

When you're given notice

If you're selected for redundancy, your employer must give you notice. They can only give notice once they've finished the consultation and selection process.

If you're being made redundant, your employer must:

- tell you how long your notice period is – whether it's 'statutory' (minimum required in legislation) or contractual
- keep paying you until the end of your notice period

You'll usually carry on working until the end of your notice period. The minimum notice you get will depend on how long you've worked for the employer. You should check your contract as you might be entitled to more.

It's a good idea to talk with your employer if there's any part of your redundancy notice you're not sure about. For example, you could ask them to put in writing:

- the length of your notice period
- the date your notice period starts
- if you can leave before the end of your notice period
- if you need to take any unused holiday before you leave
- if you'll still get contractual benefits, for example a fuel card or mobile phone, during your notice period
- how to request time off to arrange training or find a new job

Find out more about:

- [notice periods](#)
- [final pay when someone leaves a job](#)

If your employer withdraws your notice

Once your employer has given you notice of redundancy, including the date your employment will end, they cannot withdraw it unless you agree.

If you agree

If you agree, you will continue working. You will not get redundancy pay, but you will keep your continuity of employment.

If you do not agree

If you do not agree and you leave at the end of your notice period, it could affect your entitlement to redundancy pay.

You might not get redundancy pay if your employer is offering for you to stay in the same job on the same terms and conditions.

This could be because:

- there is no longer a redundancy situation
- you're unreasonably refusing suitable employment

If your employer is offering you a different job, whether you're entitled to redundancy pay will depend on whether the job is [suitable alternative employment](#).

If you want to leave early

If you've been given notice of redundancy, including your dismissal date, you might want to leave early. For example, if you've already found another job.

To leave early and still get your redundancy pay, you need to give 'counter-notice' during the 'obligatory period'.

'Counter-notice' means giving your own notice to end employment, which is different from the notice your employer has given you. You must give notice in writing, for example in a letter or email. You should give as much notice as possible.

The 'obligatory period' is the period equal to your normal [notice period](#), counting back from your dismissal date.

Example of giving counter-notice

An employer is making some redundancies. They give everyone 12 weeks' notice in writing, stating their date of dismissal.

Sam is entitled to 12 weeks' notice because they've worked for the employer for over 12 years. Their obligatory period is the whole of their notice period. They can give counter-notice at any time during the 12 week period.

Pat is entitled to 3 weeks' notice because they've worked for the employer for 3 and a half years. Their obligatory period is the last 3 weeks before their dismissal date. They must give counter-notice in those 3 weeks to protect their right to redundancy pay.

Jo has only worked for the employer for 2 years, but their contract says they're entitled to 1 month's notice. Their obligatory period is the last month before their dismissal date. They must give counter-notice in that month to protect their right to redundancy pay.

If your employer does not want you to leave early

Your employer can give further notice in writing that states:

- they require you to withdraw your counter-notice
- they will not give you redundancy pay if you leave early

If you still decide to leave early, your employer might say that you have resigned and are not entitled to redundancy pay.

If this happens, you can make a claim to an [employment tribunal](#). The tribunal judge would decide if your employer should pay all, part or none of the redundancy pay.

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