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UNFAIR DISMISSAL IN A NUTSHELL

Introduction and Overview

- Eligibility
- Fair Reasons to Dismiss
- Fair Procedure
- Employment Tribunal
- Remedies

Eligibility to Claim Unfair Dismissal

- An employee
- A dismissal
- 12 months' service (limited exceptions)
- No age limit

Six Fair Reasons to Dismiss

- Misconduct (including gross misconduct)
- Capability
 - Performance
 - Ill Health
- Redundancy
- Statutory ban
- Some other substantial reason (SOSR)
- Retirement

Fair Procedure

- SDDP/ACAS Code of Practice
- Letter to Employee
- Consultation meeting
- Consider alternative employment
- Right of appeal
- Right to a companion

Employment Tribunal

- Three month time limit
- 28 days for defence
- Procedure
- ACAS

Remedies

- Reinstatement
- Re-engagement
- Compensation
 - basic award
 - compensatory award
- Compromise Agreement

Moss Employment Service

- Solicitor Helpline
- Dispute resolution
- Drafting contracts/policies
- www.mossemploymentservice.co.uk
- 01509 217770