



EMPLOYMENT MANUAL

A GUIDE TO REDUNDANCY



FIRST FOR JUSTICE

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INTRODUCTION

1.1 INTRODUCTION

The Employment Manual has been written to provide you with a guide to employment procedures under UK law. It is designed to be used as a day-to-day reference tool, giving an overview of the main areas of human resource and personnel management.

If you have a specific employment question or problem, it is important that you seek appropriate legal advice. If you have a Commercial Legal Expenses Insurance policy, you can do this by using your legal advice helpline.

Included within the manual are suggested letters and documents for use in personnel management. These can be amended to suit your individual requirements. Your legal advice helpline will also be able to help you with this.

Please remember that employment is a changing area of the law and this manual reflects the situation at the time of writing. The Employment Manual is updated regularly to reflect changes in the law but there may be times when a part of the manual is out of date, so it is important to seek legal advice on specific matters.

NOTE *Throughout this manual, he also reads she, unless stipulated.*

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INTRODUCTION

1.2 EMPLOYMENT MANUAL DISCLAIMER

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REDUNDANCY APPROVAL COVER

If you have redundancy approval cover please complete the Redundancy Approval Checklist and wait for your Redundancy to be approved by DAS before starting any process or procedure with your employees.

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REDUNDANCY GUIDE

2.1 REDUNDANCY GUIDE FOR EMPLOYERS

Redundancies should be handled carefully in order to avoid any potential claims in the Employment Tribunal. This guide should help you avoid the pitfalls that could lead to successful claims being made against you. If you have your own Redundancy Policy and Procedure, you should follow it but first check that it meets with the minimum requirements set out in this Guide, please call the Legal Advice Helpline if you have any queries about any part of the redundancy process or if you have any specific queries that are not covered in the Guide.

NOTE *Letters referred to can be located at the end of this Guide.*

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REDUNDANCY GUIDE

2.2 REDUNDANCY CHECKLIST

REDUNDANCY APPROVAL COVER

If you have redundancy approval cover please complete the Redundancy Approval Checklist and wait for your Redundancy to be approved by DAS before starting any process or procedure with your employees.

1 IS IT A GENUINE REDUNDANCY SITUATION?

It is crucial to correctly identify a redundancy situation. You will need to identify at least one of the following features in order to establish a redundancy situation:

- Is the business where the employees work closing?
- Is the place of work where the employees work closing?
- Is there a reduction or ending of in a particular kind of work for the employee/s?

Policyholders who have 'Redundancy Approval' cover should complete the Redundancy approval checklist which is also located at on the DAS website.

We recommend that you request a copy or download the ACAS Guide 'Redundancy Handling' found at <http://www.acas.org.uk/index.aspx?articleid=747>

2 THE POOL, SELECTION CRITERIA AND ALTERNATIVE EMPLOYMENT

Identifying employees and selecting them appropriately for redundancy is very important. Failure to properly select could lead to a claim of unfair dismissal as will failure to consider and offer (if there is any) alternative employment.

Once you have established that a redundancy situation exists you will need to consider which employees will be considered for redundancy. You will also need to determine if a selection criteria is required, usually in the form of a scoring system in order to select the appropriate employee/s for redundancy. It will help if the selection criteria and scoring can be agreed with the union, if there is one. Any criteria can be used providing it is not discriminatory. If there is any alternative employment available, this should be offered to the affected employee/s.

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REDUNDANCY GUIDE

2.2 REDUNDANCY CHECKLIST (continued)

Carry out the following tasks:

- Calculate the number of redundancies you need to make.
- If this is 20 or more employees during a period of 90 days (including employees working at different locations), then you will need to adopt collective consultation and inform the Secretary of State:
 - a) at least 30 days before the notice expires or the date of the end of the employment notify the Secretary of State in writing or on Form HR1 www.insolvency.gov.uk of your intention to make collective redundancies of between 20-99 employees within a 45 day period or;
 - b) make the notification to the Secretary of State at least 45 days before the first employee's employment is terminated in the case of 100 or more redundancies.
 - c) Failure to notify as described in a and b is a criminal offence.
 - d) Please read the information at Part 12 of this Guide that relates to collective redundancies referred to in a, b and c above.
- However, if you propose to make less than 20 employees redundant, you will need to adopt a fair procedure. (A fair procedure involves a notification letter to each employee in the Pool for redundancy informing them of the risk of redundancy, have a collective meeting to warn them of the risk, then an individual meeting with the employee, finally a right of appeal for those employees given notice of redundancy.)
- Determine the pool for redundancy (this may be unnecessary if it is clear that there is only 1 affected employee). Ensure those carrying out similar work are included in the Pool.
- Prepare an objective and fair selection criteria in written form e.g. productivity (if it can be objectively assessed), time keeping, appraisal scores and grades. Length of service should not be the sole determining factor and there is a risk of a discrimination claim if too much emphasis is placed on this aspect of any selection criteria. You should also take care when considering attendance as part of the selection criteria if sickness is as a result of a disability.
- Consider and provide details of any alternative employment that is available. Make notes of what has been considered and the reasons for the outcome.

This can also include the option of transfer to another workplace. Any offer of alternative employment must be made before the old job and must start immediately or within 4 weeks of the end of the old employment. There is a statutory trial period of 4 weeks if the employee accepts the offer. If the employee leaves or gives notice to leave during this period, they can still claim redundancy pay. The trial period starts on the date the employee starts the new job and ends 4 calendar weeks later. If the employee works past that date, they lose the right to claim redundancy pay.

NOTE *A woman on maternity leave MUST be offered any suitable vacancy.*

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REDUNDANCY GUIDE

2.2 REDUNDANCY CHECKLIST (continued)

3 FIRST MEETING

An employer should give as much warning as possible of a potential redundancy situation. Failure to properly consult employees could lead to a claim of unfair dismissal and other claims being made.

- Invite all those who are at risk of redundancy to a group meeting (**Letter 1**).
- At the meeting inform them of the risk of redundancy and why redundancies may be necessary.
- Inform the employees how many jobs may need to be made redundant.
- Inform the employees that although redundancies are a possibility, you are doing your best to avoid them and in doing so are considering all alternative options.
- Invite suggestions from the employees for their ideas and ways in which you could avoid redundancies.
- At this point you can ask if anyone is interested in volunteering for redundancy.
- If there are any redundancy pools and selection criteria for redundancy, this should be explained the employees.
- Inform the employees of their right to take time off to seek alternative employment.
- The meeting should be minuted and a record kept of the discussion.
- Write to the employees detailing what was said at the meeting.
- The meeting might result in an alternative to redundancy being identified in which case this should be confirmed in writing.

4 LETTER TO EMPLOYEE/S (OR APPROPRIATE REPRESENTATIVES)

- Write to the employee/s about what was discussed at the meeting (**Letter 2**).
- Enclose a copy of any selection criteria and scoring guidelines (if relevant).
- (**Letters 3 and 4**) will also apply if 20 or more redundancies are proposed. If 20 or more redundancies are proposed you should also read the information at Point 12 of this Guide.

5 SELECTION CRITERIA AND SCORING

- Each employee in the pool should be scored using the selection criteria and scoring guidelines.
- Ensure that more than one senior employee scores the employees for consistency and objectivity.

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2.2 REDUNDANCY CHECKLIST (continued)

6 AFTER THE SCORING PROCESS, YOU SHOULD BE IN A POSITION TO IDENTIFY THOSE EMPLOYEES WHO ARE PROVISIONALLY SELECTED.

- Invite the selected employees by letter to a meeting and inform them of their right to bring with them a work colleague or Trade Union representative (**Letter 5**).
- In the letter you should explain the reasons for the redundancy situation and also the reason for their provisional selection.
- Inform the employee that redundancy is not confirmed and if the decision after the meeting is to give them notice of redundancy then there will be another meeting to confirm this decision.
- You should give the employee a reasonable amount of time to take in the contents of the letter.

7 MEETING WITH SELECTED EMPLOYEE

- Explain to the employee the reason for their selection, referring to the selection criteria and scoring.
- Inform them of their individual score and of the score that was required to avoid redundancy.
- Explain the terms of the redundancy.
- Ask the employee for their comments upon their selection and the reasons for selection.
- Inform and discuss with them any alternative employment that is available.
- Minute the meeting.
- Following the conclusion of this meeting, the employer should write to the employee confirming the position. If the outcome of this meeting has not resulted in an alternative to redundancy being identified the employee should be invited to a further meeting and given a few days' notice of it.

8 ACTIONS AFTER THE MEETING

- Consider any suggestions made by the employee during the meeting and whether they can avoid the redundancy.
- Consider any comments they have made about the scores and whether they are valid – if they are this may affect the group of employees who have been provisionally selected.
- If the provisionally selected group changes then you will have to repeat the part of the selection scoring that is affected or potentially all of the scoring will need to be repeated if the scoring has changed.
- If you consider that redundancies cannot be avoided then you should invite applications for voluntary redundancy at this stage (**Letter 6**).

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2.2 REDUNDANCY CHECKLIST (continued)

9 SECOND MEETING WITH THE EMPLOYEE

- If the final decision is to make the employee redundant, then you need to invite them to another meeting in order to provide them with the decision (**Letter 7**).
- Inform the employee of their right to be accompanied by a work colleague or Trade Union representative.
- Inform the employee that the final decision is that they have been selected for redundancy.
- Explain the redundancy package to them (calculations can be made by using the redundancy calculator at: <https://www.gov.uk/calculate-your-redundancy-pay> or if you have access to DAS Business Law at: www.dasbusinesslaw.co.uk
- Inform the employee of their right to take time off to seek alternative employment. (Employees who have been employed for at least 2 years have the right to reasonable time off during the notice period to look for a new job or to arrange training for future employment. The employee is only entitled to be paid for a maximum of 2/5 week's pay for time taken off during the notice period for this reason but they can take more time off than this unpaid if it is reasonable. The employer must give time off during working hours and cannot ask the employee to make the time up or change their shift to accommodate the time taken.)
- Minute the meeting.
- The employer should again write to the employee confirming the position reached and if no alternative to redundancy has been found inviting the employee to a further meeting of which the employee will have at least two or three days' notice. The letter should state the issues which the employer proposes to raise at the meeting and again confirm the employee's right to ask any further questions or put forward other thoughts. At the meeting feedback should be given upon the result of investigation and consideration arising from the previous meeting and further questions and proposals sought from the employee. If it is clear at this point that there is really no alternative to redundancy then notice of termination can be given and the employee provided with notification of the right to appeal against the decision. It should be emphasized that the number of meetings required and the content will vary according to the circumstances. Employees may request further meetings as necessary. It is better to err on the side of caution and have more meetings than enough rather than not enough. It is important that minutes are taken of all meetings, both for your own records and because we may request to see them to ensure that proper procedures have been complied with.

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2.2 REDUNDANCY CHECKLIST (continued)

10 DISMISSAL

- A formal letter should be sent to the employee after the meeting confirming the redundancy and the termination of their employment and providing a date of termination (**Letter 8**).
- The notice period should be at least the statutory time period which is 1 week's notice for each full year of service up to a maximum of 12 weeks. If the employment contract allows for more notice than the statutory notice period then that should be applied.
- Having followed the proper consultation procedure, you may dismiss an employee without requiring him to work his notice, provided that he is properly compensated. This normally amounts to paying the employee what he would have earned and the value of benefits that would have been received during the notice period. The situation is not straightforward and we would advise that you contact your Legal Advice Helpline for assistance.
- Explain in the letter that the employee has a right of appeal against the decision to make them redundant.

11 APPEAL

- If an appeal is made, it is helpful to ask the employee to set out their grounds of appeal in writing to you before any meeting (**Letter 9**).
- Invite them to a meeting and inform them of their right to be accompanied by a work colleague or Trade Union representative.
- After the meeting, consider the representations made by the employee and inform them in writing of your final decision (**Letter 10**).

12 COLLECTIVE REDUNDANCIES

NOTE *This is a detailed area of law. If you believe that collective redundancies are likely, you should consult the Legal Advice Helpline for additional advice because the procedure outlined above relates to redundancies where less than 20 employees will be made redundant. The information contained within this Guide only provides a brief account of your duty and obligations.*

Where an employer proposes to make large scale redundancies of 20 or more employees within a period of 90 days or less i.e. collective redundancies, it must consult on its proposal with representatives of the affected employees and also notify the relevant body (as stated above at **1a** and **1b**). The obligation to consult operates means that you cannot give notice of redundancy before consultation is completed and minimum time periods for consultation have passed. The minimum consultation periods are:

- over 20 employees – 30 days consultation
- over 100 employees – 45 days consultation

The maximum sanction (imposed by the Employment Tribunal) for breaching the obligations is a protective award of up to 90 days gross pay per affected employee.

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2.2 REDUNDANCY CHECKLIST (continued)

Who to inform and consult

- The duty is to inform and consult appropriate representatives of the affected employees.
- Where any of the affected employees fall into a category in respect of which a trade union is recognised, the trade union must be consulted. In other cases, the employer may consult with representatives directly elected by the affected employees or with an appropriate body of elected representatives.
- Where elected representatives are required, there are specific statutory rules governing the election and the adequacy of representation produced by that election. Please take further advice concerning this point.
- Consultation begins with the provision of information on the proposals to representatives.
- As a minimum, consultation must be undertaken with a view to reaching agreement on ways and means of avoiding the dismissals, reducing the number of dismissals and mitigating their consequences. It is not sufficient for the employer to simply explain its proposals and listen to any counter-proposals. Where special circumstances render it not reasonably practicable to consult in good time or provide the statutory information, the employer need not fully comply with the duty, but must still take such steps towards compliance as are reasonably practicable.
- Employers must also consult individually with potentially redundant employees.

13 UNFAIR DISMISSAL AND ASSOCIATED CLAIMS

Employers should note that unfair selection for redundancy could lead to a claim being made in the Employment Tribunal. Other claims could also be brought, for example if it can be established that the redundancy was discriminatory. Failure to properly consult employees can also lead to a successful claim, therefore it is essential that a proper and fair procedure is followed and that advice is taken from our Legal Advice Helpline Service.

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3.1 REDUNDANCY LETTER 1 – WARNING OF POTENTIAL REDUNDANCIES

REDUNDANCY APPROVAL COVER

If you have redundancy approval cover please complete the Redundancy Approval Checklist and wait for your Redundancy to be approved by DAS before starting any process or procedure with your employees.

WARNING OF POTENTIAL REDUNDANCIES

Dear *(employee name)*,

Warning of potential redundancies

You are invited to attend a general meeting in order that we can explain the difficulties that the business is experiencing at present. The meeting will take place on *(date and time)* at *(venue)*. Your role may be at risk of redundancy but we intend to discuss and explore all possible alternatives at the meeting in order to try and avoid redundancies being made.

Yours sincerely,

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3.2 REDUNDANCY LETTER 2 – WARNING OF POTENTIAL REDUNDANCIES GENERAL MEETING

WARNING OF POTENTIAL REDUNDANCIES – GENERAL MEETING

Dear *(employee name)*,

Warning of potential redundancies – General meeting

Further to today's meeting, I am writing to confirm/inform you of the following situation now facing *(insert employer name)* ***(go on to explain why the need for redundancies has arisen)***. We have considered all options and ways of avoiding this risk. However, we have decided that there is a risk that we will, be unable to continue to provide work for all of its employees at ***(name the location or department etc)*** /have to close down and that redundancies may follow.

We will consider how we can avoid making redundancies and consult with those affected in the near future. Minimising or freezing recruitment, offering alternative employment elsewhere in the business, re-training, voluntary early retirement, voluntary redundancy or short-term working and restricting overtime as things that we will consider further as implementing some or all of these points may assist the business. If you have any suggestions as to how we can avoid redundancies, please contact ***(name of manager)***.

In the event that we need to make redundancies or carry out a business reorganisation which may result in redundancies at ***(name the location or department etc)***. At the time being we consider that if compulsory redundancies become necessary, all of the employees in ***(name the location or department etc)*** / those working as ***(job titles)*** are likely to be at risk:

If redundancies are necessary the business will have to decide which individuals from each pool will be selected for redundancy. This would be done on the basis of objective and quantifiable selection criteria that are yet to be established/We are currently proposing to use a selection criteria ***(provide details)***.

We will carry out a consultation exercise with appropriate representatives of those employees who may be affected. The consultation will cover the proposed selection criteria and ways of avoiding or reducing the number of redundancy dismissals. ***(As name)*** union is recognised in relation to ***(provide details of the bargaining unit)***, the business will inform and consult with ***(name)*** as your representative/As there is an existing body of employee representatives ***(details)***, the business will inform and consult with that body as your representatives/As there are currently no appropriate union representatives in relation to the affected employees the business will conduct an election to enable such representatives to be elected. I will contact you in the near future about the election process. Further information on the proposals of the business will be provided to the representatives and all affected employees will be kept informed of the progress of the consultation process in writing.

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3.2 REDUNDANCY LETTER 2 – WARNING OF POTENTIAL REDUNDANCIES GENERAL MEETING (continued)

WARNING OF POTENTIAL REDUNDANCIES – GENERAL MEETING (continued)

I envisage that elections for representatives should take place within the next **(weeks)** the consultation process will take approximately **(number of)** weeks, depending on circumstances, this time scale may be subject to change.

(Following the consultation with the union/employee representatives). I will arrange individual meetings with affected employees to consult them about any proposals in more detail and how they may affect them personally. If you have any questions in the meantime, please do not hesitate to contact me **(or other named person)**. I would like to thank you for your continued hard work during this difficult period.

Yours sincerely,

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3.3 REDUNDANCY LETTER 3 – INFORMING TRADE UNIONS AND/ OR EMPLOYEE REPRESENTATIVES AND INVITING CONSULTATION ON COLLECTIVE REDUNDANCIES PURSUANT TO TULRCA 1992, SECTION 188

REDUNDANCY APPROVAL COVER

If you have redundancy approval cover please complete the Redundancy Approval Checklist and wait for your Redundancy to be approved by DAS before starting any process or procedure with your employees.

INFORMING TRADE UNIONS AND/OR EMPLOYEE REPRESENTATIVES AND INVITING CONSULTATION ON COLLECTIVE REDUNDANCIES PURSUANT TO TULRCA 1992, SECTION 188

(To be addressed to the relevant official at the head office of the recognised trade union or the designated agent for other elected representatives).

Dear *(employee name)*,

In accordance with section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, I am writing to inform you of our proposals to dismiss employees for reason of redundancy.

The redundancies are likely to be made at *(location)* because of *(specify reason)*. It is anticipated that a total of *(number and description)* employees will be made redundant out of a total number of *(number and description)* employees who are employed at *(location)*.

The proposed method of selection of redundancy will be *(specify selection criteria)* and, subject to our discussions, the dismissals are likely to be carried out in accordance with *(specify procedure e.g. by reference to a redundancy policy or procedure agreed with the union in any collective agreement)*.

It is anticipated that the redundancies will be made on *(specify date or period of time)*. Redundant employees will receive their statutory redundancy payment (together with any entitlement to business redundancy payments) calculated as follows: *(specify method)*.

I would welcome a meeting with you at the earliest opportunity with a view to reaching agreement about ways of avoiding the dismissals, or reducing the numbers involved.

Yours sincerely,

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3.4 REDUNDANCY LETTER 4 – INFORMING ALL EMPLOYEES OF REDUNDANCY PROPOSALS IN COLLECTIVE REDUNDANCY SITUATIONS

REDUNDANCY APPROVAL COVER

If you have redundancy approval cover please complete the Redundancy Approval Checklist and wait for your Redundancy to be approved by DAS before starting any process or procedure with your employees.

INFORMING ALL EMPLOYEES OF REDUNDANCY PROPOSALS IN COLLECTIVE REDUNDANCY SITUATIONS

(To be addressed to all employees.)

Dear *(employee name)*,

I am writing to inform you that the business is being forced to consider redundancies as part of a reorganisation programme. The redundancies are necessary because of *(specify reason)*. It is envisaged that a total of *(number and description)* employees may have to be made redundant at *(location)*.

The business regrets that redundancies will have to be made and every effort will be made to avoid compulsory redundancies and to minimise the numbers of employees affected. For that purpose, the business proposes to consult with the affected employees (and trade unions) over the next few weeks. I will be writing individually to each employee affected to initiate consultation on the proposed measures.

(optional) You have the right to be accompanied with a work colleague or Trade Union representative.

Yours sincerely,

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3.5 REDUNDANCY LETTER 5 – INDIVIDUAL CONSULTATION STAGE 1

REDUNDANCY APPROVAL COVER

If you have redundancy approval cover please complete the Redundancy Approval Checklist and wait for your Redundancy to be approved by DAS before starting any process or procedure with your employees.

INDIVIDUAL CONSULTATION STAGE 1

Dear *(employee name)*,

You will be aware from our letter of *(date)* that the business anticipates having to make redundancies in the near future. It is likely that your position in the Business will be one of those concerned for redundancy. Your position is at risk.

The business regrets that these measures are necessary but are unavoidable due to *(specify reason)*. It is proposed that over the next few weeks the Business will be consulting individually with all employees affected. The purpose will be to discuss ways of avoiding redundancy or mitigating its consequences and will look at whether alternative employment within the business is possible.

I would therefore be grateful if you could attend a meeting on *(specify date and time)* at which I will discuss with you further the redundancy proposals and their potential effect on your position. *(Set out any specific issues you wish to discuss at this point which might include voluntary redundancy, early retirement, working reduced hours, proposed method of selection – also enclose documents relevant to this.)* I would like to review your thoughts, questions and any alternative proposals which you may have at the meeting.

You have the right to be accompanied at this meeting with a work colleague or a trade union representative.

Yours sincerely,

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3.6 REDUNDANCY LETTER 6 – APPLICATIONS FOR VOLUNTARY REDUNDANCY

APPLICATIONS FOR VOLUNTARY REDUNDANCY

Dear *(employee name)*,

Further to my letter of *(date)*, it now appears that *(name of business)* will have to make the redundancies that I previously suggested might take place.

The business wishes to avoid compulsory redundancies so far as possible. I am therefore writing to all potentially affected employees to ask for applicants for voluntary redundancy on the following terms: *(details of proposed redundancy package)*.

The business reserves the right not to accept all applications for voluntary redundancy, particularly if there are more applications than the proposed number of redundancies or it considers that it is in the long-term interests of the business to retain certain employees. The business may still have to make compulsory redundancies if it does not receive a sufficient number of appropriate volunteers.

Employees who are interested in applying for voluntary redundancy should note that:

- If they volunteer for redundancy but are not selected, the fact that they volunteered will not affect any aspect of their future employment with the business.
- They can change their mind and withdraw their application for voluntary redundancy at any time prior to *(date provided by the business that voluntary redundancy will take effect. On that date a formal written agreement should be signed by the employee. This letter should contain confirmation that the employee has agreed to enter into voluntary redundancy, details of the redundancy package and the date of the termination of their employment)*.

If you want to apply for voluntary redundancy on this basis please sign and return the attached copy of this letter to me as soon as possible, and in any event by *(date)*. The business will consider all of the applications that it receives and will let you know if your application has been successful by *(date)*.

(optional) You have the right to be accompanied with a work colleague or Trade Union representative.

Yours sincerely,

continued on next page

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3.6 REDUNDANCY LETTER 6 – APPLICATIONS FOR VOLUNTARY REDUNDANCY (continued)

APPLICATION FOR VOLUNTARY REDUNDANCY

I wish to apply for voluntary redundancy on the terms set out in this letter. I understand that the business is under no obligation to accept this application.

Signature: _____

Name: _____

Date: _____

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3.7 REDUNDANCY LETTER 7 – INDIVIDUAL CONSULTATION STAGE 2

INDIVIDUAL CONSULTATION STAGE 2

Dear *(employee name)*,

I refer to our meeting on *(date)*. I confirm that at our meeting we discussed *(describe what was discussed or alternatively enclose notes of the meeting)*.

Subsequent to that meeting I have *(set out the subsequent activities which may include investigation of alternatives or application of the selection criteria.)* If you have applied such criteria the letter may continue – The selection criteria discussed has now been applied and I enclose a sheet showing the marking which has been applied to you. I am sorry to inform you that based on this marking you have been provisionally selected for redundancy.

However, before a final decision is reached I wish to meet with you again to discuss any comments you may have upon the application of the selection criteria and also to *(further)* explore such alternatives as there may be to redundancy.

I would therefore be grateful if you could attend a meeting on *(specify date and time)* at which I will discuss with you *(insert as appropriate – the issues referred to – application of the selection criteria – alternative roles that may be available)* and any further ideas and questions which you may have.

You have the right to be accompanied at this meeting with a work colleague or a trade union representative

Yours sincerely,

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3.8 REDUNDANCY LETTER 8 – NOTICE OF TERMINATION BY REASON OF REDUNDANCY

NOTICE OF TERMINATION BY REASON OF REDUNDANCY

Dear *(employee name)*,

Further to our previous letter of *(date)* and discussions that have taken place between yourself and *(name)* on *(date/s)* I very much regret that the decision has been made to declare you redundant.

The rationale behind your selection has been explained to you together with our use of a selection matrix.

Below I set out the following terms of the termination of your employment:

1 Notice

- By this letter I now give you notice that your employment will end on *(date)* with immediate effect.
- You will be paid your salary in the normal way up to today/the termination date.
- You will/will not be required to work until this date.
- You will be paid compensation taking into account the termination of your employment without *(full)* notice.

(Please use such parts of this paragraph as are relevant to your case.)

2 Termination payments

The business proposes to make you the following payments:

- (a) Statutory redundancy payment of: £ _____
- (b) Any accrued holiday pay in respect of holiday not taken up to the date of termination: £ _____
- (c) Compensation for loss of employment: £ _____

NOTE *this is likely to consist of or include any payment in lieu of notice.*

Total: £ _____

Please note that in accordance with your contract of employment, the business reserves the right to deduct from your final termination payment any monies in respect of any holiday entitlement taken in excess of that due to the date of termination.

(optional) You have the right to be accompanied with a work colleague or Trade Union representative.

continued on next page

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REDUNDANCY GUIDE

3.8 REDUNDANCY LETTER 8 – NOTICE OF TERMINATION BY REASON OF REDUNDANCY (continued)

NOTICE OF TERMINATION BY REASON OF REDUNDANCY (continued)

3 Business car and property

I would like to remind you that on your last day at work you will be required to return your ***(use the following appropriate clauses relevant to your case) (business car and keys in a satisfactory condition in accordance with the terms of your contract)***, you must return all property in your possession, including any business keys, petrol cards, credit cards, equipment, documents, papers and correspondence.

4 References

If you are successful in obtaining other employment or if you require a reference in the future, a reference will be sent in the strictest confidence to your prospective employer or other appropriate person. Any request for a reference by such party should be made in writing to ***(name of relevant person)***.

I regret the necessity of having to send you this letter and would like to thank you personally for your service during your time with the business. I wish you every success with your future employment.

You have the right of Appeal against this decision in writing to the ***(name of relevant person)*** within 5 days of the above date.

Yours sincerely,

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3.9 REDUNDANCY LETTER 9 – INVITATION TO AN APPEAL HEARING

INVITATION TO AN APPEAL HEARING

Dear *(employee name)*,

I refer to your letter of appeal of *(date)*. You are invited to attend an appeal hearing on *(date and time)* at *(venue)*. Please provide your written grounds of appeal and submit them to *(name of person hearing appeal)* at least 48 hours before the hearing takes place. At the meeting you will be asked to verbally submit your grounds of your appeal against your dismissal by way of redundancy. I/We will need to discuss these grounds and ask questions of you at the hearing. Your appeal will then be considered and an outcome to your appeal will be provided in writing within *(number of days)*.

You have the right to be accompanied at this meeting with a work colleague or a trade union representative.

Yours sincerely,

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3.10 REDUNDANCY LETTER 10 – OUTCOME OF APPEAL HEARING

OUTCOME OF APPEAL HEARING

Dear *(employee name)*,

Following the Appeal Hearing that took place on *(date)* a decision has been reached. Your appeal has been successful and I/we consider that your role will not be made/ is not redundant. Your contract of employment will not terminate on *(date)* as previously stated and your employment will continue OR Please telephone me in order that we can discuss arrangements for your return to work which we expect to be on *(date)*.

OR

Your appeal against the termination of your employment by way of redundancy has been unsuccessful for the following reasons:

- 1
- 2
- 3 etc

Yours sincerely,

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