

Claiming Redundancy and Insolvency Payments

We provide help to former employees of insolvent companies who are owed wages and other money. Former employees may also claim a redundancy payment if the employer is solvent but can't or won't pay.

We work to standards defined in the Redundancy Payments Service Charter which you can get from any of our offices.

How to claim

Please read the following notes and fill in the attached form if you are claiming any of the following.

- Redundancy payment.
- Compensation payment if your employer has not given you the correct notice of dismissal. This is often called "*notice pay*".
- Unpaid wages.
- Holiday pay.

You should fill in the form clearly in black ink. We will use the information you give to assess your claim. If you don't give information it may affect the amount of your payments and the time it takes to receive them.

Calculation

Your payment may be affected by legal limits which vary according to each type of payment.

- Redundancy pay - this is based on age, number of complete years of service and weekly pay. There is a limit of 20 years' service and 30 weeks' payment.
- Notice pay - this is based on length of service and rate of pay. There is a limit of 12 weeks' payment.
- Wages owed - this is based on amounts owed for each week. There is a limit of 8 weeks' payment.
- Holiday pay - this is based on holiday pay owed for the 12 months before the company became insolvent. There is a limit of 6 weeks' payment.
- National Minimum Wage Regulations 1998, Working Time Regulations 1998. The receiver or liquidator gives us information from your employer's wage records. He or she will increase the wage and holiday entitlement you are owed to statutory amounts if you were paid below the legal limit by your former employer.

All payments have a legal limit on a week's pay. This limit is reviewed every year.

What happens next?

We will acknowledge your form.

If you are claiming a notice payment, you will have to fill in another form at the end of your notice period. We may also ask you for more information. 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.

If you need any more information about filling in this form or general advice on redundancy, phone the Customer Service Unit 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.

Claim for payments from the National Insurance Fund

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.)

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2. Mr Mrs Miss Ms Other

3. First names

4. Surname

5. Full address

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

Post Code

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?

/	/	
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17. What was the last day that you worked?

/	/	
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18. Did your employer give you notice?

Yes No

If Yes, what date were you given notice?

/	/	
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19. What was your basic pay?

(before taking off tax and national insurance and without overtime)

£	every	hour/week/month/year
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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
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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
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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.

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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 your employer may have stopped trading does not automatically mean that they are 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 the Yes box 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 the Yes box 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 had you taken this 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 the Yes box 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

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

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

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 at www.dti.gov.uk/er/redundancy/rpos.htm. 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.