PENNINGTONS MANCHES COOPER

Trade Union Access Requests

A step-by-step guide to the statutory timeline in force from 30 October 2026

Day 0

Access request received
Employer receives a request from an independent trade union for access to the workplace.

Note: Day 0 is the date the request is received by the employer.

Within 15 working days

Employer response required
The employer must respond to the request within 15 working days, either by:

- accepting the request; or
- proposing amendments; or
- rejecting the request and providing reasons.

Note: The response must be in writing and set out the employer's position clearly.

Next 25 working days

Negotiation period (if required)
The employer and the union have the next 25 working days to negotiate and seek to agree access arrangements.

Note: This period allows both parties to discuss and try to reach an agreement on the terms of access.

Agreement reached?

Yes

Implementation
The agreed access arrangements are implemented.

No

Application to CAC
If no agreement is reached, either party may apply to the Central Arbitration Committee (CAC).

CAC determination
The CAC determines the appropriate access arrangements.

Implementation
Access agreements are implemented in accordance with CAC determination.

Key takeaway
A clear, structured process with defined timescales to help employers and trade unions reach agreement on workplace access.

Chapter 5ZA of the Trade Union and Labour Relations (Consolidation) Act 1992, introduced by the Employment Rights Act 2025. The legislation and the accompanying statutory Code of Practice on the Right of Trade Unions to Access Workplaces came into force on 30 October 2026.

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