manager and IT manager, and external advisor in 29% of cases.
- c. Employers with 50 to 249 workers: Senior director, HR director, IT manager, Estates manager, external advisor in 26% of cases.
- d. Employers with over 250 workers: Senior director, HR director, IT manager, Estates manager, internal legal advisor⁶³.

120. This produces annual estimates for the costs of attending formal meetings of £0.09 million to £0.35 million.

Table 11: Estimated annual cost of employers attending CAC panels

Employer size (number of workers)	Estimated employer unit cost of attending (£)	Number of panels (low)	Number of panels (high)	Estimated total cost (low) £ (nearest 000)	Estimated total cost (high) £ (nearest 000)
1 to 20	~900	16	40	14,000	36,000
21 to 49	1,410	4	26	6,000	28,000
50 to 99	1,655	9	36	15,000	60,000
100 to 249	1,655	9	34	15,000	56,000
250 to 499	1,540	7	29	11,000	45,000
500 or more	1,540	19	81	29,000	125,000
Total	N/A	64	20	90,000	350,000

Costs to the CAC of administering statutory access

121. We estimate that the CAC accept and make a decision on between 64 to 240 applications for access arrangements each year.

122. Currently, the CAC’s statutory access assessment is a structured process approach that can involve an informal meeting with the parties to try and reach an agreement on access, or a panel to decide on access including meetings with parties to discuss the issues and their evidence. The CAC will decide whether access is reasonable considering the five principles, existing agreements, workplace arrangements, and other relevant factors.

123. Initial estimates from the CAC Chief Executive suggest that the following unit costs per application leading to a determination would be needed. This would require

⁶² [Small Business Survey 2024: businesses with employees - GOV.UK](#)

⁶³ Estimated median hourly labour costs are £56.80 for CEOs or senior directors, £36.59 for HR directors, £26.24 for estates managers, £35.24 for IT managers, £37.66 for internal lawyers, £200 for external legal/HR advice, £54.43 for head teachers, £35.49 for a senior teacher, £26.37 for a care proprietor and £17.44 for a senior care worker.

some increase in the CAC staffing resources which is part of the planning process for the introduction of statutory access.

Table 12: Estimated CAC unit costs per statutory access determination

Worker title	Hours	Hourly labour cost (£)	Total labour cost per case (£, nearest 00)
Deputy Chair	11	90.57	1,000
Committee member	5.5	51.49	300
G9 case manager	15	32.10	500
G11 case worker	6	22.76	100
Total	N/A	N/A	1,900

124. We estimate that the CAC will determine 64 to 240 statutory access applications, resulting in additional costs of £121,000 to £455,000. This would require additional secretariat resource that could push the costs higher depending on the staffing requirements, and how much work apart from statutory access the new staff would be involved in.

Number of decisions setting up statutory access arrangements

125. Decisions on applications to the CAC for statutory access will be influenced by the quality of applications (such as the extent to which they are close to the ‘model’ terms) and how the CAC panels will interpret various aspects of the law and guidance. The above estimates suggest that after applications are submitted a significant proportion will be withdrawn and a few rejected due to issues with how successfully the application meets the requirements (for instance on the threshold). For statutory recognition, once the CAC has accepted the application for a decision it rejects a low proportion of these applications (though some are withdrawn, or do not win a ballot). At the next stage following the acceptance of an application for a decision, around 80% of accepted applications have a bargaining unit decided or agreed. This seems a reasonable basis for estimating the number of applications for statutory access reaching the decision stage that result in a statutory access arrangement. Our estimated annual number of statutory access arrangements is therefore between 51 and 191. Combined with the estimated negotiated statutory access agreements of between 57 and 216, our estimated number of annual statutory access agreements (including those decided by the CAC) is between 108 and 407.

Table 13: Estimated annual number of statutory access agreements

Employer size (number of workers)	Number of responses (low)	Number of responses (high)
1 to 20	27	68
21 to 49	7	33
50 to 99	15	61
100 to 249	14	58
250 to 499	12	49

500 or more	33	138
Total	108	407

126. The principles of the statutory access agreement or arrangement are expected to follow the Code of Practice: Right of trade unions to access workplaces⁶⁴, which is being consulted on.
127. There is a lot of potential complexity to individual access agreements or arrangements. Employers are likely to accrue some basic physical and digital access costs. These include:
- a. Facilitating physical access for a union official, for example: discussing health and safety protocols, specifying permitted areas within the workplace, and designating appropriate rooms for their use. It is also important to accompany the official during entry and exit from the premises. Arranging a noticeboard in the workplace that unions can place information on.
 - b. Arranging for union information to be placed on the intranet.
 - c. Arranging for relevant workers to receive written communication, potentially by e-mail.
 - d. Arranging for digital meetings to take place.

Physical access

128. As indicated above, we do not have any information from published sources or from the consultation on how voluntary trade union officials' access to workplaces operates in practice. It is therefore difficult to provide a robust monetised estimate for the costs of access.
129. However, we expect that the cost overall of statutory access of union officials to workplaces will be low. This is based on a number of assumptions:
- a. As evidenced from the low level of statutory recognition applications each year, and evidence from the WERS panel survey of a very low rate of annual workplace unionisation, it is likely that a low number of employers, primarily large employers, will be affected.
 - b. As suggested by the average and median bargaining unit sizes on trade unions' statutory recognition applications from 2016 to 2025, in most cases statutory access applications are likely to cover relatively small numbers of workers.
 - c. As indicated by available information on trade union websites and guidance documents⁶⁵, workplace recruitment and organisation and recruitment is primarily carried out by trade union members (or interested workers who join a union) who become active. The role of the union officials is to support and guide these workplace activists. This also intuitively makes sense, as the

⁶⁴ [Draft Code of Practice: Right of Trade Unions to Access Workplaces](#)

⁶⁵ For instance, Prospect [Growing the union hub | Prospect](#) and Community [Having a conversation about union recognition with your employer | Community Trade Union](#) [accessed June 2026]

union role is to provide collective worker voice to the employer, and workplace presence is a key factor in making this effective.

- d. Union resource: there are some large trade unions that are large employers, but most are small or micro employers. The primary role of trade unions is to represent their existing members, so there is limited resource for recruitment and organisation. Therefore, unions will primarily be looking to use this resource efficiently to support workplace activists to achieve recognition.

130. We have some evidence from data on statutory recognition that suggests that generally statutory access applications might:

- a. Primarily affect employers with 250 or more workers. The estimates in Table 15 largely reflect the size distribution for employers with over 20 workers of accepted applications for recognition between 2017 to 2024. These show employers with 250 or more workers accounting for over half of estimated access agreements.
- b. The median bargaining unit for statutory recognition applications from 2016 to 2025 was 53, while the average application stage bargaining unit was 143⁶⁶. It is possible that statutory access applications may cover more workers, but also possible that for larger employers they may be more focused either on specific occupations within a workforce, or an employer's non-unionised workplaces where they represent similar workers at another of its workplaces. There is also the potential for negotiations or CAC decisions to lead to more focused agreements where a trade union has limited information about how the workforce is organised when it applies. This is likely to mean that in most cases only one or two workplaces would be affected.

131. The proposed legislation and Code of Practice sets out that the model terms of an access agreement includes up to weekly access, meaning a visit by a trade union officials that the workers subject to the access agreement have the opportunity to engage with. However, this could take a variety of forms. Therefore, it is likely that there would be some ebb and flow to visits by union officials. While the primary objective of most access agreements is likely to be to recruit and organise for the purposes of achieving collective bargaining, other reasons include for collective bargaining purposes, or meeting or supporting workers. It is likely that these other purposes would require relatively infrequent access (as worker representation individually and collectively would primarily be conducted by workplace union representatives). Access agreements granted by the CAC under the statutory framework should also not last longer than two years⁶⁷.

132. The primary cost for employers during the operation of access agreements would occur when union officials held meetings during work-time with the workers subject to the access agreement. It is likely that employers will pay workers while they attended the meeting instead of carrying out their normal work duties. However, the Code of Practice specifies that access to workers should minimise any

⁶⁶ DBT analysis of statutory recognition ballots data

⁶⁷ If employers negotiated a voluntary access agreement it is possible that they could have allowed a longer maximum term, or agreed other mechanisms to determine if the access agreement remained relevant, but this would be at the discretion of the employer in negotiation, and they would be aware of the CAC maximum term.

unreasonable interference with the activities of the employer. To achieve this, it suggests that consideration should be given to holding meetings involving large proportions of the workers subject to the access agreement during rest or lunch periods or towards the end of a shift.

Administration of access

133. In most cases, the cost of administering physical access of union officials to the workplace would be low. Based on consultation responses, employers would have to do some initial administration to enable specific union officials to visit. This could vary from very simple procedures applied to visitors to a workplace to more complex procedures, including verifying DBS certificates and arranging access with third parties (though there may be existing protocols in place). We assume on average it could take 1 hour of an HR officer's time and 1 hour of a security officer's time, at hourly labour costs of £17.75 and £17.20 respectively. For employers with under 50 workers we estimate 1 hour of an administrator's time at £19.57. This produces an estimated cost based on the high estimate of statutory access applications of £13,000.
134. For every in-person visit there will also be some administrative costs of meeting the union official, providing any relevant information about the building, escorting them to the meeting place, checking if any required equipment is there, then escorting them back to reception. The secondary legislation and draft Code of Practice is clear that the meetings between workers and trade union officials should be private and not monitored so it is not expected that there should be any requirement to stay with the official during the meeting or watch the meeting. Although there is likely to be variation in the time it takes to sign in and escort the union official, we estimate that on average it would take about 30 minutes of a company administrator's time (at a median hourly labour cost of £19.57) – potentially slightly more involved for the first visit of an official. The total cost would depend on the number of visits.
135. While potentially the legislation would allow weekly access to workplaces over two years, in practice for most access agreements this is unlikely to happen. As evidenced above, it is likely that in most cases access agreements will cover relatively low numbers of workers. Trade unions primarily want union members in the workforce to be responsible for recruiting, organising and representing workers in the workplace; this would be a key factor in demonstrating benefits to employers of recognition. Trade union resource available for officials to carry out recruitment, organisation and representation at workplaces where the union is not recognised are limited – so more visits per agreement would reduce the number of possible agreements. As trade unions expect access agreements to mainly target recruitment and organisation for the purpose of achieving recognition, it is reasonable to expect many access agreements would achieve recognition before the two year term is completed; if as expected numbers of workers covered are generally relatively low, often they could be completed within a year. If unions are able to build an activist base within workplaces, the need for workplace visits is likely to reduce.

136. One factor on the number of visits would be the number of workplaces. The legal framework for statutory access together with the Code of Practice make provision for access agreements to include terms that enable weekly access. Where workers covered are based in multiple workplaces, this would mean the employer would need to allow for more visits. Based on analysis of data of the number of workplaces per employer and the number of employers by size⁶⁸, and the data on statutory recognition applications, we estimate that the following number of workplaces by size of employer will be covered by an access agreement on average⁶⁹.

Table 14: Estimated average number of workplaces affected by employer size

Employer size (number of workers)	Number of workplaces covered
1 to 20	1
21 to 49	1
50 to 99	1
100 to 249	1
250 to 499	2
500 or more	3

137. Taking account of the arguments of this section, and that unions would be able to access workers from different shifts⁷⁰, we take a conservative approach to estimating the number of in-person visits per employer, as shown in Table 15. Where workers covered by an access agreement work in different shifts or at different workplaces officials may need to visit the employer more than once a week to make visits accessible to all relevant workers. We assume that visits from union officials become rare in a second year of most access agreements, as workplace representatives are in place, and in many cases recognition agreements would have been agreed (and currently do not generally specify visits from union officials). However, there may be a few workplaces or employers where trade unions consider that regular visits remain necessary well into the second year of an agreement. For the high estimate of access agreements, this would produce an estimated cost of £0.2 million in year 1 and £0.05 million in year 2.

Table 15: Estimated average number of in-person visits per employer, by employer size

⁶⁸ [UK business: activity, size and location - Office for National Statistics, Business population estimates - GOV.UK](#)

⁶⁹ While we estimate that on average employers with 250 or more workers will have on average multiple workplaces, with the largest having a high number of workplaces, the evidence from statutory recognition is that union activity tends to be much more focused than the entire workforce (that will often be partly unionised for larger employers) we have limited the number of workplaces affected so that it will average around 2 overall based on the estimated distribution of applications.

⁷⁰ Percentage of workplaces with shift workers by size of employer estimated from DBT analysis of the MWPS [Management and Wellbeing Practices Survey - NIESR](#)

Employer size (number of workers)	Average Number of in-person visits, Year 1	Average Number of in-person visits, Year 2
1 to 20	20	8
21 to 49	21	8
50 to 99	27	10
100 to 249	29	10
250 to 499	64	13
500 or more	88	16

Communications facilitated by employer

138. As part of access agreements, employers may also be required to provide information from the union to workers by e-mail, intranet or digital portal, and on noticeboards. The draft Code of Practice suggests that generally the employer would cascade information provided, though trade unions may over time communicate directly with workers who have provided them with their contact details for use.

139. Use of noticeboards and digital systems including e-mail for regular communication with workers differs by size of employer. DBT analysis of the 2018 Management and Wellbeing Practices Survey⁷¹ indicates that the proportion of employers by employer size with access to IT and noticeboards is as follows (Table A19).

Table 16: Employers using IT and/or noticeboards to communicate with workers

Employer size (number of workers)	Use e-mail to regularly communicate with workers	Use noticeboard to regularly communicate with workers	Use intranet to regularly communicate with workers
10 to 19	58.7%	53.7%	29.7%
20 to 49	61.5%	66.6%	35.7%
50 to 99	75.8%	81.6%	62.0%
100 to 249	77.9%	84.4%	65.9%
250 to 499	80.2%	87.0%	80.3%
500+	87.1%	86.6%	88.0%

140. Applying these percentages to the numbers of estimated statutory access agreements, we estimate that the following number of employers would be involved in cascading information from unions to workers.

Table 17: Estimated number of employers cascading information by e-mail, intranet or noticeboard

Employer size (number)	Cascading information	Cascading information	Cascading information	Cascading information	Cascading information by	Cascade information by
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⁷¹ [NIR \(2023\), Management and Wellbeing Practices Survey](#)

of workers)	by e-mail (low)	by e-mail (high)	by intranet (low)	by intranet (high)	noticeboard (low)	noticeboard (high)
1 to 20	16	40	8	20	15	37
21 to 49	4	20	3	12	5	22
50 to 99	11	46	9	38	12	50
100 to 249	11	45	9	38	12	49
250 to 499	10	39	10	39	10	43
500 or more	29	120	29	121	29	120
Total	65	270	60	248	68	284

141. Based on informal evidence provided by HR digital communications managers, we estimate that the practical timings to arrange communication would be:
- a. Receiving the information and re-sending it via email would take up to ten minutes (based on practical tests). Similarly, we estimate that printing and walking to a noticeboard and attaching would take 10 minutes on average.
 - b. Evidence from a content designer suggests that an intranet page/online portal page based on a short set text would take up-to 20 minutes. This would include page set-up and converting text to HTML. Amending the existing page to add or replace some text would be around 10 minutes.
142. We assume that the head teacher or care proprietor would carry out this work for an employer with 1 to 20 workers (at average hourly labour cost of £33.39), with CEOs doing so for employers with 21 to 49 workers (at £56.80). For larger employers we assume an HR director would carry out the task (£36.59). We assume someone senior would want to quickly check the information provided by the union to ensure it was factual.
143. We assume that trade unions would want to use digital communications to set out what the union's functions would be in the workplace. It would also want to provide the contact details for relevant union officials. Finally, it would promote the visits planned to meet all workers covered in the access agreement, either in large meetings or visits where the official(s) would be available for workers to meet one-to-one or in small groups. Some of this information would be fairly constant, while the rest would involve regular updating. It is likely that union officials would communicate with union members and workplace activists directly as they would have their contact details. Over time, as access agreements moved to recognition, or workplace activists took over workplace organising, it is likely that in most access agreements employers would have to facilitate less digital communication.

144. We assume that for each set of visits where an official will be present to meet the workers covered by the agreement there would be an updated communication the employer would need to facilitate. Where an official would need to attend different workplaces or to meet workers on different shifts, we assume that would be covered by one communication. Estimated number of union access communications facilitated by employers are:

Table 18: Estimated number of communications cascading information by e-mail, intranet or noticeboard facilitated by employers

Employer size (number of workers)	Average Number of facilitated union communications, Year 1	Average Number of facilitated union communications, Year 2
1 to 20	18	6
21 to 49	18	6
50 to 99	23	12
100 to 249	23	12
250 to 499	48	15
500 or more	48	15

145. This produces estimates for the cost of employers facilitating communications from £0.07 million to £0.28 million in year 1 of access agreements to £0.02 million to £0.1 million in year 2.

Table 19: Estimated cost of employers facilitating union communications, £ to nearest £1,000

Employer size (number of workers)	Estimated cost of facilitating communications, Year 1 (low estimate)	Estimated cost of facilitating communications, Year 1 (high estimate)	Estimated cost of facilitating communications, Year 2 (low estimate)	Estimated cost of facilitating communications, Year 2 (high estimate)
1 to 20	4,000	10,000	1,000	3,000
21 to 49	2,000	9,000	1,000	3,000
50 to 99	5,000	19,000	2,000	10,000
100 to 249	5,000	19,000	2,000	10,000
250 to 499	12,000	48,000	4,000	15,000
500 or more	43,000	177,000	13,000	55,000
Total	70,000	282,000	24,000	96,000

Cost of workers attending meetings with trade union officials during work-time

146. We expect that the key cost faced by employers from an access agreement could be where there are meetings with all or most of the workers covered by the access agreement that take place when the workers would otherwise be working.

147. We do not know to what extent such meetings would happen under voluntary access agreements. However, it is likely that such meetings would be unlikely or infrequent. Evidence from CAC decisions on statutory recognition applications do not

indicate that meetings with workers in the proposed bargaining unit are key stages in the current way unions build up to recognition. Where a recognition ballot is being held, there is the potential for trade union officials to access the workers in a bargaining unit up to once every 10 days prior to the ballot (which may allow for one or two meetings to take place, given the average additional time that ballots require according to data in the CAC Annual Reports). Statutory recognition procedures are changing to allow unions to access workers in the bargaining unit from the CAC's acceptance of an application request up to once every 5 days⁷², which would allow for more meetings to take place.

148. Statutory access will allow trade unions to build membership and support for recognition without the risk attached to statutory recognition applications of a three-year block on applying for recognition for a group of workers if the application fails.
149. The proposed Code of Practice for trade union access states that access would normally take place during normal working hours, but unions should ensure disruption to the business is minimised. The employer's custom and practice should guide the timing of meetings and other access activities, with consideration given towards holding meetings and events during rest breaks and towards the end of shifts.
150. The existing evidence on current practice is that trade unions primarily recruit and organise through activist members in workplaces, and it seems likely that access for union officials would be used to support and bolster this at key moments rather than fundamentally alter or replace it. The essence of trade union activity is representation of the workforce in the workplace, and to do this most effectively, it needs to be the collective voice of the workforce, not an outside entity. It is likely that activists within the workplace are better able to connect directly with other workers about the relevant issues, and the collective strength of the union within the workplace will make the case for effective recognition to the workers and to the employer.
151. Large meetings of union officials with the workers covered by an access agreement are likely to serve a number of potential purposes, depending on the state of unionisation:
- a. Where there is limited or no union membership, meetings might inform workers of how organising and building independent worker voice can lead to improved workplace conditions, and attempt to build an activist base within the workforce.
 - b. Where there is an existing group of union members including activists, meetings with union officials might look to increase membership or build evidence of worker support for unionisation.
 - c. Where a union is already recognised, if meetings with all workers in the bargaining unit are held under access agreements it may be to receive

⁷² From acceptance by the CAC of a statutory recognition application, there is a 20 working day negotiation period to negotiate the access arrangements, and if these do not produce an agreement the CAC will have 10 working days to decide on access.

addition information about issues or to build membership further, though these seem less likely.

152. While it is difficult to know how this would play out in every workplace where there was an access agreement, our assumption is that generally there would not be many meetings of all workers covered by the agreement. As noted above, in most cases we expect the number of workers covered would be relatively small, even in large employers. In general, we expect that there can only be a limited amount of information that union officials can impart to workers about union processes and potential benefits, and workers who are not interested or unconvinced may lose interest. We would expect unions to move to focus on those expressing an interest or joining, and using visits to help them organise to build membership and support.

153. Given that for most access agreements, the aim would be to achieve recognition at some point, and voluntary recognition is the union preference, then minimising disruption to the employer takes on some significance: being able to indicate potential benefits to the employer, as well as to the worker will help achieve voluntary recognition. It is therefore likely that in most workplaces relatively few meetings of most or all the workers covered would take place during worktime, where the employer is not happy to accommodate such meetings. Once, the workplace union base is developed, or membership or support for recognition is sufficiently strengthened, union officials are more likely to primarily offer support to workplace organisers. There will be situations, particularly where the access agreement covers a large number of workers, or some workers are difficult to reach, or it takes time to build effective communications with workers, that union officials will need to continue to make regular visits or hold digital meetings with workers over the period of an access agreement. However, in the main we expect that would not be the case, and union officials would primarily look to provide support to their members who are organising in the workplace.

154. If we assume that the access agreements cover similar numbers of workers in employers with 21 or more workers as those in statutory recognition applications, then the data we have for statutory recognition applications for the years 2016 to 2025 suggest average worker numbers per application would be as follows:

Table 20: Estimated average number of workers covered by employer size

Employer size (number of workers)	Number of workers covered by access agreements
1 to 20	5
21 to 49	23
50 to 99	45
100 to 249	82
250 to 499	124
500 or more	236

155. As set out in this section, we expect trade union officials to use meetings with all workers covered by the agreement strategically to cover targeted objectives, with

the approach now being based on building strength through workplace organising by members. Therefore, the cost of setting up and operating statutory access for employers is expected to be low.

156. While there is an absence of robust data on how many meetings of all workers covered by an agreement would take place, if it averages at up to 8 per access agreement in year 1, and 2 per access agreement in year 2 then the costs would fall below the de minimis threshold of £10m Equivalent Annual Net Direct Cost to Business (EANDCB).
157. Given the likely relatively low numbers of workers covered by most access agreements, this seems unlikely to be breached as from the trade union's perspective such meetings are in most cases likely to produce diminishing benefits.
158. While trade union officials may require more access visits, these are more likely to be with interested workers or members, making themselves available for one-on-one conversations with workers or presenting at induction events where the employer will not face any cost of disruption to work.

Enforcement

159. As set out above, enforcement of statutory access will be through the CAC, and will involve a number of stages – which can include the issuing of penalty fines if a party is serially non-compliant with the same access agreement in a similar way, or non-compliant with the resulting CAC Orders. There are three tiers of penalty maximum, rising from £75,000, to £150,000 and finally £500,000. To reach that third tier the party would have been found non-compliant by the CAC four times on a similar breach of the same agreement.
160. The draft Code of Practice states that employers and trade unions should seek to resolve disputes about access related matters through dialogue wherever possible. Currently, there have been very few complaints of non-compliance with regard to the statutory access process, though trade unions have identified some grievances with employer behaviour. The enforcement mechanism for statutory recognition has been reformed in the ERA. There have been more complaints of non-compliance by employers where statutory recognition agreements are in place: in the years 2019/20 to 2024/25 there were 66 complaints, of which 63 were resolved with CAC or Acas assistance. It is therefore difficult to know at this stage how many complaints will lead to orders or penalties, or will be resolved through dialogue, potentially with some assistance.
161. The non-compliance deterrent effect may be weaker for some larger employers, given their greater capacity to absorb the financial impact of maximum penalties.

Benefits

162. We are unable to monetise the benefits of the introduction of statutory access. Benefits will primarily arise where workers choose to engage with the trade unions accessing their workplaces, join, organise and secure recognition for collective

bargaining. While there is evidence of a latent demand for unionisation among non-unionised workers, it is difficult to estimate the extent to which statutory access will be responsible for converting that demand into unionised workplaces. Our qualitative assessment of the benefits is that unions will primarily continue to use voluntary access agreements for recruitment, organisation and representation, while statutory access will provide an additional option where voluntary access agreements are not reached, or where employers are hostile to union presence and representation.

163. Wider evidence suggests that unions and collective bargaining can potentially contribute to improved terms and conditions, including wages, family-friendly practices and worker wellbeing⁷³, and may help reduce pay inequality in some contexts. However, these wider labour market and macroeconomic effects are not assumed to arise directly from statutory access alone and have not been monetised in this assessment. Any contribution from this policy is likely to be indirect, gradual and dependent on take-up, employer and union behaviour, and wider labour market conditions.

164. Broadly raising living standards in the economy may boost demand, which could help support growth and productivity improvements over time. As evidenced in Section 3 and the Evidence Base section, union representation can provide benefits to employers. There have been various analyses identifying positive links between wellbeing and workplace performance⁷⁴, with some (including Engage for Success⁷⁵) and identifying worker engagement as a factor in workplace wellbeing. The Pissarides Review into the Future of Work and Wellbeing⁷⁶ makes the case that technological transformation in the UK if it is human centred will generate better outcomes both economically and for social wellbeing. It highlights the role that union access can play in being able to help “deliver improved outcomes through meaningful partnership working” in the governance of AI and automation technologies. The CIPD report “UK Industrial Relations: A future with trade unions”⁷⁷ shows that most (70%) of employers with union representatives report a positive relationship with unions, and only 5% saying the relationship is negative. Employers identify the key benefits from employee representation as having an independent voice channel to raise concerns, keeping the workforce well informed and fewer workplace disputes or early warnings of disputes.

165. As evidenced above, unions have limited resources to devote to recruitment, organisation and representation. While some of the larger unions may be able to utilise more resource in these areas, there will still be a limitation to how much activity they can spend on recruitment and organisation of new members. While statutory access may enable these activities, and representation of existing members, to become more efficient, any substantial impact on collective bargaining

⁷³ [Unions raise worker wellbeing | CEPR](#)

⁷⁴ [The impact of employee satisfaction on company's labour investment efficiency - ScienceDirect](#)

⁷⁵ [The Evidence - Engage for Success](#)

⁷⁶ [The-Pissarides-Review-Final-Report.pdf](#)

⁷⁷ [CIPD \(2025\) UK industrial relations: A future with trade unions](#)

coverage and representation across the workforce in Britain is likely to be medium to long term.

166. Statutory access could help unions where they are recognised represent workers more effectively, especially where employers make access for union officials difficult. This could potentially lead to an improvement in relations with the employer and help build more cooperative industrial relations.

Summary of costs and benefits

167. We identify three key stages to the process, familiarisation, moving from statutory access applications to statutory access agreements and statutory access agreements in operation. As stated above, we have only costed familiarisation for trade unions, as they will only use statutory access applications to start the process if they consider it net beneficial.

168. Despite the lack of available information, we have monetised some of the costs primarily by making assumptions based on consultation responses and stakeholder meetings. For these costs, we have used the Business Population Estimates⁷⁸ to estimate what proportion of costs will be for the private or third sectors, while making an adjustment for schools and adult care employers with under 21 workers.

169. We expect the overall cost of the proposed policy to remain below the de minimis threshold. This assessment is based on the assumption that, on average, access agreements will likely involve fewer than 10 meetings over the course of a 2-year period with all workers covered by the access agreement during paid working time. On that basis, the annual direct cost to business is expected to be below £10 million a year.

170. Where we have estimated costs they are set out in the table below:

Table 21: Summary of monetised costs

Cost category	Total cost, low estimate (£m)	Of which business costs (£m)	Total cost, high estimate (£m)	Of which business costs (£m)
Familiarisation (year 1):	0.15	0.03	0.20	0.08
Response: employer	0.04	0.04	0.18	0.17
Cost of negotiation: employer	0.53	0.49	2.15	1.95
responses to the CAC: employer	0.03	0.03	0.11	0.10
Arbitration costs: CAC	0.12	0.00	0.46	0.00
Arbitration costs: employer	0.09	0.08	0.35	0.32

⁷⁸ [DBT \(2025\) Business population estimates 2025 - GOV.UK](#)

Facilitating in-person access: employers, year 1 of policy	0.05	0.05	0.21	0.20
Cascading trade union information: employer, year 1 of policy	0.07	0.06	0.28	0.26
Facilitating in-person access: employers, subsequent years ⁷⁹	0.07	0.06	0.26	0.24
Cascading trade union information: employer, subsequent years	0.09	0.08	0.38	0.34

171. The benefits from the policy have not been monetised. They will largely be realised when workplace access to trade union officials leads to union recognition and collective bargaining. This may lead to improved terms and conditions for the workers, and can also benefit employers in areas like individual dispute resolution, staff retention, and performance benefits through improved staff wellbeing and better information flows between workers and senior management.

Costs and benefits to business calculations

172. As identified above, the monetised costs of statutory access will predominantly fall to business. The method used to estimate the costs is set out above. We expect that over 90% of statutory access applications would be to employers in the private sector. As set out, it is likely that the applications are more likely to be concentrated on larger employers. Evidence from the CAC suggests that in the years 2017 to 2024 over half of statutory recognition applications accepted were for employers with 250 or more workers, with under 10% going to employers with 21 to 49 workers⁸⁰. The CIPD Labour Market Outlook 2025⁸¹ shows employers without recognised unions with 250 or more workers more likely to be facing pressure from a trade union for formal recognition than smaller employers (with micro and small employers extremely unlikely to be facing such pressure). On this basis, we estimate that the number of applications received increases by employer size group. While nearly all employers with fewer than 21 workers are exempt from statutory access, those covered by statutory national bargaining frameworks (adult social care and state schools) are included. Despite the tendency of trade unions to focus on larger employers, the fact that these specific small and micro employers have been included suggests that there will be some union activity there.

173. We are expecting relatively few employers to be affected. It is unclear whether any industry or region would be disproportionately affected. It is likely that employers

⁷⁹ Subsequent years refers to the cost in each year following the initial year of the policy following commencement. This will include costs from new statutory access applications and agreements started in the year, and the costs of access agreements in their second year of operation. Worth noting that in practice as access agreements will start at different points across the year the cost distribution over the 10 year period will be different from the more simplified calculations set out here.

⁸⁰ DBT analysis of CAC data

⁸¹ [CIPD Labour Market Outlook – Spring 2025](#)

without recognised unions (therefore predominantly the private sector) would be the primary recipients of statutory access applications. However, across the private sector most industries have a large majority of workers not covered by collective bargaining.

174. Potentially, statutory access will lead to trade union recognition with the employer. This is likely to involve some changes to HR arrangements, and worker engagement arrangements and costs from this reorganisation. Most recognition agreements are voluntary, indicating that employers see them as net beneficial.

175. The impact on small and micro businesses is covered in the first section.

Business environment

176. Unions primarily achieve recognition through voluntary agreements with employers, and currently aim to recruit and organise through voluntary agreements with employers when not recognised. Voluntary access agreements are likely to remain their preferred option, with statutory access used where employers are resistant or reluctant to engage with unions, and workers are interested in union representation.

177. Therefore, statutory access will be introduced into an existing industrial relations framework where much of the private sector is not unionised, but where unions organise to achieve voluntary recognition agreements. Unions will also have a limited resource to allocate to recruitment and organisation in non-unionised workplaces. We expect statutory access applications will affect a low proportion of employers a year, so it is unlikely to affect investment or trade.

Costs and benefits to households' calculations

178. The costs and benefits to households have not been monetised as it is difficult to estimate the extent to which statutory access will result in unionisation, and what benefits to workers will result. It is expected that unionised workers may obtain better terms and conditions, a reduction in wage inequality, and more family friendly and equal opportunities practices. There could also be positive effects on dispute resolution and access to training. Evidence suggests this is likely to boost worker wellbeing. Unionisation would involve workers paying a membership subscription to the trade union, but that would be the worker's choice.

179. Most workers are not union members or covered by collective bargaining arrangements. As we estimate that a low proportion of workers would be affected by statutory access each year, any distributional aspects are difficult to predict.

180. As identified above, evidence suggests that primarily trade unions recruit and organise at larger workplaces. Therefore, in practice it is not clear how much the setting of the threshold for the application of statutory access at generally employers with 21 or more workers would have on workers with smaller employers. However, unions made the case that the adult care sector was an industry with often poor

working conditions and underpayment⁸² where many employers had under 21 workers. Some other industries, where micro and some small businesses are exempted, were also identified as being difficult to organise in voluntarily, and where workers at employers with few staff may face poor working conditions. There is therefore some risk from the 21-worker threshold alongside the benefit to smaller employers from exemption.

Trade implications

181. 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.
182. 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

183. We expect that there is no or negligible impact on the environment, natural capital, and decarbonisation as a result of these proposed reforms. The regulation does not directly relate to environmental or decarbonisation goals.

Other wider impacts (consider the impacts of your proposals)

Equality Impacts

184. The policy is not specifically designed to tackle unfair treatment or outcomes in relation to groups with protected characteristics under the Equality Act 2010. It is designed to primarily allow trade union officials access to workplaces to support, represent, meet, recruit and organise workers where unions are facing difficulties getting access. We expect that most statutory access applications will be mainly for the purpose of recruitment and organisation, and this will mainly affect the private sector. Private sector employment is estimated at around 28 million in December 2025, with private sector workers totalling around 25 million. We estimate that statutory access agreements will cover up to around 50,000 workers a year. It is therefore difficult to identify, not knowing which industries, occupations and regions applications will be made in, whether there are any disproportionate impacts on those with protected characteristics. Where access agreements are in place, there will be no requirement for workers to engage with trade union officials or join a trade union. It provides an opportunity for workers who might be interested in doing so.
185. The proposed policy's inclusion of a threshold of employers with 21 or more workers means that trade unions will not be able to get statutory access to the workplaces of employers with under 21 workers (except those in adult social care

⁸² [DLME \(2025\) United Kingdom Labour Market Enforcement Strategy 2025 to 2026](#)

and state schools). Generally, trade unions have said that they are not likely to target these small and micro employers for access and recognition, due to their limited resources and therefore the opportunity cost of focusing on larger workplaces. However, trade unions did say that there may be specific industries where statutory access to micro and small employers would be beneficial, both to ensure better working conditions where these may be at risk and where employers are likely to be hostile to union presence. While workers in these environments are not prevented from joining a union, or trade unions from organising them, the threshold may make this more difficult.

Risks and assumptions

186. We do not have much quantitative data on the extent of current voluntary access or voluntary recognition agreements. Therefore, the analysis is largely based on assumptions based around information available from the statutory recognition process, the WERS data, and other published information (as referenced) and information from stakeholders. The key risks are:
- a. We do not know the extent to which trade unions use statutory recognition applications to help push employers to negotiating voluntary agreements. Therefore there is uncertainty about how many statutory applications for access there would be.
 - b. We do not know how voluntary access agreements operate in practice and therefore how long there might be more intense periods of access by officials. There are limits in terms of union resources and how long access (for meetings of all the workers specified in agreements) can add value. It is likely that if union officials carry out longer 'intense' periods at some employers there will be fewer access applications and agreements.
 - c. We do not have quantitative information on negotiations for access or recognition. We have used information in employer consultation responses and from the CAC to base the assumptions on.
187. We did ask a few key stakeholders if they had quantitative information on negotiations and voluntary access agreements in operations, but they did not provide any.
188. Generally, we have costed on most estimates to take a more maximalist approach (within the low-high framing of estimated number of applications).