

The Rt Hon Liam Byrne MP
Chair, Business and Trade Committee
House of Commons
London
SW1A 0AA

8 April 2026

Implementing the Employment Rights Act 2025: TU Access Consultation and TUPE Call for Evidence

Dear Liam,

The Government has set the country on the path of national renewal, building a Britain for all on the firm foundations of security, respect and opportunity. That means creating an economy that delivers for working people: productive, profitable and growing, and creating the best environment for business by maximising job security to raise productivity, improve skills and cut the costs of staff turnover.

The Plan to Make Work Pay will bring employment rights legislation into the 21st century. We are building an economy based on fair competition between businesses, greater productivity in the workplace, job security for workers, and fair reward for hard work, delivered in partnership with businesses, trade unions, public sector employers and civil society.

Code of Practice on Trade Union Access Consultation

We are launching a consultation on a new draft Code of Practice on statutory trade union access. The Code will provide clear, practical guidance for employers and unions on how to navigate the new framework and apply it across different types of workplaces. This is an opportunity for all interested parties to help shape this guidance before it is finalised, helping ensure that the new statutory right of access is well-understood and supports smooth, effective implementation.

The consultation will run for six weeks, closing on 20 May.

Alongside this, we are also publishing our response to last year's consultation. Last autumn we consulted on strengthening trade union access into the workplace. Respondents engaged extensively, and their feedback has been carefully analysed and used to inform the final statutory access framework.

The Government response sets out these decisions and how the right of access framework will operate in practice, ensuring it is proportionate and enables regulated and responsible union access into the workplace.

TUPE Call for Evidence

Today we are also launching a Call for Evidence on the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). The Plan to Make Work Pay committed to reforming the TUPE regulations. The regulations exist to support business transfers and protect staff whose job is moved to a new employer. We believe firms should be able to smoothly transfer part or all of their business or transfer service provision, and supporting a stable workforce during transitions can in turn support a competitive business environment. The TUPE regulations should be easy to understand and follow for employers and protect staff.

We intend to consider reforms based on these principles – maintaining the right level of employment rights and protections but simplifying the process for employers.

Through this Call for Evidence we will gather evidence on the prevalence and experience of TUPE including how many employees it affects and what types of employees and employers are affected. It will also gather evidence on whether employers understand the current rules, and whether the current required steps are followed in practice. We will engage stakeholders throughout. The information gathered will support decision making on any TUPE reforms.

This Call for Evidence will run for 12 weeks, closing on 1 July.

Next Steps for consultation

Further packages of consultations are planned across 2026. These will be central to shaping the practical implementation of this legislation, helping Government deliver reforms that are both effective and inclusive. Alongside the release of these packages I would also be happy to engage with the Committee further on this important agenda.

With best wishes,



Kate Dearden MP

Minister for Employment Rights and Consumer Protection
Department for Business and Trade