

The manager's **guide** to **dismissal conversations**



Introduction

Employee dismissals are one of the most difficult aspects of being a line manager. It's important to follow a legal dismissal process and communicate clearly with your employee throughout. This guide will help you navigate dismissal conversations from the first formal meeting through to the outcome.

Who is this dismissal process guide for?

This guide is a great fit for line managers and people managers in small and medium-sized businesses who are involved in a dismissal process, sometimes without a dedicated HR team on hand. The guide is practical, jargon-free, and focused on what you need to know and say when you're in the room.

It's especially useful if you're managing a dismissal for the first time, or if you want to feel more prepared and professional throughout the process.

Use it alongside Breathe's dismissal process checklist and your company's own capability or disciplinary procedure.



Why is it important to get the dismissal procedure right?

If you handle a dismissal badly, this can result in an employment tribunal claim, even when the reason is legitimate. From 1 January 2027, the [Employment Rights Act 2025](#) will change the qualifying period for unfair dismissal claims from two years to just six months. Employees will be able to challenge a dismissal much earlier in their employment, making it even more important to follow a fair dismissal procedure from day one.

The law includes certain fair reasons for dismissal. Before any dismissal process begins, make sure your reason falls into one of these categories.

- **Conduct:** The employee's behaviour at work, such as persistent lateness, misconduct, or gross misconduct
- **Capability:** if the employee is unable 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, for example if they no longer have the legal right to work in the UK
- **Some other substantial reason (SOSR):** a legitimate reason that doesn't relate to the other four categories.

Dismissal should always be a last resort.

If you're unsure which reason applies to your circumstances, [speak to HR or seek legal advice](#) before going any further.

What is the line manager's role in the dismissal process?

As a line manager, you should:

- Follow the company's disciplinary procedure correctly and in the same way for every person
- Communicate clearly, calmly and fairly with the employee at every stage
- Give the employee a genuine opportunity to be heard
- Inform the employee in writing of the meeting, its purpose, and the potential outcome
- Keep accurate records of all conversations and decisions
- Work closely with HR throughout the entire process

You should *not*:

- Make the final dismissal decision alone; you should always involve HR
- Act as the employee's legal adviser or wellbeing support
- Improvise outside of the agreed process
- Have informal conversations about the outcome before it's confirmed

If something unexpected comes up during the process, pause and go back to HR before continuing. It's always better to take your time than to make a mistake.



Why do dismissal conversations go wrong?

Even managers who follow the right process steps can still mishandle the conversation itself. Here are the most common reasons things go wrong:

- **Rushing the process**
by acting on instinct rather than pausing to comply with the right procedure.
- **Saying too much**
such as sharing opinions, making promises, or speculating about outcomes before you've made a decision.
- **Not listening**
or failing to give the employee a genuine opportunity to respond to your concerns.
- **Not keeping a clear written record**
of what was said and decided at each stage
- **Missing process steps**
like the disciplinary hearing, the right to be accompanied, or failing to speak to HR first.

Any of these issues can give an employee grounds to claim they were unfairly dismissed, even if your original reason was fair.

How to prepare properly before the dismissal conversation

Prepare for any formal meeting by making sure the following are in place.



- The employee should receive a written meeting invitation in advance. This should set out the purpose of the disciplinary hearing, the potential outcomes, and their rights.
- The employee should know they have a legal right to bring a colleague or trade union member to any formal hearing.
- HR should confirm that you're ready to proceed and have followed the process correctly up to this point.
- You should gather and review all relevant documentation, including investigation notes, correspondence, attendance records, previous warnings, or any other evidence you'll need during the meeting.

Quick checklist: before you go in

- ✓ Have you read through all the evidence carefully?
- ✓ Do you know which of the five fair reasons for dismissal applies?
- ✓ Have you confirmed the process with HR and checked it aligns with the [ACAS code of practice](#)?
- ✓ Do you have a copy of the meeting invite and know what it says?
- ✓ Do you know who is attending, and in what capacity?
- ✓ Do you have a notebook or a way to take clear notes during the meeting?
- ✓ Do you know what the possible outcomes are, and how you'll communicate them?

A note on mindset

Your role during dismissal conversations is to be factual and fair, not punitive. The employee deserves to be treated with respect, even if the situation is difficult. Try to stay focused on the process, rather than the outcome you're expecting. Let the conversation unfold properly before you make a final decision.

What to say during the employee dismissal process:

Even when you're well-prepared, knowing what to say in a dismissal meeting can feel daunting. This simple three-step framework gives you a structure to follow in the room, something that's clear enough to hold onto when the conversation feels tough.



Step 1. Say it clearly

Open the meeting by stating its purpose calmly and directly. Don't soften it so much that the employee doesn't understand why they're there, but there's no need to be harsh either. Be honest about what the meeting is for and what the potential outcome could be.

What to say

"Thank you for coming. I want to explain why we're here today and what we'll cover in this meeting."

"You have the right to be accompanied by a colleague or trade union member. Are you happy to proceed?"

"I want to be honest with you that one of the potential outcomes of today's meeting is dismissal. But we're here to hear your side fully before making any decision."

"The purpose of this meeting is to discuss [the allegation/your performance/the redundancy situation] and give you the opportunity to respond."

Step 2. Hear them out

Once you've explained your reason for the meeting and any evidence or concerns, hand the conversation over. Give the employee space to respond, ask questions, and present their side of the story. This is one of the most important steps, so don't be tempted to rush it.

Instead, actively listen to your employee without interrupting them. It's also a good idea to take notes; if something unexpected comes up, you can write it down and come back to it rather than reacting on the spot.

What to say

"I'd like to give you the chance to respond to what I've outlined. What would you like to say?"

"Is there anything you'd like to add or anything I should be aware of that might be relevant?"

"Please feel free to take your time. I want to make sure I understand your perspective fully."

"Is there anything else you'd like me to consider?"

Step 3. Sum it up

Close the meeting clearly by confirming what you've discussed, along with any evidence that was presented, and what will happen next. Don't make or imply a decision unless you're ready to formally communicate one. You should also feel free to postpone the meeting to consider anything in more detail.

What to say

"Thank you for what you've shared today. I want to make sure I've understood everything correctly before we move forward."

"To summarise what we've discussed: [brief recap]. I'll now take some time to consider everything carefully before we let you know our decision."

"I'm going to pause the meeting at this point. I'll be in touch with a decision in writing by [date]."

"Once I've made a decision, you'll receive a letter confirming the outcome and explaining your right to appeal."

What not to say

Some things can seriously undermine a fair dismissal process, even when your intentions are good. Avoid doing any of the following.



Don't pre-empt the outcome

by saying things like "I think we all know where this is heading" before you've made a decision.

Don't apologise for the process as it's fair and necessary

treating it as something to be embarrassed about undermines it.

Don't share your personal opinion

saying things like, "Personally, I think this is unfair too" creates confusion and risk.

Don't make promises you can't keep

such as "I'm sure HR will be lenient" or "I don't think it'll go that far."

Don't fill silence with speculation

if you don't know the answer to something, say so and follow up in writing rather than feeling forced into giving inaccurate information.

How to handle difficult dismissal moments

Even when you've prepared well, dismissal conversations don't always go to plan. Here's how to handle some of the most common difficult moments.



The employee becomes upset or distressed

It's important to respond with empathy without losing focus on the process. If the employee is too distressed to continue meaningfully, you can choose to stop the meeting and reschedule. Make a note of this in your records.

What to do

Pause the meeting and acknowledge how they're feeling without commenting on the decision. You might offer them a few minutes to compose themselves, by saying:

"I can see this is difficult. Let's take a short break; there's no rush."

"I want to make sure you're okay to continue. We can pause here if you need a moment."

The employee denies the allegations entirely

Your job isn't to argue, but to present the evidence and give the employee the chance to respond to it. Always refer back to the evidence rather than get drawn into a debate. Here's how to note their denial clearly and let the process continue:

What to say

"I hear that you disagree and I want to make sure I've noted your position accurately. Can you tell me more about your perspective?"

"The evidence I have includes [X]. I'll make sure your response to that is fully recorded."

The employee asks a question you can't or shouldn't answer

You don't need to have all the answers in the room. It's always better to say you'll follow up than to speculate:

Your job isn't to assess or dismiss the grievance. Instead, stop the meeting to note that a grievance has been raised, and refer it to HR straight away. In most cases, you should pause the disciplinary or capability process to let you handle the grievance separately. Continuing without taking it seriously significantly increases your legal risk.

What to say

"That's a fair question and I want to give you the right answer. Let me take that away and come back to you in writing."

"I don't want to give you inaccurate information, so let me confirm with HR and follow up with you."

The employee raises a grievance

A grievance is a formal complaint raised by an employee about something at work. During a dismissal process, an employee might raise a grievance about how the process has been handled, about their manager, or about a wider workplace issue. It can feel like a curveball, but it's not uncommon, so you should know how to handle the situation.

Your job isn't to assess or dismiss the grievance. Instead, stop the meeting to note that a grievance has been raised, and refer it to HR straight away. In most cases, you should pause the disciplinary or capability process to let you handle the grievance separately. Continuing without taking it seriously significantly increases your legal risk.

What to say

"Thank you for raising that. I want to make sure it's handled properly, so I'm going to pause our meeting and refer this to HR before we go any further."

"I've noted that you've raised a grievance. I'll make sure that's recorded and passed on to the right person so it can be looked into separately."

The employee says something else unexpected that changes the picture

Sometimes an employee will raise something in the meeting, such as a health condition or a complaint about a colleague. If you weren't aware of these points but feel they could be relevant to the decision, always pause the meeting and speak to HR for advice about your next steps.

What to say

"Thank you for sharing that with me. I'll need to consider that carefully, so I'm going to pause the meeting and come back to you once I've had a chance to look into it properly."

How to document the conversation

Clear documentation is your most important protection throughout this process. Here's what best practice looks like.

What

Record the meeting purpose, key points raised by both sides, evidence referred to, and the outcome or next steps agreed.

Who

Record who was present at any meeting or event relating to this process

When

Record the date and time of any meeting or event relating to this process

How

Keep notes factual and objective, focused on what was said, not your interpretation of it

Where

Store all documentation securely, in line with your company's data policies.

Support a fair dismissal procedure with Breathe

Dismissal is never an easy situation for a line manager to be involved in. But when you go in prepared and communicate clearly and calmly at every step, you give yourself and your employee the best chance of handling the process properly from start to finish. Find more free employment law resources and practical tools for line managers on the [Breathe Growth Academy](#).

Keeping your documentation in order is just as important as following a fair process. [Breathe](#) gives you a secure, organised place to record performance conversations, store evidence, and keep track of everything throughout the dismissal process.



Take a look

 breathe