

## Your rights during redundancy

### When redundancy can happen

Redundancy is usually a type of dismissal when a role is no longer needed.

Redundancy only applies to those with the [legal status of employee](#).

You are not likely to be an employee if you're:

- an agency worker
- a casual worker
- on a zero-hours contract

Your employer should only consider making redundancies if part or all of the organisation is:

- closing, or has already closed
- changing the types or number of roles needed to do certain work
- changing location

If the main reason for your dismissal is something else, for example, your performance or conduct, it's not redundancy.

In this case, before dismissing you, your employer must follow a [disciplinary procedure](#).

Your employer might try and look at other options before deciding on redundancies. For example, changing working hours, offering voluntary redundancy or moving employees into suitable alternative vacancies.

Before your employer selects anyone for redundancy, they might need to follow a consultation and selection process.

[Find out more about how your employer must consult](#)

### What an employer should tell employees

Your employer should tell all employees as soon as possible that they are considering making redundancies. They should explain:

- which roles are at risk of redundancy
- why the redundancies are being considered
- how many redundancies they're considering
- what happens next, including how everyone will be consulted

If you are at risk of redundancy, the employer should also confirm:

- the outline of their consultation plans
- whether you have other options, such as voluntary redundancy or suitable alternative employment

This should be in writing, for example in a letter or email.

## **Your redundancy rights if there is a TUPE transfer**

You have your usual employee rights to a fair redundancy process in a TUPE transfer when you transfer from your current employer to a new employer. TUPE means Transfer of Undertakings (Protection of Employment).

If there are redundancies after a TUPE transfer, consultation can start before the transfer and continue after. Your employer should not select employees for redundancy before the transfer takes place.

[Find out more about TUPE and redundancy](#)