

Statutory Sick Pay

Help when you're off
work through illness

jobcentreplus

Part of the Department for Work and Pensions



This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure that the information in this leaflet is correct as of February 2010.

It is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of changes to the law.

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What is Statutory Sick Pay?

If you can't work because you are sick, the person you work for may have sick pay arrangements that apply to you. What sick pay you get is up to the person you work for.

But everyone who meets certain conditions can get a basic type of sick pay – this is called Statutory Sick Pay.

The person you work for may pay you Statutory Sick Pay if you can't work for 4 or more days in a row. You will get Statutory Sick Pay for the days you would normally work – this must be at least one day in a week.

Can I get Statutory Sick Pay?

To get Statutory Sick Pay you must:

- be employed, and
- earn more than a certain amount.

Even if it is the first day of your new job, as long as you have spent some time working you could still get Statutory Sick Pay. You can't get Statutory Sick Pay if you have been getting certain other benefits like Maternity Allowance, Incapacity Benefit or Employment and Support Allowance.

If you are not sure if you can get Statutory Sick Pay, you should ask the person you work for.

Can I get Statutory Sick Pay abroad?

You may be able to get Statutory Sick Pay abroad if your employer is responsible for paying Class 1 National Insurance contributions, or would be if your earnings were high enough, on the first day you become sick. You may have this kind of employer even if you are working abroad. Special rules apply if you work at sea or on aircraft or in the European Economic Area (see page 11).

What do I do when I get sick?

When you get sick you should tell your employer as soon as you can. The person you work for may have their own rules for how and when you tell them, but they can't make you:

- tell them in person
- tell them before the first day you are sick or by a certain time
- tell them on a form or medical certificate, or
- tell them more than once a week.

You must tell them before you have been off sick for 7 days, or the person you work for could refuse to pay you Statutory Sick Pay.

How do I prove I am sick?

Up to 7 days

You may have to fill in a form for the person you work for. If you need it, you can get an SC2 form from your doctor's surgery or your nearest tax office. If you can use the internet, you can get the form from www.hmrc.gov.uk/forms

More than 7 days

The person you work for will tell you what you need to show them to prove you're sick. This is usually a sick note from your doctor. You do not have to show them a sick note before 7 days.

What if I am sick for a long time?

You can get Statutory Sick Pay for up to 28 weeks. If you are too sick to work after this time, you should get a form (SSP1) from your employer.

If you go off sick again less than 8 weeks after the last time you were off sick, it can count as one period of sickness.

If you go off sick after you have been getting Employment and Support Allowance or Incapacity Benefit, there are special rules and you should contact Jobcentre Plus.

What if I can get other types of sick pay?

If you work for more than one employer, and earn more than £95 from each of them, you may be able to get more than one lot of Statutory Sick Pay.

If the person you work for pays you sick pay and it is more than Statutory Sick Pay, they do not have to pay you Statutory Sick Pay as well.

How do I get Statutory Sick Pay?

Your Statutory Sick Pay will be paid in the same way as your normal wages.

How much sick pay can I get?

To work out your Statutory Sick Pay, your employer works out how much you earn on average. If you earn £95 a week or more, Statutory Sick Pay is paid at a standard rate of £79.15 a week.

If this does not give you enough money, ask Jobcentre Plus about other benefits you may be able to get.

What do I do if my employer does not pay me Statutory Sick Pay?

If your employer cannot pay you Statutory Sick Pay, they must give you a form (SSP1) which will have the reason why they cannot make any payments to you. When you have this form contact Jobcentre Plus to ask about claiming Employment and Support Allowance.

Find out more

You can contact your local HM Revenue & Customs office by:

- visiting the HM Revenue & Customs website at www.hmrc.gov.uk/enq or
- calling the number in the phone book (in older versions it may still be listed under the old name, Inland Revenue).

Phone **0845 302 1479**

Textphone **0845 915 3296**

Open Monday to Friday 8am to 5pm.

You may also be able to get help from Jobcentre Plus by:

- going online to www.direct.gov.uk or
- contacting Jobcentre Plus (the address and number of your local office is in your phone book).

More information on rates of benefits

Benefit rates are reviewed every year, and usually increased in April at the beginning of each financial year.

Call charges

As at February 2010, calls to 0845 numbers from BT land lines should cost no more than 4p per minute with a 9p call set up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad.

Calls from mobile phones can cost up to 40p per minute, so check the cost of calls with your service provider.

Textphones

Where textphone numbers are provided, these are for people who find it hard to speak or hear clearly.

If you do not have a textphone, some libraries or citizens advice bureaus may have one.

Textphones do not receive text messages from mobile phones.

European Economic Area

Countries in the European Economic Area (EEA) are: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain (including Balearic and Canary Islands), Sweden and the United Kingdom (including Gibraltar but not the Isle of Man or the Channel Islands). Special arrangements about social security rules also apply to Switzerland.

Directgov provides information from UK government departments on all sorts of topics. To find out about which benefits you may be entitled to, visit www.direct.gov.uk/benefitsadviser

Jobcentre Plus is committed to applying the principles of equal opportunities in its programmes and services.

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