PrivateEdge

Template Letters for a (non-collective) Redundancy Procedure

These letters are designed to be used in a redundancy situation. Where there is a collective redundancy situation, additional consultation will be required with representatives of the employees and additional wording will need to be inserted in the letters.

Letter 1 – Warning to Employees

[On headed notepaper of the employer]

[Name]  
[Address]

[Date]

Dear [Name]

Warning of possible redundancies

[Further to the meeting of [ ]], I want to explain, in writing, the current position we are now facing.

[Describe The Key Factual Elements Which Have Caused The Redundancy Situation To Arise]

After giving this a great deal of thought and exploring other solutions, the Company has taken the view that [there is a risk that the number of employees required to carry out work at [our LOCATION] is too high] OR [it may have to close the operation at LOCATION] and that it may therefore have to make redundancies.

We are [exploring] OR [continuing to explore] ways of avoiding any compulsory redundancies. We are considering a number of options including [looking at recruitment plans, restricting overtime, considering voluntary redundancy] [details of any other plans to avoid redundancies]. If you have other ideas which could help us avoid the need for redundancies, please let me know.

Where, despite our efforts, redundancies are unavoidable, we may have to [make redundancies] OR [carry out a reorganisation which may result in redundancies] at [LOCATION OR PARTICULAR PART OF THE BUSINESS].

Our current view is that, where compulsory redundancies become necessary, [all of the employees in the [location or part of the business] are likely to be at risk. OR [the following [jobs OR roles] are likely to be at risk:

[Number [JOB] ] (from a total pool of [number])].

[Number] [JOB] (from a total pool of [number])].

[Number JOB] (from a total pool of [number]).]

If it becomes clear that we will have to make employees redundant, the Company will have to [carry out a selection exercise to] identify employees [from each pool] who would be at risk of redundancy dismissal.

[Where selection is necessary, we would use objective and quantifiable criteria [that are set out in our Redundancy Policy] [yet to be established] OR [We propose to use the following selection criteria: [LIST CRITERIA]].

We will take steps to keep any of you who are affected up to date with what is happening. It is likely that the process will take approximately [TIME PERIOD]. This is the best estimate we can give you at this stage and if things change we will let you know.

We fully appreciate this is a very difficult situation for everyone involved and we will be doing what we can to be as fair and understanding as possible.

Yours sincerely

[Name of sender]

Letter 2 – Selection for Redundancy (Provisional)

[On headed notepaper of the employer]

[Name]  
[Address]

[Date]

Dear [Name]

Provisional selection for redundancy

As I explained at the meeting on [DATE] and in the letter to you of [DATE] [DESCRIBE THE KEY FACTUAL ELEMENTS WHICH HAVE CAUSED THE REDUNDANCY SITUATION TO ARISE]

As a result, there is a risk that the number of employees required to carry out work at [our LOCATION] is too high] OR [it may have to close the operation at LOCATION] and that it may therefore have to make redundancies.

As I set out in the letter to you of [DATE], we have considered a number of options in order to avoid the need for compulsory redundancies. These included [looking at recruitment plans, restricting overtime, considering voluntary redundancy] [details of any other plans to avoid redundancies].

Unfortunately, none of the methods [we have looked into] OR [we have put into place].have been sufficient to avoid the requirement for the Company to make redundancies,

At the moment, we believe it will be necessary for us to make [all of the employees in [location] [or part of the business]] redundant [OR the following redundancies]:

[Number [JOB] ] (from a total pool of [number])].

[Number] [JOB] (from a total pool of [number])].

[Number [JOB] (from a total pool of [number])].

As I explained at the meeting on [DATE], where redundancies cannot be avoided, the Company will have to [carry out a selection exercise to] identify employees [from each pool] who would be at risk of redundancy dismissal.

[The selection of individual employees from each pool was carried out using the selection criteria set out below. [SET OUT CRITERIA USED].

[Sadly, I can confirm that your position is one of those that have been provisionally selected for redundancy. [I enclose your scores along with clarification of how that score was calculated]].

It is important to keep in mind that this is a provisional selection. We will consult with you and continue to try to identify ways in which your redundancy can be avoided.

We are also exploring whether there are any alternative vacancies that may be suitable for you, [and I enclose a list of current vacancies].

It is important that you contact me straight away [if you would like to apply for any of the vacancies available that you believe would be appropriate for you or] if you think that there are ways in which we can avoid having to make you redundant.

Please attend the consultation meeting at [LOCATION] on [DATE] at [TIME]. You may bring a colleague or a trade union representative to the consultation meeting as your companion. Please let me know the name of your companion as soon as possible.

At our consultation meeting we can discuss the redundancies in more detail and, in particular, how they affect you.

We can discuss the background to the current situation as well as how selection was carried out and why you have been provisionally identified as redundant.

I will also cover the relevant terms of any redundancy, should this happen, and also the opportunities for alternative employment. It is your chance to talk to me about any ideas you have for avoiding redundancy and to raise any questions in relation to the procedure followed.

I will consider any points that arise from our meeting on [DATE] and I will then arrange a further consultation meeting to go through the relevant responses.

Where, despite our best efforts, we have no choice but to confirm your redundancy, this would be on notice. You would either work your notice period or be paid in lieu.

In addition, you would be paid a statutory redundancy payment based on your age, length of service and weekly pay (capped at the relevant statutory level, which is presently £508\*) and also in lieu of any accrued but untaken holiday.

If your selection for redundancy is confirmed, you will be entitled to reasonable paid time off during your notice period to look for a new job or arrange training for your future employment.

I know this will be a really difficult time for you and provisional selection for redundancy will be upsetting.

If you have any questions you want to ask before our meeting on [DATE], please do not hesitate to contact [me] on [PHONE NUMBER OR E-MAIL ADDRESS].

Yours sincerely

Yours sincerely

On behalf of [name of employer]

[Remember to enclose score and breakdown and list of current vacancies]

\*Current rate up to 5 April 2019

Letter 3 – Letter to be sent after first consultation meeting

[On headed notepaper of the employer]

[Name]  
[Address]

[Date]

Dear [Name]

Meeting on [DATE]

Thank you for coming to the consultation meeting on [DATE].

I wanted to follow up on our discussion at the meeting and to confirm the important aspects we covered.

As you know, [DESCRIBE THE KEY FACTUAL ELEMENTS WHICH HAVE CAUSED THE REDUNDANCY SITUATION TO ARISE]. After giving this a great deal of thought and exploring other solutions, the Company has taken the view that the number of employees required to carry out work at [our location] is too high and, as a result, we have to make redundancies.

[We reached a decision that [DESCRIBE POOL] as [the OR an] appropriate pool from which to make [NUMBER] employees redundant.]

The selection criteria that were used to identify employees as provisionally redundant were [CONFIRM CRITERIA USED FOR SELECTION].

The selection process was carried out by [NAMES] using the criteria referred to above. Your position was provisionally selected for redundancy because [DETAILS].

If you were to be made redundant, the relevant payments you would receive would be [DETAILS].

At this stage, we have not been able to identify any suitable alternative positions that are available for you. However, we will continue to search for an appropriate role and also to find any ways in which your redundancy can be avoided.

If your provisional selection for redundancy is confirmed, you will be entitled to reasonable paid time off during your notice period to look for a new job or arrange training for your future employment.

When we met on [DATE], you raised a number of questions. These were [DETAILS OF QUESTIONS OR SUGGESTIONS RAISED BY EMPLOYEE AT CONSULTATION MEETING]. We have given these issues serious consideration and [DETAILS OF THE RESPONSE].

Please can you attend a second consultation meeting at [LOCATION] on [DATE] at [TIME]. At this meeting we can talk through my answers to your questions as set out above. We can also discuss any other issues that you may have. As before, you may bring a colleague or a trade union representative to the meeting as your companion. If you do wish to bring a companion, please let me know their name as soon as possible.

If you have any questions before we meet on [DATE], please do not hesitate to contact [me] on [PHONE NUMBER OR E-MAIL ADDRESS].

Yours sincerely

[Name of sender]

On behalf of [name of employer]

Letter 4 – Confirming dismissal for redundancy

[On headed notepaper of the employer]

[Name]  
[Address]

[Date]

Dear [Name]

Notice of termination of employment

Further to our meeting [on [DATE], I am writing to confirm the decision that you are redundant.

This decision follows on from the meetings with, firstly, all the affected employees on [DATE] and the consultation meetings I had with you individually on [DATE] and [DATE].

As we have discussed, the Company has explored ways in which your redundancy could be avoided and the possibility of alternative employment.

Sadly, this has not been successful and we have not been able to identify any suitable alternative employment for you or any way in which your redundancy could be avoided. [We will continue to monitor vacancies during your notice period and if any suitable alternative positions become available, we will let you know. It is important to keep in mind that this may affect your entitlement to a statutory redundancy payment.]

[As a result of your redundancy and in line with your contract of employment, we are giving you [PERIOD] notice to terminate your employment. Your employment will end on [date]] and you will be paid up to that date in the normal way.]

OR [As a result of your redundancy the Company is terminating your employment with immediate effect in accordance with clause [NUMBER] of your contract of employment.] [You are not required to come into the office after today. You will be paid in lieu of your contractual notice period. [This payment will be subject to income tax and National Insurance contributions in the usual way] OR [Under current tax rules, the Company understands that [the first £30,000 of] this payment will be free of income tax and National Insurance contributions].]

You will be paid in lieu of any accrued but unused holiday entitlement. This payment will be subject to income tax and National Insurance contribution as normal. [If you have taken more holiday than your pro-rated entitlement for the holiday year to the date of termination then the Company will deduct an appropriate amount from your final salary payment].

As I have explained previously, you will receive a statutory redundancy payment. This payment is based on your age, length of service and weekly pay (capped at the relevant statutory level, which is presently £508\*). This payment will be free of income tax and National Insurance contributions.

[Any outstanding expenses must be claimed by [DATE] in the normal way.]

Please can you return all Company property (including any documents and copies) to [NAME] by [date]. [If you are a member of the Company pension scheme please contact [NAME].]

[You are entitled to reasonable (and paid) time off during working hours before the termination of your employment to look for a new job or arrange training for your future employment. If you want to take any such time off, please contact [NAME] to arrange the details.]

You have the right to appeal against the decision to make you redundant. Where you decide you want to appeal the decision, please submit any appeal to [NAME] in writing by [DATE], specifying the grounds on which you are appealing.

It is a matter of considerable regret that we have had to make redundancies at this time. I am very conscious of the impact that redundancy dismissal can have. I would like to thank you for your hard work for the Company over the last [PERIOD] years and wish you all the best for your future career.

Yours sincerely

[Name of sender]

On behalf of [name of employer]

\*Current rate up to 5 April 2019

The Schedule

**STATUTORY REDUNDANCY PAYMENT**

|  |  |  |
| --- | --- | --- |
| Start of continuous employment: | | [Date] |
| Effective Date of Termination: | | [Date] |
| Calculation Date for the purposes of redundancy: | | [Date] |
| Period of continuous employment  (whole years): | | [Number **1** ] years |
| Gross weekly salary (subject to a cap of £508 from 6 April 2018): | | £[amount] (W) |
| Complete years' service over the age of 41 x 1½ weeks: | x W = | £[amount] (A) |
| Complete years' service between the ages of 22 and 40 x 1 week | x W = | £[amount] (B) |
| Complete years' service under the age of 22 x ½ week | x W = | £[amount] (C) |
| TOTAL (A + B + C) = | | £[amount] |

**1** The total number of years cannot exceed 20 starting with the most recent and working backwards