



Redundancy

Redundancy Risk Checklist

Common issues employers should avoid

Use this checklist to identify and avoid common risks in redundancy situations, particularly following the increased focus on consultation and fairness under the new Employment Rights Act 2025

Process Risks

- Decisions appear predetermined
 - Consultation happens too late
 - Employees are not given opportunity to respond
 - Communication is unclear or inconsistent
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Selection Risks

- Selection criteria are subjective
 - Criteria are not applied consistently
 - Scoring is not documented
 - Pool selection is unclear
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Discrimination Risks

- Selection criteria disadvantage certain groups
 - Absence related to disability or family leave is treated unfairly
 - Adjustments are not considered where required
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Documentation Risks

- Consultation meetings are not recorded
 - Business rationale is not documented
 - Selection scoring is missing
 - Final decisions are not confirmed in writing
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Pay and Notice Risks

- Redundancy pay is miscalculated
- Notice periods are incorrect
- Final payments are unclear

Good Practice

To reduce redundancy risk, employers should:

- Follow a structured process
- Consult meaningfully with employees
- Apply objective selection criteria
- Keep clear written records
- Communicate decisions carefully

A fair process is the strongest protection against redundancy disputes.

FINAL NOTE

The April 2026 developments reinforce the importance of fairness, transparency, and proper consultation in redundancy situations. Employers who follow a clear and consistent process are less likely to face disputes or claims.

This guide provides general information only and does not constitute legal advice.

Need Help?

Our HR experts can help you review your HR policies, update documentation, and deliver manager training, HR Surgeries or Q&A's in relation to the Employment Rights Act 2026.



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