

Dismissal and redundancy

Apprentices have most of the same employment rights as those with the [legal status of employee](#). But the law on dismissal and redundancy for apprentices depends on where they work.

England and Wales

In England and Wales, employers should follow certain procedures to dismiss apprentices or make them redundant. These procedures are the same as for other employees.

Dismissals

For a dismissal to be fair, the employer must:

- believe they have a valid reason
- make a decision that's balanced, consistent and as fair as possible

The employer should follow a fair procedure. This should be in line with the Acas Code of Practice on disciplinary and grievance procedures.

[Find out more about dismissals](#)

Redundancy

Employers must follow a fair redundancy process, including consulting with staff.

[Find out more about redundancy](#)

More advice about apprenticeships in England and Wales

Find out more about apprenticeships in:

- England – [apprenticeships guidance on GOV.UK](#)
- Wales – [Welsh Government apprenticeships guidance](#)

Scotland

In Scotland, employers can only dismiss or make apprentices redundant in very limited circumstances.

Dismissals

An employer can only dismiss an apprentice for serious conduct or capability issues.

Conduct

In Scotland, an employer cannot dismiss an apprentice for general misconduct issues.

An apprentice can be dismissed for [gross misconduct](#). This is only if they have done something very serious or that has very serious effects.

Capability

An employer can dismiss an apprentice who does not have the ability to do their apprenticeship. For example, because of ill health.

The employer should only dismiss an apprentice if they can show the capability issue is preventing them from teaching the apprentice.

Following a fair procedure

For a dismissal to be fair, the employer must:

- believe they have a valid reason
- make a decision that's balanced, consistent and as fair as possible

The employer should follow a fair procedure. This should be in line with the Acas Code of Practice on disciplinary and grievance procedures.

[Find out more about dismissals](#)

Redundancy

By law, an employer in Scotland can only make an apprentice redundant if there's a written clause in the contract that allows them to.

If there is a clause allowing redundancy for an apprentice, the employer must follow a fair process. This includes consulting with staff.

Find out more about:

- [redundancy](#)
- [fair working conditions for apprentices in Scotland on Apprenticeships.scot](#)

Claiming compensation

If an employer from Scotland incorrectly dismisses an apprentice or makes them redundant, the apprentice could claim compensation. This could include:

- loss of training
- loss of wages
- impact on future earnings

Contact the Acas helpline

If you have any questions about dismissal and redundancy for apprentices, you can [contact the Acas helpline](#).