

## Consulting employees and representatives

### What consultation is

Consultation is when an employer talks and listens to employees or workers and any trade union or other relevant employee representatives about organisational issues and changes which affect them.

The aim of consultation is to:

- work together to reach an agreement on a change
- find a solution to an issue

Listening to the views of employees and their representatives can help employers make a fully-informed, effective final decision, having considered their employee's thoughts, concerns and issues and with an idea of how to address them.

Consultation is a general term that can be used to cover several different things. It's important to find out which type of consultation could apply to your situation to make sure you're following the right process. For example, the type of consultation you hold could be:

- 'good practice consultation' – for when consultation could be a useful tool, for example fact-finding or exploring whether to introduce a working from home policy
- 'consultation under the law' – for when there is a potential legal implication, for example in redundancy situations where individual consultation is required as part of a fair process
- 'collective consultation' – for when the law requires an employer to take all reasonable steps, following a set process, to consult with employee representatives

### Why consultation is important

Consultation is important when:

- dealing with changes to work practices, procedures, policy and contract changes
- making decisions about the future of the organisation

Consultation helps with good employment relations as it includes staff and their representatives in the decision making process. It can lead to better decisions and can increase the chances of employees understanding and agreeing with proposed changes.

In certain circumstances consultation is a legal requirement. Making consultation a part of the organisation's normal procedures can help fulfil this requirement where it is needed.

[Find out more about when consultation is legally required](#)

### The benefits of consulting employees

Employees and their representatives are much more likely to support changes if they:

- understand the reasons behind the proposals
- have the opportunity to give their views about them
- believe that their employer has genuinely considered their views and taken them on board

Consultation can:

- help employers hear the opinions of all the organisation
- help employers explore how much support there is for a suggested change
- help employers identify issues with a suggested change so they're better prepared to address them
- be a relevant factor in employment tribunal decisions, for example when deciding if dismissals were unfair

Consulting employees can also help to:

- build trust and keep good working relations
- find problems early and solve them
- give everyone the chance to make their views known on the issues that affect them
- find better or alternative solutions that had not been thought of already
- prevent potential disagreements, tensions or conflict in the organisation
- improve employee engagement and job satisfaction
- reduce costs, for example absence or high staff turnover
- identify if a change might be against the law, for example discrimination

## Methods of consultation

How employers consult with employees will be different depending on the organisation and the issue or changes the employer wants to consult on.

Consultation can become an important part of an employer's day-to-day management processes. Employers can consult directly with employees as well as indirectly through employee representatives.

Direct consultation can take a number of forms, including:

- informal discussions with individual employees
- formal group meetings or seminars

Indirect consultation with employee representatives is best carried out in a formally set up group such as a:

- joint consultative committee made up of managers and employee representatives who work to promote good practice in the way an organisation is managed
- joint working party set up to consider and suggest ways of resolving specific issues affecting the organisation, for example a high rate of employee turnover or problems with the pay system
- recognised trade union

[Find out more about holding a consultation](#)

## Employee representatives

Who employers should consult with will depend on the circumstances. Employers might need to consult with individual employees, their representatives, or both.

Employee representatives can include:

- trade unions
- information and consultation (ICE) representatives
- employee forums

Find out more about employee representatives in the [Acas guides on trade union and employee representation](#).

## Collective bargaining

Collective bargaining is the process where employers and recognised trade unions seek to reach agreement through negotiation on issues such as:

- pay
- terms and conditions of employment

Collective bargaining is different from consultation because both the employer and trade union take responsibility for carrying out any agreement they reach. With consultation, the responsibility for decision-making remains with the employer.

Find out more about collective bargaining in the [Acas Code of Practice on disclosure of information to trade unions for collective bargaining purposes](#).