

Redundancy and Insolvency

**A GUIDE FOR EMPLOYEES**

when?  
where  
how?  
who  
what?



Awarded for excellence



INVESTOR IN PEOPLE

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## 1. About this guide

We understand that it can be distressing if your employer has become insolvent and made you redundant. We hope this guide will help you claim any money you are entitled to. The guide is not a complete or authoritative statement of the law, but it should make the process quick and easy.

The amounts given in the guide were those in force at February 2004. As they are relevant to you, please check the current amounts with the Redundancy Payments Helpline on 0845 145 0004. Calls are charged at local rates.

You can also call the Helpline if you need advice on anything mentioned in this guide.

## 2. Introduction

You are entitled to a redundancy payment from your employer if:

- you are an employee who has been made redundant, and
- you have at least two years' continuous service with your employer, and
- you are aged 20 to 64.

If you are 65 or over, you will not be entitled to a redundancy payment. You may still be entitled to compensation for notice pay, unpaid wages or holiday pay you are owed.

If your employer is insolvent, he or she will not be able to pay you. So you can claim the money from one of the Insolvency Service's Redundancy Payments Offices using the yellow RP1 claim form at the back of this guide. We may also be able to pay you all or some of any unpaid wages and outstanding holiday pay. If you did not receive the correct notice of dismissal, we may be able to compensate you for that.

If your employer is not formally insolvent and has made you redundant without paying you a redundancy payment, then you may still be able to claim a payment from us. By law in these circumstances we can only pay you redundancy money. We cannot make other payments such as unpaid wages, holiday pay or compensation for not receiving proper notice.

This guide tells you what you can claim, how to claim it and the conditions that apply. It also explains what to do if you disagree with us about how much you should receive.

## 3. How to claim

You should fill in the yellow RP1 claim form at the back of this guide and send it to the Redundancy Payments Office that will deal with your claim. Annex 1 gives the addresses of the Redundancy Payments Offices and the areas that each covers. If the independent insolvency practitioner dealing with your ex-employer asks you to return the form to them, then please do so.

**Please note:** It is the independent insolvency practitioner's responsibility to deal with the insolvency of your employer. The Redundancy Payments Offices are only responsible for paying you your redundancy money and other insolvency-related money that you may be entitled to. If you have any other concerns about the insolvency, please raise them directly with the insolvency practitioner.

When we get your completed RP1 claim form we will put your details onto our computer system. We will then send you an RP5 acknowledgement form. Please check the details on this form carefully. If anything is wrong, please let us know as soon as possible. Wrong information can affect the amount of money you get and how long it takes to pay you.

We will need to carry out some checks on the information you and the insolvency practitioner give us. This can sometimes take a little time, but we pay on average 4 out of 5 claims within 6 weeks.

If you did not get the correct notice from your employer (say you should have been given 4 weeks notice but didn't get any), we will send you an RP2 form at the end of what should have been your statutory notice period (such as the 4 weeks).

#### **4. How much money can I get?**

**Redundancy pay** - The amount of your redundancy payment is your weekly pay (but only up to a limit imposed by law - currently £270 a week) multiplied by a number of 'qualifying weeks'. Annex 2 is a ready reckoner for calculating your number of qualifying weeks.

**Example:** You are made redundant at the age of 43, having worked for your company for 14 years. Your pay at this time is £300 a week. The ready reckoner shows a person of your age and length of service as having 15 "qualifying weeks". Your redundancy payment is 15 x £270 which is £4,050. We do not take any tax from this amount.

**Unpaid wages** - The number of weeks (or part weeks) for which you were not paid (up to a maximum of 8) is multiplied by your weekly wage up to the maximum of £270 a week. We have to take income tax and national insurance from this amount.

**Example:** When you are made redundant you are owed 10 weeks wages and your pay is £300 a week. We can pay you 8 weeks (the maximum period allowed) x £270 (the maximum weekly limit) which is £2,160. Remember, we have to take income tax and national insurance from this amount.

**Compensation for not receiving notice that you were due** - You are entitled to one weeks notice after one month's service with your employer, two weeks after two years and then one week for every complete year up to a maximum of 12 weeks. Your compensation is the number of weeks notice you were entitled to but did not receive, multiplied by your weekly wage, up to the maximum of £270 a week. We have to take the equivalent of income tax and state benefits from this amount. If you get another job during all or part of this notice period, we also have to deduct any wages you earn. If you do not get another job, you should claim any state benefits you are entitled to. We have to deduct any state benefits you are entitled to even if you have not claimed that benefit.

**Example:** You have worked for your employer for 14 years and earned £300 a week. So you should have had the maximum 12 weeks notice, but only received 2. We would therefore start your entitlement at 10 weeks notice (the 12 weeks you were entitled to, minus the 2 weeks you actually received) x £300, which would be £3,000. From this amount we have to deduct an amount equivalent to income tax, and state benefits.

If, after these deductions, the amount is still over the current limit (10 weeks x the £270 maximum weekly limit), we have to limit your money to £2,700.

**Example if you get a new job:** You have worked for your employer for 14 years and earned £240 a week. So you should have had the maximum 12 weeks notice, but were not given any. We would therefore start your entitlement at 12 weeks notice x £240, which would be £2,880. From this amount we have to take the equivalent of income tax, state benefits and your wages from your new job. In this case we would not apply the limit at the end of the calculation, as your earnings are less than the current £270 weekly limit.

#### **Note: tax refunds**

Each year you are allowed to earn a certain amount - called your personal allowance - before you have to pay tax. If your total income for the year is less than your personal allowance, we may have reduced your claim by too much. You will need to make a claim for a refund but you can only do this at the end of the tax year. Contact the Redundancy Payments Office that dealt with your claim and ask for form RP13. Return the completed form with your documents and we will work out any refund you are owed.

***Remember, this payment is to compensate you for the actual loss you suffered during your entitled notice period. You must keep your loss to a minimum by claiming all the benefits you are entitled to, by doing your best to find a new job and by taking your full salary during the notice period in this new job.***

### **5. What happens if I am owed more than you can pay me?**

Because the law only allows us to pay up to a specified limit (at the time of printing, the maximum is £270 per week), you may still be owed the balance of your money. You should claim this from the independent insolvency practitioner who is handling your employer's insolvency. You are unlikely to receive all the money you are owed, but you may get some of it.

### **6. What is redundancy?**

You can get a redundancy payment only if the reason for your dismissal is redundancy. This means that your dismissal must be caused by your employer's need to reduce or no longer employ his or her workforce. Redundancy may happen because a workplace is closing down or because fewer employees are needed for particular kinds of work or because the employer is insolvent. Normally your job must have disappeared. It is not redundancy if your employer immediately takes on a direct replacement for you. It usually will not matter if your employer is recruiting more workers to do different jobs or to work in another place.

### **7. Who can and who cannot claim?**

You can receive payment only if you are an employee working under a contract of employment whether written, verbal or implied. Self-employed people and members of a partnership do not qualify.

Directors may be employees if they work under a contract of employment. Directors may not qualify if they only have a controlling interest in the company. That is, for a director to qualify he or she needs to show that they are also an employee working

under a contract of employment and that their relationship to the company is similar to that of other employees. They will not qualify if they deal only with company policy and go to board meetings in return for fees.

You cannot receive payment for redundancy if your employment ends after you are 65 years old or after you have reached the normal retirement age for your job. Share fishermen are not entitled if they are paid only a share in the proceeds of the catch.

## **8. What if an employer does not meet his obligation to consult on proposed redundancies?**

If an employer does not meet the statutory requirement to inform and consult employees representatives when he proposes to make 20 or more employees redundant at any one establishment, the representatives can complain to an Employment Tribunal. The exception is in non-union cases where the employer has not provided for the election of representatives, individuals can make a complaint. You can get more information from the following website:

<http://www.dti.gov.uk/er/redundancy/consult-pl833.htm>

## **9. What if there is no trade union official or elected representatives, and an outside organisation offers to take on the work for a percentage of any awarded payout?**

You should think very carefully before agreeing to be represented by such an organisation. The Employment Tribunal Service is an independent judicial body set up specifically so that employees and employers can resolve disputes without legal costs. It is less formal than a court and you do not have to be represented by a solicitor or other professional. The Advisory, Conciliation and Arbitration Service (ACAS) provide free advice on all employment rights. Their help line is 08457 47 47 47. Your local Citizens Advice Bureau also provides free advice.

## **10. How do I work out my length of service?**

The longest period of continuous service that can be counted towards a redundancy payment is 20 years. Your length of continuous service is counted back from the date on which your notice ended. If your employer gave you less than your legal entitlement, the extra notice that you should have had is added on. If your employer did give you notice but you could not work it, then this notice is also added on.

Certain absences - for example, caused by sickness, pregnancy or temporary shortage of work - can count towards continuous service even if your contract of employment was suspended.

Days lost through industrial disputes do not count towards your continuous service for a redundancy payment even though they do not break the continuous service. So any days you were on strike will be taken away from your total length of service.

There is a ready reckoner at Annex 2 to calculate the number of weeks of pay due. This table is available interactively. If you log on to the following DTI website and enter the information it will calculate your entitlement:

[www.dti.gov.uk/er/redundancy/ready.htm](http://www.dti.gov.uk/er/redundancy/ready.htm)

## **11. What is "a weeks pay"?**

If you worked the same hours every week and your pay did not change from week to week - for example with the amount of work you did - then your weeks pay is simply your basic weekly wage or salary. We do not include overtime unless your contract of employment required your employer to provide overtime and you to work it.

If your earnings changed from one week to another - for example, because of piecework, productivity bonus arrangements or variable hours - then we work out your week's pay by totalling the number of hours you actually worked, normally in your last 12 weeks of employment, and dividing that figure into your total earnings for the same period. This gives us an average hourly rate that we multiply by your contracted hours. If you did any overtime during these 12 weeks and were paid at a higher rate, we will include the hours but use your normal basic rate in our calculations.

**Example:** For the last 12 weeks you have worked 440 hours including overtime and earned £4321.20 for this period. So we divide £4321.20 by 440 to give an average hourly rate of £9.82. Your contracted hours per week are 36. Therefore £9.82 multiplied by 36 gives you a weekly entitlement of £353.52. *But remember that if this amount is more than the £270 weekly limit imposed by law, we have to use £270 to calculate your entitlement.* Payments for sick absence, holidays etc. are not counted.

## **12. If you are aged 64 or over**

If you are aged 64 or over, we have to reduce your redundancy payment by one-twelfth for each complete month you worked after your 64th birthday. This means that if you are 65 or over, you are not entitled to a redundancy payment. You may still be entitled to compensation for notice pay, unpaid wages or holiday pay you are owed.

## **13. What is insolvency?**

If your employer simply stops trading or closes down a branch or branches, that in itself is not insolvency. We can only pay you when your employer is formally insolvent. Usually this means that an insolvency practitioner or Official Receiver has been appointed.

## **14. Business transfers**

If you are dismissed in the course of a transfer of the business from one owner to another, this is normally treated as unfair dismissal and not redundancy. You may be able to claim compensation for unfair dismissal from the new owner.

However, you may be entitled to redundancy payments from us if your old employer is insolvent. You may have to apply to an Employment Tribunal to sort out any dispute. There are different time limits for applying. But if you apply within 3 months of your dismissal, you will not be out of time. You can get further information on this subject from the following website: <http://www.dti.gov.uk/er/redundancy.htm>

### **Will a business transfer delay my payment?**

Yes, probably. If you have made a claim to us and you are concerned about a delay, contact us. We will do our best to answer your questions and explain what is happening.

## **15. My employer is not insolvent but has not given me the redundancy payment I am due. What can I do?**

You should claim your redundancy pay in writing from your employer or make a complaint to an Employment Tribunal within 6 months of your employment ending. You should ask the Employment Tribunal to consider what you are owed and who should pay you. If the tribunal orders your employer to pay, but he or she does not, then you can claim your redundancy pay from us. We cannot make any other payments such as unpaid wages, loss of notice or holiday pay, if your employer is not insolvent.

## **16. What can an Employment Tribunal do?**

If you disagree with your employer about your entitlement to a redundancy payment, you can take the matter to an Employment Tribunal. You may lose your right to a payment if you do not write to your employer about this or apply to a tribunal within 6 months of the day your job ends. If you disagree with what we have paid, you can ask a tribunal to consider what the payment should be. In this case you should name the Secretary of State for Trade and Industry as the 'respondent' on your application. If you want to apply to a tribunal, you can get the application form from your local Jobcentre Plus or from a tribunal. Or you can visit the Employment Tribunal website at: <http://www.employmenttribunals.gov.uk>

## **17. Frequently Asked Questions**

### **a. How do I know you are dealing with my claim?**

When we put information from your claim form onto our computer system, we will send you an RP5 form. This shows that we are dealing with your claim and you can check that the information we have is correct. If we add or amend information, we will send you another RP5 to show you the changes. If you do not receive an RP5 within 3 weeks of sending us your claim, please call us.

### **b. Should I claim Jobseeker's Allowance or other benefits while I am unemployed?**

Yes. You should immediately claim any benefits you are entitled to. If you are claiming notice pay, we have to deduct any benefits you are entitled to, whether you claim them or not. We also have to deduct any wages you earn during your notice period. If you have proof that you are not entitled to any benefits, we will not make any deductions.

### **c. When will I get my money?**

We pay on average 4 out of 5 claims in 6 weeks or less.

### **d. How much redundancy payment will I get?**

The amount of your redundancy payment is calculated by multiplying your weekly pay (but only up to a limit imposed by law - currently £270 a week) by a number of 'qualifying weeks'. Annex 2 is a ready reckoner you can use to calculate the number of qualifying weeks.

#### **e. What about my notice pay?**

At the end of your notice period we will send you an RP2 form. You should complete it and take it to the Jobcentre Plus so that they can confirm details of benefits claimed during your notice period. You will be entitled to one week's notice after one month's employment, two weeks after two years and one week for every complete year up to a maximum of 12 weeks. You must keep your loss to a minimum by claiming any benefits and taking up any opportunity of paid work. We have to take away from your notice pay any benefit you are entitled to, even if you have not claimed it.

#### **f. What about my pension?**

If your ex-employer has not paid certain contributions into your occupational pension scheme, the administrator of the scheme may apply to us for these contributions.

#### **g. Will I pay tax?**

On a redundancy payment - no.

On arrears of pay and holiday pay - yes. We will deduct any tax and national insurance at basic rates before paying you.

On compensation for not getting notice - see section 4

#### **h. Should I seek professional advice?**

Claiming redundancy and other payments is generally straightforward. If you have any queries our helpline staff will be pleased to advise you. There is usually no need to seek professional help. If you are approached by a person or organisation offering to assist you for a fee, we strongly advise that you phone the helpline or e-mail us before signing an agreement.

### **18. What if I am dissatisfied?**

If you have a complaint with the Redundancy Payments Office dealing with your claim, you should follow the procedure in our leaflet 'Information on making a complaint'. You can get a copy by phoning the Insolvency Service Publication Order line on 0121 698 4241 or e-mailing [Records.management@insolvency.gsi.gov.uk](mailto:Records.management@insolvency.gsi.gov.uk). You can also download the leaflet from our website, [www.insolvency.gov.uk](http://www.insolvency.gov.uk)

If you have a complaint about the independent insolvency practitioner dealing with your ex-employer's insolvency and about the way the practitioner is treating your redundancy, then you should first write to the practitioner. If you are dissatisfied with the response, you should then contact their authorising body - you can get details by phoning our Central Enquiry Line on 020 7291 6895 or e-mailing [Central.Enquiryline@insolvency.gsi.gov.uk](mailto:Central.Enquiryline@insolvency.gsi.gov.uk)

### **19. How to get more copies of our publications**

You can obtain further copies of this booklet from the following website:  
<http://www.dti.gov.uk/publications>

If you would prefer to order publications by telephone, please call the Publications Orderline on 0870 150 2500. (Calls to this number are charged at national rate). You can also contact the Orderline by fax on 0870 150 2333, or Minicom on 0870 150 2100.

If you have problems using the above site please contact the DTI Publications Unit, either by telephone on 020 7215 6024, or by e-mail to [pubs.unit@dti.gsi.gov.uk](mailto:pubs.unit@dti.gsi.gov.uk)  
All Insolvency Service publications appear in full on our website: [www.insolvency.gov.uk](http://www.insolvency.gov.uk)

## Annex 1 - Where to send your form

Once you have filled in the form, send it to the appropriate Redundancy Payments Office or to the insolvency practitioner.

### WHERE YOU WORKED

|                 |                              |
|-----------------|------------------------------|
| Birmingham      | Lincolnshire                 |
| Bedfordshire    | Manchester                   |
| Berkshire       | Norfolk                      |
| Cambridgeshire  | Northamptonshire             |
| Cheshire        | Nottinghamshire              |
| Cornwall        | Oxfordshire                  |
| Derbyshire      | Rutland                      |
| Devon           | Shropshire                   |
| Dorset          | Somerset (including Bristol) |
| Gloucestershire | Staffordshire                |
| Hampshire       | Wales                        |
| Herefordshire   | Warwickshire                 |
| Isle of Wight   | West Midlands                |
| Leicestershire  | Wiltshire                    |
| Lancashire      | Worcestershire               |

### WHERE TO SEND YOUR FORM

Redundancy Payments Office  
Hagley House  
83-85 Hagley Road  
Birmingham B16 8QG  
Telephone: 0121 456 4411

Managers:  
Mrs Barbara Morris  
Mrs Susan Larkin  
E-mail: [birmingham.rpo@dti.gsi.gov.uk](mailto:birmingham.rpo@dti.gsi.gov.uk)

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Cleveland  
Cumbria  
Durham  
Merseyside  
Northumberland

Teeside  
Tyne & Wear  
Scotland  
Yorkshire

Redundancy Payments Office  
Ladywell House  
Ladywell Road  
Edinburgh EH12 7UR  
Telephone: 0131 316 5600

Manager:  
Mrs Margaret Miller  
E-mail: [edinburgh.rpo@dti.gsi.gov.uk](mailto:edinburgh.rpo@dti.gsi.gov.uk)

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Buckinghamshire  
Essex  
Hertfordshire  
Kent

London  
Suffolk  
Surrey  
Sussex

Redundancy Payments Office  
PO Box 15  
Exchange House  
60 Exchange Road  
Watford WD18 0YP  
Telephone: 01923 210 700

Manager:  
Mr A Liburd  
E-mail: [watford.rpo@dti.gsi.gov.uk](mailto:watford.rpo@dti.gsi.gov.uk)

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If you need any more information about filling in the RP1 form or general advice on redundancy, phone the helpline on 0845 145 0004. If you have any questions about your claim after you have sent in your form, phone the appropriate office and quote the name of your former employer.

## Annex 2 - Ready Reckoner

The amount of your payment is the number of weeks shown, multiplied by the weekly limit (at the time of printing, £270) or your actual pay if this is less than the limit.

Read off your age and number of years of service. The table will show you how many weeks pay you are entitled to.

No-one below the age of 20 can qualify for a redundancy payment.

If you are aged between 64 and 65, we have to reduce the amount due by one-twelfth for every complete month you worked after you were 64.

| Service (years) | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |   |
|-----------------|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
| Age (years)     |    |    |    |    |    |    |    |    |     |     |     |     |     |     |     |     |     |     |     |   |
| 20              | 1  | 1  | 1  | 1  | -  |    |    |    |     |     |     |     |     |     |     |     |     |     |     |   |
| 21              | 1  | 1½ | 1½ | 1½ | 1½ | -  |    |    |     |     |     |     |     |     |     |     |     |     |     |   |
| 22              | 1  | 1½ | 2  | 2  | 2  | 2  | -  |    |     |     |     |     |     |     |     |     |     |     |     |   |
| 23              | 1½ | 2  | 2½ | 3  | 3  | 3  | 3  | -  |     |     |     |     |     |     |     |     |     |     |     |   |
| 24              | 2  | 2½ | 3  | 3½ | 4  | 4  | 4  | 4  | -   |     |     |     |     |     |     |     |     |     |     |   |
| 25              | 2  | 3  | 3½ | 4  | 4½ | 5  | 5  | 5  | 5   | -   |     |     |     |     |     |     |     |     |     |   |
| 26              | 2  | 3  | 4  | 4½ | 5  | 5½ | 6  | 6  | 6   | 6   | -   |     |     |     |     |     |     |     |     |   |
| 27              | 2  | 3  | 4  | 5  | 5½ | 6  | 6½ | 7  | 7   | 7   | 7   | -   |     |     |     |     |     |     |     |   |
| 28              | 2  | 3  | 4  | 5  | 6  | 6½ | 7  | 7½ | 8   | 8   | 8   | 8   | -   |     |     |     |     |     |     |   |
| 29              | 2  | 3  | 4  | 5  | 6  | 7  | 7½ | 8  | 8½  | 9   | 9   | 9   | 9   | -   |     |     |     |     |     |   |
| 30              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 8½ | 9   | 9½  | 10  | 10  | 10  | 10  | -   |     |     |     |     |   |
| 31              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 9½  | 10  | 10½ | 11  | 11  | 11  | 11  | -   |     |     |     |   |
| 32              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 10½ | 11  | 11½ | 12  | 12  | 12  | 12  | 12  | -   |     |   |
| 33              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 11½ | 12  | 12½ | 13  | 13  | 13  | 13  | 13  | -   |   |
| 34              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 12½ | 13  | 13½ | 14  | 14  | 14  | 14  | 14  | - |
| 35              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 13½ | 14  | 14½ | 15  | 15  | 15  | 15  |   |
| 36              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 14½ | 15  | 15½ | 16  | 16  | 16  |   |
| 37              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 15½ | 16  | 16½ | 17  | 17  |   |
| 38              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 16½ | 17  | 17½ | 18  |   |
| 39              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 17½ | 18  | 18½ |   |
| 40              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 18½ | 19  |   |
| 41              | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 19½ |   |
| 42              | 2½ | 3½ | 4½ | 5½ | 6½ | 7½ | 8½ | 9½ | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ |   |

| Service (years) | 2 | 3  | 4  | 5  | 6  | 7   | 8   | 9   | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
|-----------------|---|----|----|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Age (years)     |   |    |    |    |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 43              | 3 | 4  | 5  | 6  | 7  | 8   | 9   | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  | 21  |
| 44              | 3 | 4½ | 5½ | 6½ | 7½ | 8½  | 9½  | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ |
| 45              | 3 | 4½ | 6  | 7  | 8  | 9   | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  | 21  | 22  |
| 46              | 3 | 4½ | 6  | 7½ | 8½ | 9½  | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ |
| 47              | 3 | 4½ | 6  | 7½ | 9  | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  | 21  | 22  | 23  |
| 48              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ | 23½ |
| 49              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  | 21  | 22  | 23  | 24  |
| 50              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ | 23½ | 24½ |
| 51              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16  | 17  | 18  | 19  | 20  | 21  | 22  | 23  | 24  | 25  |
| 52              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ | 23½ | 24½ | 25½ |
| 53              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19  | 20  | 21  | 22  | 23  | 24  | 25  | 26  |
| 54              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 20½ | 21½ | 22½ | 23½ | 24½ | 25½ | 26½ |
| 55              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22  | 23  | 24  | 25  | 26  | 27  |
| 56              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 23½ | 24½ | 25½ | 26½ | 27½ |
| 57              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25  | 26  | 27  | 28  |
| 58              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 26½ | 27½ | 28½ |
| 59              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 27  | 28  | 29  |
| 60              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 27  | 28½ | 29½ |
| 61              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 27  | 28½ | 30  |
| 62              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 27  | 28½ | 30  |
| 63              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 27  | 28½ | 30  |
| 64              | 3 | 4½ | 6  | 7½ | 9  | 10½ | 12  | 13½ | 15  | 16½ | 18  | 19½ | 21  | 22½ | 24  | 25½ | 27  | 28½ | 30  |

The website [www.dti.gov.uk/er/redundancy/ready.htm](http://www.dti.gov.uk/er/redundancy/ready.htm) has this table in the form of a calculator - enter your details and it will work out your redundancy payment.

### Part payments

33. If you have received a part payment for your redundancy, please give details below.

| Type           | Amount | Date |
|----------------|--------|------|
| Redundancy pay | £      | / /  |
| Notice pay     | £      | / /  |
| Wages          | £      | / /  |
| Holiday pay    | £      | / /  |

### Details of employment since your redundancy

34. Have you had a new job since you were made redundant?

This includes self-employment or setting up a business from which you have not yet received money.

Yes  No  If No, go to question 39.

35. Name of new employer

36. Address of new employer (or state if self employed)

37. Phone number of employer and dialling code

38. When did you start this new job?

### How you want to be paid

39. Direct to your bank

We recommend payment direct to your bank as it is more secure and you can have access to the money without waiting for a cheque to clear.

To your building society

By cheque to your home address

### 40. Bank details

Name of bank or building society

Address of bank or building society

Sort code

Bank account number

or, Building society roll number

Account holder's name

### Declaration - Please read this carefully before signing

- The information I have given on this form is correct as far as I know. You may check this information with my old employer, their representatives, government departments and agencies.
- This is my only application for payment for this employment.
- I understand that you may take legal action against me if I have made a false statement on this form.

Your signature

Date

Now send your form to the Redundancy Payments Office which is dealing with your claim. You can find the address of the correct office in Annex 1. If you are claiming notice payment, you should do everything you can to reduce any loss you may suffer. If you do not immediately find a new job, you should register as unemployed and claim any benefits you are entitled to.

**Redundancy Payments - Claim for payments from the  
National Insurance Fund - Form RP1  
Employment Rights Act 1996**

**Data Protection Act 1998:** We will put the information you give us onto a computer. It will help us to deal with your claim. We may also give this information to your last employer, their representative and any relevant government departments or agencies.

**Your details**

**1. National insurance number**

We cannot pay you without this. It will be on your P60 or P45.  
If you do not have one, you should contact your local  
Contributions Agency.

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

2. Mr  Mrs  Miss  Ms  Other

**3. First names**

**4. Surname**

**5. Full address**

e-mail

**6. Postcode must be filled in**

**7. Phone number and dialling code**

**8. Date of birth**

**Details of the employer who made you redundant**

**9. Name of employer company, business or owner**

**10. Employer's phone number and dialling code**

**11. Employer's full address**

Postcode

**12. Address where you worked if different from above**

**13. Was your employer a limited company?**

Yes  No  If No, go to question 14.

Were you a director of the company?

Yes  No

If Yes, also fill in form RP3. We will send one to you automatically on receiving this form.

**14. Were you a sub-contractor?**

Yes  No

If Yes, also fill in form RP4. We will send one to you automatically on receiving this form.

**15. Why didn't your employer make the redundancy payments?**

Became insolvent

Could not afford to pay

Died

Some other reason. Please give reason below.

If you are claiming as a result of an Employment Tribunal decision, enclose a copy of the decision with your claim. If you are claiming as a result of a conciliated agreement, enclose a copy of the agreement with your claim.



## Details of your employment

16. When did you start working for this employer?

|  |   |  |   |  |
|--|---|--|---|--|
|  | / |  | / |  |
|--|---|--|---|--|

17. What was the last day that you worked?

|  |   |  |   |  |
|--|---|--|---|--|
|  | / |  | / |  |
|--|---|--|---|--|

18. Did your employer give you notice?

Yes  No

If Yes, what date were you given notice?

|  |   |  |   |  |
|--|---|--|---|--|
|  | / |  | / |  |
|--|---|--|---|--|

19. What was your basic pay? before taking off tax and national insurance and without overtime

£  every  hour/week/month/year

Give details below of any bonus or commission earned.

|  |
|--|
|  |
|--|

20. How many days and hours did you normally work a week, not including overtime?

If you had a written contract, this would show your basic working week without overtime.

hours  days

21. As part of your contract, did you have to work overtime?

Yes  No

Did your contract say that your employer had to provide regular overtime?

Yes  No

If Yes, please give number of hours  every  week/month/year

22. What was your job title?

|  |
|--|
|  |
|--|

## Other employment details

23. Have there been any breaks in your employment with this employer?

Yes  No  If No, go to question 24.

Please give the dates and reasons for any breaks

| From | To | Reason |
|------|----|--------|
|      |    |        |

24. Have you ever been on strike during your employment with this employer?

Yes  No  If No, go to question 25.

Please give the date and reasons for the strikes

| From | To | Reason |
|------|----|--------|
|      |    |        |

25. Have you ever worked abroad for this employer? we only need to know about periods of a month or more

Yes  No  If No, go to question 26.

Please give the dates you worked abroad and the reasons.

| From | To | Reason |
|------|----|--------|
|      |    |        |

Did you pay Class 1 national insurance for the whole time you were abroad?

Yes  No  Don't know

## Details of what you are owed

26. Redundancy pay Yes  No

To qualify for redundancy you must:

- have been made redundant; **and**
- have worked for the employer continuously for 2 years or more after becoming 18; **and**
- be under 65 at the time of redundancy; **and**
- have made this claim or a claim in writing to your employer within 6 months of being made redundant. If you made a claim to your employer, please give us the date.

27. Is your employer formally insolvent?

This means that a liquidator, receiver, administrator, trustee or Official Receiver has been appointed to deal with the employer's affairs. Just because an employer has stopped trading does not automatically mean that it is formally insolvent.

Yes  No  If No, then we can only consider redundancy payments. Go to question 33 now.

Name of the receiver's or liquidator's firm

Receiver's or liquidator's address

28. Do you want to claim compensation for loss of notice?

You are entitled to one week's notice after you have completed one month's employment. For each year after the first year of service you are entitled to another week up to a maximum of 12 weeks. Tick Yes if you were not given the notice you were legally entitled to. If you are unemployed, you should claim any benefits or allowances you may be entitled to.

Yes  No

29. Are you owed holiday pay? Yes  No

Tick Yes if you think your employer owes you holiday pay and provide details in the spaces below.

How many days' holiday were you entitled to each year?

When did your holiday year start?

How many days were you allowed to carry over from last year?

How many days' holiday have you taken in this holiday year?

How many days' holiday are you claiming? If you were paid holiday stamps, please detail what stamps you are owed below.

30. Are you owed any wages? Yes  No

Tick Yes if you are owed wages, overtime, commission or bonus payments, and give details in the spaces provided. We need to know how much you are owed and what dates you are owed for.

| From | To | Days | Gross amount |
|------|----|------|--------------|
|      |    |      |              |

31. Does your employer owe you any other money?

Yes  No

If Yes, please give us details below.

| From | To | Amount | What the money is for |
|------|----|--------|-----------------------|
|      |    |        |                       |

32. Do you owe your employer any money?

Yes  No

If Yes, please give us details below.

| From | To | Amount | What the money is for |
|------|----|--------|-----------------------|
|      |    |        |                       |

This booklet provides general information only. Every effort has been made to ensure that the information is accurate, but it is not a full and authoritative statement of the law and you should not rely on it as such. The Insolvency Service cannot accept any responsibility for any errors or omissions as a result of negligence or otherwise.

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