

If there's already an agreement

You may not need a new information and consultation agreement if there's already a valid agreement that you believe works effectively.

To be valid, the existing agreement must:

- be in writing
- cover all employees
- set out how and when you will inform and consult employees, or their representatives
- have been agreed by those employees or representatives

If more than 40% of employees request a new agreement

If more than 40% of employees make a request for a new information and consultation agreement, you must start negotiating it.

'Negotiating' means that employees and the employer (or their representatives) discuss things together to agree on:

- how informing and consulting will happen
- when it will happen
- the matters that will require consultation

If a ballot is needed

You must:

- tell employees in writing, no more than 1 month after their request, that you're going to hold a ballot
- make arrangements for the ballot quickly, but give at least 21 days' notice

All employees must be allowed to vote in the ballot.

The voting must be done in private.

If more than half of employees vote for a new agreement

You must start negotiating a new information and consultation agreement, if more than 50% of employees vote for this.

Requesting a new agreement

If employees are satisfied with the existing agreement, then another request cannot be made for 3 years from the date the request

was made.

Complaints

Employees can complain to the Central Arbitration Committee (CAC) if they do not agree there's a valid agreement already.