

Industrial Relations & Trade Unions

Navigating the New Legal Landscape

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In 2026, the most significant change to Industrial Relations law in a generation will take effect. This has the potential to impact your business, even if you do not currently recognise a trade union.

Our focus is future proofing your business.

Are you ready for change?

Support for trade unions among workers in the UK has increased in recent years and the trend in favour of industrial action continues to grow across sectors. Recent legal developments have created a complex framework of legislation which many employers are still grappling to get to grips with. The raft of changes that will be introduced by the new Employment Rights Act 2025 will strengthen trade union rights, promote employee membership and provide workplace access. These "*new unknowns*" raise the stakes for employers seeking to foster good Industrial Relations strategies.

How we can support you

DWF's specialist Industrial Relations lawyers have the depth of knowledge and expertise needed to advise clients across a wide range of sectors on complex and high risk Industrial Relations issues. Our advice is exclusively focused on employers and our experience spans topics such as collective bargaining, industrial action, workforce restructuring, CAC applications and union-supported class actions in the Employment Tribunal. We recognise the importance of business continuity and we develop our strategies for managing disputes and threats of industrial action by prioritising your organisation's commercial interests and reputation.

Our "ABC" approach

A

Action – We proactively identify "hotspots" in your existing worker representative arrangements, collective bargaining agreements and overall union relationship status. We prioritise a solution-focused approach that is designed to improve relations and avoid escalation of dispute.

B

Business protection – Our team are trained to place your business objectives at the forefront of all legal advice concerning your organisation's Industrial Relations strategy. We focus on providing tailored recommendations, aligned with your commercial goals and helping you avoid pitfalls such as risks of implied recognition and liability for prohibited offers.

C

Crisis management – Our specialist Industrial Relations lawyers are experts in all aspects of industrial action, including balloting and notification compliance, de-escalation strategies and injunctive relief. We work with leading Barristers on Court actions and other specialists to help address union communication strategies.

Our services include:

IR Healthcheck: This includes a review of your existing Recognition and Collective Bargaining Agreements to identify outdated terms, potential pitfalls and advice on remedial measures.

Recognition issues: Support with the management of collective bargaining; recognition applications and de-recognition actions; transfer of recognition under TUPE.

Industrial action lifecycle: De-escalation strategies; pre-dispute communications; scrutiny of notices and options for replacement cover.

Training & upskilling: Workshops designed to educate senior leaders and increase confidence levels in handling interactions with trade unions.

Injunctive relief: Court action to prevent strike and strategies for success.

Class actions: litigation defence to prohibited offer claims under S.145 TULRCA.

Discipline, conduct and detriment: Safe management of difficult trade union reps, avoiding unlawful detriment claims.

Future proofing: Understanding the framework of new trade union rights, the impact on your organisation and relevant actions.

Why work with us

Examples of our recent experience demonstrates the legal expertise and vast cross sector capabilities of our specialist Industrial Relations team:

- Advising multiple organisations, including the **UK site of a multi-national oil refinery, a leading arts organisation, an airport operator** and a **national food logistics company** on threatened UK industrial action and the existence of a trade dispute and whether there was scope to challenge the legitimacy of the industrial action.
- Acting for a **major UK energy producer** in injunctive relief proceedings, including longer term collective bargaining arrangements, resetting of union/company relations and ultimately resolution of industrial dispute avoiding strike action.
- Advising **a British daily broadsheet newspaper** on its employee and Industrial Relations issues for 20 years, including issues arising from collective bargaining negotiations and its "New Newsroom" integration of its print and online editorial functions.
- Successfully defended **a wide variety of clients** in trade union detriment claims and provided advice in disciplinaries and dismissals of trade union stewards and representatives, including cases where the union have balloted for strike action in support of the disciplined representative.
- We recently provided a client's **senior leadership team** with bespoke training on managing the behaviour of a highly volatile group of union representatives advising on ways to lawfully address unacceptable behaviours constituting bullying and harassment towards line managers.
- We are currently representing **a UK-wide private company service provider** to the public sector in a trade-union backed class action brought under S145B TULRCA valued at circa £1 million.

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