

Consult employees to agree changes

Open discussion with employees about changes to their contract helps:

- employers and employees work together to agree changes
- prevent potential disagreements or legal disputes

3. Consulting employees

If an employer needs to change a contract, the first step is to talk with employees (or employee representatives like a trade union).

Before consultation

Before consulting employees, it's a good idea for employers to think about:

- why they need to make a change
- what they need to achieve by making a change

During consultation

Consultation should be a two-way process where ideas are shared and worked on together.

The employer should:

- explain the reason behind making the change
- invite employees to talk about their concerns and suggest ideas for alternatives
- listen to employees' concerns and consider their ideas
- do everything they can to resolve any employee concerns

The employee should:

- consider the proposed change and reason for the change
- share their views, concerns and any ideas for alternatives with the employer
- continue to talk to the employer about any concerns
- make sure they have tried all options to reach an agreement

Consulting trade unions

Consulting with trade unions or employee representatives openly and honestly can help to:

- have meaningful discussions with employees
- get a better understanding of employee concerns

Sometimes there is also a legal obligation to [consult trade unions](#).

Consider all alternatives

Considering all options and asking employees for ideas can help agree a change. Employees might suggest something the employer had not thought of.

Depending on the proposed change, employers might consider:

- asking for volunteers (if the change might suit some employees more than others)
- offering incentives to employees
- taking on some of the employees' ideas

Incentives do not have to be pay-related, for example, an incentive could be:

- extra leave or time off
- help with travel costs for a time if employees will have to travel further to get to work

If there has been a business transfer (TUPE)

Employers should be careful if changing a contract of employment when there's been a business transfer (TUPE).

When an employee transfers there are some special protections and rules about the terms and conditions in their contract.

In these circumstances, it's important employers consider [getting legal advice](#) before making a change.

[Find out more about TUPE.](#)

Related content

[Podcast – changing an employment contract](#)