



Preparing for the new Trade Union right of access

From 30 October 2026, trade unions will have new rights to access workplaces, physically and digitally, to meet, recruit and represent workers.

This checklist sets out practical steps to help your organisation prepare. Not every item will be relevant – use it to identify what needs to be actioned and delegate next steps as appropriate.

Inform the business

Brief senior leaders, HR and line managers on the new right of access: what it is, when it takes effect, and what to do if a union requests access. Consider running awareness sessions so managers understand the right and are familiar with relevant company policies. ☐

Ensure managers know who to go to if a union approaches them, so the right people are involved from the start. ☐

Designate ownership and set up processes

Designate a lead point of contact for union access matters and a deputy to cover in their absence. ☐

Set up a dedicated, actively monitored email address for union correspondence. The response deadline runs from the day a request is received, not from when it reaches the right person. ☐

Consider making your contact details for union correspondence available on your website. ☐

Create a short-written process for receiving, logging and responding to access requests. ☐

Review policies and digital infrastructure

Review your visitor, site access and workplace policies to ensure they are up to date and workable in this new context. ☐

Audit your internal communication channels (intranet, email, messaging platforms etc) and assess how they could be used to cascade union communications, as necessary. This could be more involved than it may first appear. ☐

Review your data protection policies in light of this new right. Employers must not monitor worker engagement with union digital communications — for example, by tracking which workers have opened an email or engaged with links contained in it. ☐

Ensure your site arrangements are compatible with the privacy requirements for access meetings. Employers must not attend access meetings unless invited by the union, must not listen in, and must not pressure attendees to disclose what took place. Review whether any surveillance or recording equipment in meeting areas needs to be addressed. ☐

Multi-site and third-party site considerations

If your workers are based across multiple sites, establish how you will handle access requests across the sites and identify who is responsible at each location. ☐

If your staff work on premises controlled by another organisation, review those contracts now and have early conversations with the premises controller about how access would be facilitated. ☐

For sites with controlled or restricted access, consider whether the nature of the site engages one of the specific grounds recognised under the Code of Practice on which access may be limited or, in narrow circumstances, refused. ☐

If you already recognise a trade union Principal grounds for refusal

If you have an existing voluntary access arrangement that works well, review it to confirm it remains satisfactory. ☐

Note that existing trade union recognition will not necessarily prevent a different union from seeking access to the same workers. ☐

Consider proactively engaging with any trade unions you already recognise or have a relationship with, including those that may have become less active, to understand their intentions in light of the new right. ☐

Explore how a recognised union would respond if a different union sought access to the same workers, and whether they would be likely to support the organisation's approach. ☐

Strategy and Approach

Be aware that the statutory framework presumes that access will be granted. Consider your overall approach to trade union access now, before any request is received. ☐

Familiarise yourself with the grounds on which access may be limited or refused, so that you are clear whether any of them apply to your circumstances. ☐

Be aware that two or more unions may submit a joint application for access. Consider in advance how you would respond and whether this raises any additional practical considerations. ☐

Take a fresh look at how your organisation engages with its workforce and consider whether concerns and grievances are being heard and addressed promptly. ☐

Plan in advance how you will brief managers, HR, reception and front-of-house staff if access arrangements are in place – including what to expect during visits, privacy requirements, and how to handle any issues on the day. ☐

This checklist is a general guide and does not constitute legal advice. We recommend seeking specific legal advice on your own circumstances. If you would like to discuss what these changes mean for your organisation, please get in touch.



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