How your employer must consult you

If you’re an employee affected by redundancies, by law your employer must consult you. This is even if you’re not at risk of redundancy yourself.

You’ll usually have a face-to-face meeting with your manager or the person leading the redundancy changes. The meeting can take place over the phone if you both agree to it and there is a clear need, for example if you work remotely.

By law they must meet you at least once. They might need to meet you more than once to make sure they can respond to your suggestions or requests.

During coronavirus, it’s likely that your employer will consult with you remotely, for example over the phone or using video or conference-calling technology.

What to discuss at the consultation

The consultation is a chance for your employer to talk about the changes they’re planning and why you’re at risk of redundancy.

You could discuss:

- ways to avoid or reduce redundancies
- how people will be selected for redundancy
- any issues you have with the process
- time off to look for a new job or training
- how the business or organisation can restructure or plan for the future

What your employer must do

Your employer does not have to make the changes you suggest. They do need to show that they’ve listened to you, considered your ideas and tried to come to an agreement.

You can appeal against redundancy if you believe your employer has not consulted you fairly.

3. Large-scale redundancies

If your employer is making more than 20 people redundant within 90 days in a single establishment it’s known as a ‘collective
redundancy'. There are set rules for collective redundancies which your employer must follow.

They must consult staff representatives – for example trade unions – as well as speak to you individually.

During the consultation they must let you know in writing:

- why they need to make redundancies
- which jobs are at risk
- the number of people who could be involved
- how they will select employees for redundancy
- how they plan to carry out redundancies
- how they will calculate redundancy pay
- details of any agency workers they're using

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