

Key Considerations Before Speaking to a Settlement Agreement Solicitor



Have a Copy of the Settlement Agreement

If your employer has already sent you a written settlement agreement, provide us with the latest version together with any covering email or letter.

If you have only received a verbal or preliminary offer, make a note of what has been proposed and any deadline your employer has given you.

It is also useful to provide any written correspondence relating to the settlement discussions.



Gather Your Employment Documents

Where available, have copies of documents that may help us understand your contractual and financial position, including:

- Your employment contract or service agreement
- Documents recording changes to your employment terms
- Recent payslips
- Bonus or commission arrangements
- Redundancy policies or calculations
- Details of benefits
- Relevant restrictive covenants
- Grievance or disciplinary correspondence
- Dismissal or redundancy correspondence

You do not need to assemble every document before contacting us. We can identify anything further that may be required once we have reviewed the agreement.



Tell Us What Has Led to the Offer

The circumstances surrounding the settlement agreement can affect your negotiating position. A short timeline of the key events can be helpful for our team to understand your position and possible outcomes.

 Understand What Is Being Offered

Consider the different elements of the proposed package rather than looking only at the headline compensation figure.

The agreement may deal separately with salary, notice pay, holiday pay, bonuses, commission, redundancy payments and compensation. It may also contain important non-financial terms such as an employment reference, confidentiality obligations and post-termination restrictions.

 Think About What You Want to Achieve

Before speaking to us, consider what matters most to you.

Your priorities might include:

- Increasing the compensation payment
- Securing payment of a bonus or commission
- Agreeing an employment reference
- Leaving employment quickly
- Remaining employed until a particular date
- Protecting your reputation
- Reducing restrictive covenants
- Agreeing how your departure will be communicated
- Resolving an existing grievance or dispute
- Avoiding Employment Tribunal proceedings

 Check the Deadline for Signing

Tell us when your employer expects the agreement to be returned.

Settlement agreements are voluntary and employees can negotiate or make a counter-offer. Acas recommends allowing workers at least 10 calendar days to consider a formal written agreement and obtain independent advice, although the appropriate period may depend on the circumstances.



Check Your Employer's Contribution to Legal Fees

Employers will often offer to contribute towards the cost of the independent advice required to complete a settlement agreement, although the amount offered can vary.

Check the agreement or accompanying correspondence for details of any legal fee contribution.



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