

Check your redundancy is fair

5. Check your redundancy is fair

You can only be made redundant if the job you're doing is no longer needed.

This can happen if your employer is planning to:

- change what the business does
- change location
- change how they work, for example use new machinery or technology
- close part or all of the business

You cannot be made redundant because of any work issues you've had. For example if your employer is not happy with your performance or you've made a complaint at work.

How you're selected

Your employer might use agreed criteria to choose who to make redundant.

They cannot select you or use criteria that discriminates against you based on:

- age
- disability
- race
- sex
- gender reassignment
- sexual orientation
- religion or belief
- marriage or civil partnership status
- pregnancy or maternity leave
- family related leave – for example parental, paternity or adoption leave
- role as an employee or trade union representative
- membership of a trade union
- part-time or fixed-term employee status
- pay and working hours, including the [Working Time Regulations](#), annual leave and the [National Minimum Wage](#)

Your employer must not use criteria that indirectly discriminates against you. For example if they use flexible working as a criteria they could be

discriminating against women. They would need to show that flexible working is no longer possible after the business has changed.