Letter to the adult social care provider sector

from the Care Provider Alliance

www.careprovideralliance.org.uk

13 November 2026

Dear colleagues

Re: Fair Pay Agreement: New Trade Union Access Rights from 30 October 2026

Since 30 October 2026, the legal position on trade union access to workplaces has changed significantly. Qualifying independent trade unions now have a statutory right to request access to workplaces and communicate with workers, either physically, digitally or through a combination of both.

This is an important change for employers. Subject to the statutory exemptions, where a qualifying trade union makes a formal access request, employers will be required to engage with the statutory process and respond within 15 working days. Where access arrangements are agreed or are subsequently determined by the Central Arbitration Committee (CAC), employers will be required to permit and facilitate access in accordance with those terms.

The new framework is therefore more than an encouragement for employers and trade unions to engage, it establishes a formal statutory route through which workplace access can be requested, agreed and, where necessary, determined and enforced.

As preparations for the Fair Pay Agreement (FPA) progress across the adult social care sector in England, we are writing to encourage employers to engage proactively with the trade unions identified by government to form the TUC-convened adult social care Fair Pay Agreement trade union group (UNISON, GMB, Unite and the Royal College of Nursing) and to prepare for appropriate workplace access arrangements.

The Fair Pay Agreement marks a significant development for the sector and will rely upon effective social partnership between employers, workers and their representatives. Early, constructive engagement with the TUC-convened FPA trade

union group will help ensure organisations are well prepared for future developments and that staff receive accurate, timely and authoritative information about changes that may affect them.

The trade unions within the TUC-convened adult social care FPA group have a specific worker-side role within the Fair Pay Agreement framework. They will be directly involved in national discussions and negotiations concerning pay, terms and conditions and related employment matters falling within the Secretary of State's remit. As a result, the TUC-convened trade union group will provide the worker-side route into the FPA process, while the Care Provider Alliance (CPA) is coordinating employer representation. Constructive engagement between these routes will help ensure that both employer and workforce perspectives are understood as the new arrangements develop.

It is important to distinguish the FPA arrangements from the wider statutory right of workplace access. The four unions within the TUC-convened FPA group have a specific role in the FPA process. The new statutory workplace access framework is broader and may be used by other qualifying independent trade unions. A union does not need to be part of the FPA process in order to have rights under the general access framework.

Constructive workplace access arrangements can help employers to:

- Support workers to receive accurate information regarding the Fair Pay Agreement from those directly engaged in the process.
- Reduce misinformation, uncertainty and speculation within the workforce.
- Promote constructive employee relations and meaningful worker engagement.
- Identify workforce concerns early and resolve potential issues collaboratively.
- Demonstrate a commitment to staff voice, partnership working and transparency.
- Build positive relationships that will support future implementation activity.
- Help employers prepare for and comply with the new statutory framework for trade union workplace access, which came into force on 30 October 2026.

Access arrangements should be constructive and proportionate and should take proper account of the needs of people receiving care and support, safeguarding, confidentiality, privacy, health and safety and continuity of service.

While any organisation may offer commentary on the Fair Pay Agreement, the unions within the TUC-convened FPA trade union group have a specific formal role in

the worker-side process and can provide information, guidance and feedback based on direct involvement in the development of sector-wide arrangements. CPA will provide the corresponding employer-side route. This helps ensure that both employers and employees are working from the most accurate and up-to-date understanding available.

By establishing proportionate access arrangements early, employers can create trusted channels of communication before significant changes come into effect, rather than seeking to build relationships at a point when questions or concerns have already arisen.

The Fair Pay Agreement presents an opportunity to strengthen the social care workforce and improve outcomes for employers, workers and those who draw upon care and support services. Early, constructive and proportionate engagement between providers and trade unions can help both sides prepare for the new arrangements and support these shared goals.

CPA encourages providers to review their arrangements now, identify who within their organisation will receive and manage trade union access requests, and ensure relevant managers understand the new statutory framework. Providers should engage constructively and proportionately with qualifying trade unions where requests are made, taking account of the operational and safeguarding considerations outlined above.

CPA will continue to provide the employer-side route for information and engagement as the Fair Pay Agreement develops. We would also encourage providers to directly share with their trade association body, local care association, or the CPA any practical questions, concerns or experiences arising from the new workplace access arrangements so these can inform our work on behalf of employers. The named trade union leads (see Appendix) can be contacted directly where providers wish to engage with the unions participating in the FPA process.

Yours faithfully

Care Provider Alliance

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Appendix. Trade union endorsement

The following trade unions have endorsed the contents of this letter and look forward to working with employers across social care. Please do not hesitate to contact the union lead identified below.

Natalie Grayson
GMB Union – National Care Organiser
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Gavin Edwards
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