

Dismissals

What dismissal is

A dismissal is when an employer ends an employee's contract. It usually means the same as being sacked or fired.

It's important that an employer uses a fair and reasonable procedure to decide whether to dismiss someone.

Before an employer dismisses an employee, they should:

- believe they have a valid reason – read about [types of dismissal and reasons to dismiss someone fairly](#)
- follow a full and fair procedure, usually in line with the [Acas Code of Practice on disciplinary and grievance procedures](#)
- make a decision that's balanced, consistent and as fair as possible

The procedure an employer follows will be taken into account if an employee claims for unfair dismissal and the case reaches an employment tribunal.

Giving the reasons for dismissal

If an employer dismisses an employee, they should tell the employee:

- why they've been dismissed
- when their employment contract will end
- their notice period, if there is one
- their right to appeal the decision

It's a good idea to put it in writing.

When an employer must put the reasons in writing

An employer must put the reasons in writing for an employee who's pregnant or on maternity leave, regardless of how long they've been employed.

Other employees have the right to ask their employer for a written statement giving the reasons for their dismissal if they have:

- ['employee' employment status](#)
- been employed for 2 years

If an employee asks, their employer must give them the reasons in writing within 14 days.

If an employee believes the dismissal is unfair

An employee can appeal against a dismissal.

If the employer does not follow a fair and reasonable procedure the employee might be able to make a claim for unfair dismissal, even if the reason for dismissal was valid.

[Find out what employees can do if they think a dismissal is unfair](#)

Telling other people at work

Employers should respect the confidentiality of the person who's been dismissed. For example, when they tell colleagues and clients that the employee has left. Any outcome of a disciplinary procedure must remain confidential.

[Find out more about talking to staff after a disciplinary procedure](#)

Settlement agreements

A settlement agreement is sometimes used when an employer and employee agree to end their employment relationship because they both agree it's no longer working. This can include some dismissal situations.

[Find out more about settlement agreements](#)

If you're thinking about using a settlement agreement, you should [get legal advice](#).