



Glasgow
Council
for the
Voluntary
Sector

HR Bitesize for the Voluntary Sector

Unfair Dismissal

June



What every employer needs to know



What is Unfair Dismissal?

Unfair dismissal is where an employee can show:

- There was **no fair reason** for dismissal
- The reason was **not sufficient**
- A **fair procedure** was not followed



 It is the most common claim at Employment Tribunal.



The Law is Changing

Currently, employees need 2 years' service to claim ordinary unfair dismissal.

From 1 January 2027:

- This reduces to **6 months'** service
- Applies retrospectively
- Covers all employees, including fixed-term contracts



What Does This Mean for Employers?



If an employee with 6+ months' service is dismissed, employers must show:

- ✓ A fair reason for dismissal
- ✓ A fair process was followed

⚠ This significantly **increases risk** from early in employment.



5 Fair Reasons

- Capability (performance/illness)
- Conduct
- Redundancy
- Statutory illegality
- Some other substantial reason (SOSR)



A fair process includes:

- ✓ Invite letter
- ✓ Right to be accompanied
- ✓ Formal meeting + notes
- ✓ Outcome letter
- ✓ Notice (if applicable)
- ✓ Right of appeal

How GCVS Can Support

gcvvs.org.uk



Unfair dismissal risk is increasing. Getting it right matters.

Our HR Advice Service can support you with:

- 📄 Template policies and guidance
- ❤️ Advice on specific cases
- 📖 Support to navigate complex situations

We help you manage dismissal processes fairly, consistently and with confidence.

Visit gcvvs.org.uk/support

Email peopleservices@gcvvs.org.uk

or call us on 0141 354 6515