

UK-EMPhm19

## **Summary dismissal letter: gross misconduct**

## Guidance notes:

By s. 92 of the Employment Rights Act 1996, from 6th April 2012 an employee who has been continuously employed for two years or more is entitled to request that he or she be dismissed with a written statement of reasons for his or her dismissal.

Summary dismissal is a dismissal for an employee's misconduct or gross misconduct and is without notice. It is only available if the employer can show that the employee has committed an offence through the neglect of giving warnings before dismissal.

Instant dismissal is the dismissal of an employee without notice or pay in lieu of notice.

This is usually used when you dismiss someone instantly without notice or pay in lieu of notice, usually because of misconduct (e.g. theft, fraud, etc.).

Tribunals can rule that a dismissal is unfair if you can show that you should have investigated the circumstances before dismissing the employee. It is your duty to investigate the circumstances before dismissing the employee.

Dismissal is your choice, and you must follow a fair procedure. It is your duty to follow a fair procedure.

On dismissal, you must suggest to the employee that he or she should seek advice from the Citizens Advice Bureau or a trade union before making a claim to an employment tribunal.

## End of notes



(iii) [ ] entitlement has been accrued up to the date of dismissal. [7] days. therefore no holiday entitlement.

OR

(iv) [ ] days holiday entitlement which shall receive in [ ] only your holiday entitlement under Working Time [ ] as part of your payment salary. shall be to normal of and National .

OR

(v) [ ] have taken [7] over your and will deduct from final salary in with contract employment.

(vi) [ ] will reimbursed any genuine claims submitted by [ ] with your payment salary].

(vii) Please return [ ] all property] good by [ ]. Please the to [name]

(viii) [ ] salary payment be on [ ] to normal deductions of and Insurance. shall your to in due course.

(ix) [ ] remain by conditions your contract of employment far they after termination.

have questions do hesitate contact .

Yours sincerely,

[ ]

on of [ name]