



Dismissal process checklist for line managers

Employee dismissal is a high-risk area for any line manager, and it's easy to mishandle the situation. The biggest mistake you can make is to act too quickly and dismiss someone rather than pausing and making sure you're following a fair process.



Before you start, there's an important legal change to be aware of. From 1 January 2027, the [Employment Rights Act 2025](#) only requires employees to have six months' service to bring an unfair dismissal claim, reduced from the current two years.

To follow a fair process, work through each step of this dismissal process checklist in order, ticking off each item as you go.

Step 1. Confirm you have a fair reason for dismissal

Reacting quickly to something they've said or done is one of the most common reasons dismissal processes go wrong. It's also one of the most common triggers for an employment tribunal claim.

First, check that your reason falls within one of the five legal reasons for dismissal below.

Conduct: the employee's behaviour at work (e.g. persistent lateness, misconduct or gross misconduct)

Capability: the employee's inability to do their job due to skill, aptitude or health, despite being given support

Redundancy: the business no longer needs the employee's role

Statutory restriction: continuing to employ them would break the law (e.g. they no longer have the right to work in the UK)

Some other substantial reason (SOSR): a legitimate reason that doesn't fit the other four categories

Before moving forward:

I've confirmed which of the five fair dismissal reasons applies here

I've considered the facts and haven't assumed anything

I've checked whether the employee has a disability that could be relevant to the dismissal

I've checked whether the employee has a protected characteristic, including age, race, sex, or sexual orientation, that could be relevant to the dismissal

I've considered whether this dismissal could be classed as automatically unfair, for example, if it relates to pregnancy, whistleblowing, or a flexible working request

I've spoken to HR or received legal advice before proceeding

Step 2. Follow a fair dismissal procedure and investigate thoroughly

To justify why you're dismissing someone, you need to prove that your beliefs are based on evidence, and that you followed your company's disciplinary procedures throughout.

I've gathered all relevant evidence, such as emails, records, letters, attendance logs, or CCTV footage

I've noted the dates and times of any alleged events or incidents

I've spoken with any relevant witnesses and kept a written record of what they said

We've reviewed the employee's contract to understand their notice entitlement and any relevant terms

If company policy requires a separate investigation meeting, we've met with the employee to hear their version of events

I've documented everything gathered at this stage



Step 3. Hold a fair disciplinary hearing

Once you've established a case for dismissal, you must give the employee a proper opportunity to respond before you make any formal decision. This applies regardless of the reason for dismissal.

We've invited the employee to a formal meeting in writing

The invite letter sets out the concerns being raised and the potential outcome, including that dismissal is possible

I've given the employee enough notice of the meeting to prepare

We've offered the employee the right to be accompanied by a colleague or trade union representative

The meeting is being conducted by someone impartial, not someone already involved in the investigation

We've clearly explained the concerns to the employee at the meeting

We've given the employee the chance to give their version of events and address any inconsistencies

For **conduct dismissals** also check:

We've clearly set out the allegations discussed at the disciplinary hearing and the potential outcome

We've checked that similar cases within the business have been handled consistently

For **capability dismissals** also check:

We've clearly explained the standards the employee was expected to meet, and why they haven't

I've offered support, training and a fair review period before reaching this point

We've considered any health or disability factors and received specialist advice (if needed)

For **redundancy dismissals** also check:

We've clearly explained the business reasons for the redundancy

We've followed a fair selection process with objective criteria

I've consulted with the employee throughout

I've explored alternative employment options within the business



Step 4: Communicate the dismissal decision

Ending someone's employment is rarely easy, for anyone. But how you communicate the decision to the employee is as important as the decision itself. Be calm, clear, and human about it.

I've taken time to consider all the evidence before communicating a decision

I've calmly and factually communicated the decision in person

We've explained clearly why we've made the final decision

We've told the employee what happens next, including their notice period and last day

We've informed the employee about their right to appeal

I've kept the outcome confidential, sharing it only with those who need to know (for example, HR)

Step 5: Confirm the dismissal outcome in writing

An outcome letter is a core part of a fair dismissal process and your most important piece of documentation if the employee ever questions the decision.

We've issued an outcome letter promptly after the decision

The letter clearly states the reason for dismissal

The letter confirms the employee's notice entitlement and last day of employment

If the employee has at least two years' service and requests a written statement of reasons for dismissal, we've provided this or are ready to issue it within 14 days

The letter explains how, when, and to whom the employee can appeal

I've kept a copy of the letter on file

Step 6: Keep clear records of the dismissal process

As of April 2026, the [Fair Work Agency](#) can request evidence of your dismissal process at any time. Keeping clear documentation is the best way to protect your business.

I've kept a written record of every conversation with the employee throughout the process

We've saved all documents (such as meeting invites, notes, and outcomes) used to reach the decision and they're easy to find

We've stored the outcome letter and any appeal correspondence

All records are in line with the company's data policies

Guidance note: This checklist is provided for guidance purposes only and does not constitute legal advice. Dismissal processes can be complex, particularly where conduct, capability, redundancy or protected characteristics are involved. We'd always recommend speaking to a [qualified HR professional](#) or employment solicitor before making a decision to dismiss.

Build your knowledge of dismissal procedures and employment law

Getting familiar with the dismissal process, and knowing what's expected of you at each stage, means you can handle it fairly and calmly when the time comes. Find free employment law resources and practical tools for line managers on the [Breathe Growth Academy](#).

Breathe's [document management](#) software gives you a secure place to keep everything organised throughout the dismissal process, from early investigation notes right through to the final outcome letter.



Take a look

