**Exiting Employees – Line Manager Guide**

**Resignation**

When an employee hands in their resignation, line managers should firstly consider if the employee has given the correct contractual period of notice. Employees must give the notice period that is stated in their employment contract unless agreed otherwise by their line manager. However, line managers should ensure they are not leaving themselves open to be understaffed. Statutory notice period increases with the length of service. Employees may be contracted to a notice period longer than the statutory notice period.

Employees should always tender their resignation in writing. It is good practice for the employer to respond to this letter, also in writing. The confirmation letter should confirm their last working day, any accrued untaken holiday, final payment date etc. The letters should be kept in the employees HR file for future reference.

An exit interview may be offered to the employee, ideally this should be conducted by HR and arranged prior to their last day.

**Dismissal**

The phrase ‘dismissal’ is used when an employer terminates an employee’s contract. Line managers should ensure they have a valid reason for the dismissal and that they have acted reasonably in the circumstances. The contractual notice period or the statutory notice period (whichever is longer) must be given by an employer. An employer does not have to pay an employee notice pay if they have committed gross misconduct which is also considered a summary dismissal.

A line manager will need to hold a meeting with the employee explaining the termination details such as the reason why. This could be due to any form of misconduct, performance, illness or redundancy (if an employee is under 2 years’ service). It is ideal to take minutes of this meeting to be stored in the employees HR file.

Employers should always provide a follow up letter for an employee detailing the reason for termination and their leaver details such as final payment date, last working day, any accrued untaken holidays. This letter and any correspondence detailing the termination should be kept in the employees HR file for future reference.

An employee can seek help from a third party if they believe they have been unfairly dismissed. If an employee is not able to form an agreement with the employer this may be taken to an employment tribunal.