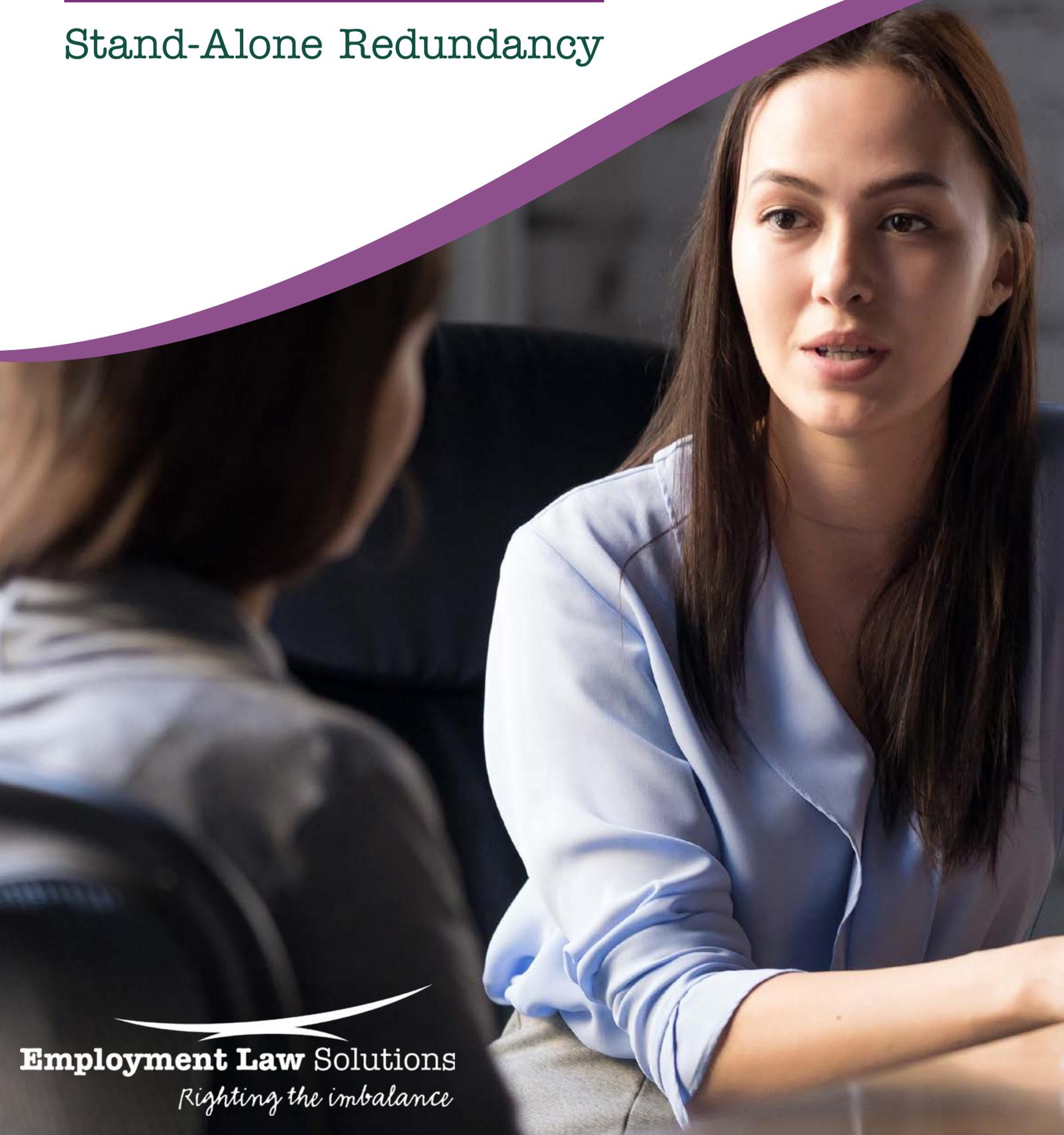


# How to Guide

Stand-Alone Redundancy



# Introduction

This document is a guide on how to conduct a stand-alone (1 person) redundancy. It should be used where an employer has ceased or intends to cease - doing what the employee did OR plans to stop doing it in the place the employee was employed to do it OR the requirements of the business for employees to do particular work OR to do it where the employee was employed to do it - has ceased or diminished.

You should use this guide where the employee is in a stand-alone role and nobody else carries out the same or similar work as him. We recommend that you take our advice when considering redundancies to ensure that:

- a) You have a genuine redundancy situation;
- b) The role is stand-alone;
- c) There are no other reasons the employee might allege for his dismissal (such as discrimination or where he might claim protection for making a protected act).

Each case will depend on individual circumstances so we offer you a free consultation at the initial stage to ensure that you are on the right track. Where you

see a **! RED FLAG** - we have identified specific areas of concern for you **so please take our advice** at that stage. An unfair dismissal (even for redundancy reasons) can cost you 12 months' salary.

# 7 Steps Outline

**1**

**Business Case For Redundancy**

**2**

**Announcement Meeting**

**3**

**Invitation to First Consultation Meeting**

**4**

**First Consultation Meeting**

**5**

**Invitation to Final Consultation Meeting**

**6**

**Final Consultation Meeting**

**7**

**Dismissal Letter**

*Please note that the content of this How To Guide does not constitute legal advice, it is only a guide and should not be construed as legal advice; if that is what you want or need please email us and we will respond to you personally with not only the best advice but the most robust advice too.*



# Business Case For Redundancy **1**

Use the template to set out your current organisation structure including explaining why the role you are removing is stand-alone. You may need to include job descriptions. You should include your new structure and the reasons for redundancy.

## TOP TIP



Refer to everything as a “proposal” or “idea” – you should not yet have decided on whether you will definitely be making redundancies.

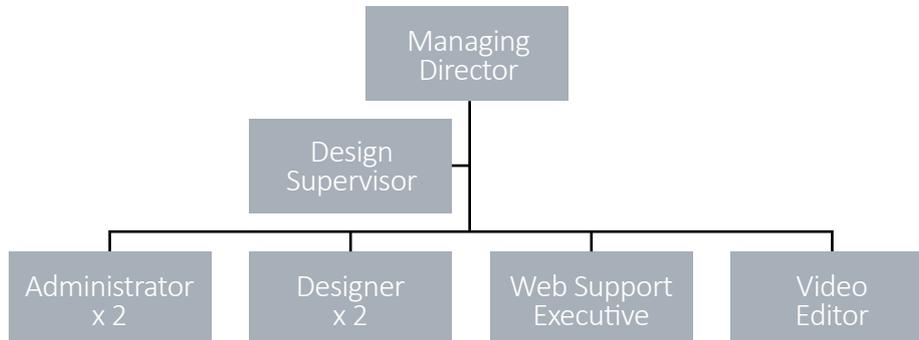
## RED FLAG



If anyone carries out the same or similar work, or if there is an overlap of any duties, **please seek advice**. You should focus on what your employees do on a day-to-day basis, not what their contract or job description says.

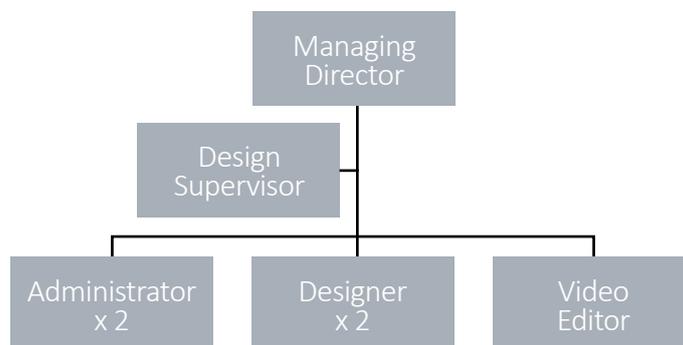
## [Business Name & Date]

### Current Organisational Chart



The Web Support Executive is a stand-alone role which deals with customer queries on websites we have designed. It assists with general wordpress queries. No other job within the business completes this work. When the Web Support Executive is off or on annual leave we use an agency worker to answer to web queries.

### Proposed Organisational Chart



### Reasons for redundancy

A reduction in work has led to a need to reduce head count and focus on more profitable areas of our business.

We are proposing to remove the Web Support offering to our clients in the future. This means that we no longer need to employ anyone to carry out the work.

### Redundancy proposals

We propose to meet solely with the Web Support Executive on [date].

We will consult in relation to whether the role is stand-alone.

We will consult in relation to ways to avoid redundancy, including whether we can save enough cost in other areas.





# 2

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## Announcement Meeting

This can be done by zoom or face-to-face. You simply explain the proposed redundancy and give the Business Case for Redundancy to the employee. You do not need to be drawn into any discussions at this stage.

You ask the employee to review the business case and gather his/her thoughts in advance of the next meeting. You also explain that if he/she wants to apply for voluntary redundancy they can.

*If the employee applies for voluntary redundancy, skip to step 7.*





# 3

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## Invitation to First Consultation Meeting

Send the following letter which puts the employee's role at risk of redundancy and invites them to a consultation meeting or to apply for voluntary redundancy. The letter must be received by the employee 2 days before the meeting.

### TOP TIP



**Voluntary redundancy is still a dismissal so you still need to send a dismissal letter.**

If you would like assistance with writing  
this letter, please get in touch

[BY HAND/EMAIL/First Class Post]

**PRIVATE & CONFIDENTIAL**

[Name]

[ADDRESS]

[Date]

Dear [Name]

### **Redundancy Proposal**

As discussed during our meeting on [date] we are reviewing our headcount and business focus. We have decided to focus on more profitable areas of the business than Web Support.

The work which you are employed to do is in a stand-alone role. We have provided you with a business case for redundancy confirming why we are proposing to make your role redundant. We are therefore confirming that you at risk of redundancy.

You are invited to your First Redundancy Consultation Meeting at [time] a [location] on [date]. We will discuss our proposal and listen to your input also. Please attend ready to discuss the business case in full. We look forward to hearing any way which can avoid compulsory redundancies.

If you wish to avoid a formal redundancy process we will consider applications for Voluntary Redundancy. Please send this to me by [date].

Yours sincerely

[name]

[position]

*If the employee applies  
for voluntary redundancy,  
skip to step 7.*





# 4

## First Redundancy Consultation Meeting

During the meeting you have two main objectives:

- a) Explain how you understand the employee's role to be stand-alone and gain their agreement;
- b) Listen to and respond to the employee's ideas to avoid compulsory redundancies

### RED FLAG



If the employee does not agree that they are stand-alone, **do not proceed to step 5 without clarifying this issue with advice.**

If the employee suggests a good alternative to reduce costs/save job losses/avoid redundancy, **do not proceed to step 5 without clarifying this issue with advice.**

**[Business Name]**  
**First Redundancy Consultation Minutes**  
**[Date]**

Start Time \_\_ : \_\_

In attendance:

- .....- Chair
- .....- Employee
- .....- Note Taker

Thanks for coming to this consultation meeting, can I please confirm that you have received the invitation letter that was sent to you?

**Answer -**

Can I also confirm that you received the business case for redundancy document?

**Answer –**

We understand that your role is stand-alone meaning that nobody else carries out the same or similar work as you. Do you agree?

**Answer –**

*If no:* please gather all information as to why not.

*If no:* how much of your work would you say that other people carry out? Which elements? How many hours a day?

The business is currently proposing to do without your role moving forwards, can you understand why?

**Answer –**

Can you think of any way which the business could make cuts other than redundancies?

**Answer –**

Can you think of anything we have missed to protect the future viability of the company?

**Answer -**

Is there anything that we may have forgotten?

Do you have anything further to add?

I will consider your comments and invite you back for a second consultation.

Consultation meeting ended at \_\_ : \_\_



# 5

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## **Invitation to First Consultation Meeting**

Send the formal letter inviting the employee in for a final consultation meeting (with any follow up evidence from the first meeting subject to our advice).

The letter must be received by the employee 2 days before the meeting. It must also provide the right to be accompanied by a colleague or a Trade Union Representative even if your business does not formally recognise one or the employee is not a member of one.

Finally it must inform the employee that he/she may be dismissed for redundancy at the next meeting.

If you would like assistance with writing  
this letter, please get in touch

[BY HAND/EMAIL/First Class Post]

**PRIVATE & CONFIDENTIAL**

[Name]

[ADDRESS]

[Date]

Dear [Name]

**Final Redundancy Consultation**

As discussed during our announcement and consultation meetings, the Company is considering potential redundancies due to [enter reason]. We are really sorry to be in this situation.

[If you have had to clarify that the role is stand-alone or the reasons for redundancy, add details here].

You are now invited to a further and potentially final individual consultation meeting at [location] on [day/date].

You have the right to be accompanied to this meeting by a colleague or an accredited trade union representative. That person can either act as your representative and address the meeting, or merely attend as your witness.

Please be aware that it is possible that this meeting will result in you being served notice of the termination of your employment due to redundancy.

Yours sincerely

[name]

[position]

# 6

## Final Consultation Meeting

You should discuss the process so far and the further evidence gathered (if any). Confirm that the employee is in a stand-alone role and it is redundant. Confirm that there are no other vacancies in the business.

Confirm employee's entitlements (notice pay, redundancy pay, holiday pay):

**Notice pay:** You must serve notice of at least 1 week for every full year service up to 12 weeks, unless the employee is contractually entitled to more. In some cases the employee can work their notice but usually they receive payment in lieu. The employee is paid their net pay.

**Redundancy pay:** If your employee has over 2 years service they are entitled to redundancy pay.

The calculator is: [www.gov.uk/calculate-your-redundancy-pay](http://www.gov.uk/calculate-your-redundancy-pay)

Redundancy pay is paid gross but subject to the statutory cap.

**Holiday pay:** Your employee is entitled to holiday pay up until the last day of their employment. You may be entitled to direct the employee to use their remaining holiday in the notice period, subject to the terms of their contract of employment.

### RED FLAG



If you have any other vacancies these must be offered to the employee where suitable. **Please seek advice.**

If the employee is working their notice they have the right to time off to look for other work. **Please seek advice.**

**[Business Name]**  
**Consultation Minutes**  
**[Date]**

Start Time \_\_ : \_\_

In attendance:

- .....- Chair
- .....- Employee
- .....- Note Taker

Thank you for coming to this consultation meeting, can I please confirm that you have received the invitation letter that was sent to you?

**Answer -**

**[Discuss the last consultation meeting and process to date]**

Can we now agree that nobody else carries out the same or similar work as you?

**Answer –**

I considered your ideas to avoid redundancy but the business could not accommodate them because of [explain why, so long as legitimate].

Based on all of the above, we cannot avoid the redundancy of your role and it is redundant. Unfortunately we do not have any other vacancies within the business.



**!** Only proceed if no other concerns mentioned and the employee understands and agrees.

I am therefore confirming that your role is redundant.

Based on your contract, your start date and termination date of [date] and your date of birth of [date], you are entitled to the following payments:

**Notice Pay** = [state amount and whether the employee is required to work it].

**Redundancy Pay** = [state entitlement including the statutory cap and that it will be paid in the final pay slip as a gross payment]

**Holiday Pay** = [confirm accrued untaken leave and if any needs to be taken during the notice period]

I will confirm everything in writing. Do you have anything else to add?

Consultation meeting ended at \_\_ : \_\_



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# Dismissal Letter

7

Send a dismissal letter.

If you would like assistance with writing  
this letter, please get in touch

[BY HAND/EMAIL/First Class Post]

**PRIVATE & CONFIDENTIAL**

[Name]

[ADDRESS]

[Date]

Dear [Name]

**Redundancy Dismissal**

We have consulted with you over the past few weeks to find ways to avoid making compulsory redundancies. Unfortunately, we have concluded that redundancies are necessary.

As discussed in consultation meetings, you are employed in a stand-alone role and nobody else carries out the same or similar work as you. Following the consultations and decision to continue with the redundancy of your role, we searched for alternative vacancies within the Company.

There were no alternative vacancies and I am sorry to confirm that your employment will end due to redundancy. This was confirmed in a meeting on [date].

You are [not] required to work your [how many weeks] notice, but you will be compensated for the loss of notice with [same number] weeks' pay, meaning that your termination date is [the date of this letter if handed or emailed or the next day if posted].

The termination payments you are entitled to were set out in our last meeting and I confirm they are:

**Redundancy pay** = [how many] weeks gross pay;

**Untaken holiday accrued to [date]** = [how many] days [state any instruction that they be used]

I would like to thank you for your contribution to the Company and wish you all the best for the future.

Yours sincerely

[name]

[position]



**01270 781006**

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Business Park, Middlewich Rd, Nantwich CW5 6PF