

# Statutory Sick Pay and an employee's claim for benefit

## If you are an employer

You must fill in this form when an employee is not entitled to Statutory Sick Pay (SSP), or when an employee's SSP has come or is coming to an end.

The information you give us will help Jobcentre Plus to decide on an employee's claim for benefit.

**When you have completed this form, you must give the form to the employee.** They can then make a claim for benefit.

For more information about SSP go to [www.gov.uk/employers-sick-pay](http://www.gov.uk/employers-sick-pay)

Or you can contact HM Revenue and Customs Employer helpline on **0300 200 3200**.

## Our services

Jobcentre Plus has a range of recruitment services and initiatives that can help you build your workforce. These services range from incentives to help and encourage you to attract a diverse group of people, to recruitment support and advice.

Find out more about these services at [www.gov.uk/jobcentre-plus-help-for-recruiters/overview](http://www.gov.uk/jobcentre-plus-help-for-recruiters/overview)

## If you are an employee

Your employer has given you this form because you cannot get SSP, or because your SSP is coming to an end. You can find out the reason why in **Part B**.

If you disagree with your employer's decision not to pay you SSP, ask your employer to explain it to you. Once you have talked to your employer, if you are still unsure about this decision, see below.

## For more information about Statutory Sick Pay

To find out if you can get SSP, visit [www.gov.uk/statutory-sick-pay](http://www.gov.uk/statutory-sick-pay)

Ask your employer for a reason if you think:

- their decision not to pay you SSP is wrong
- you are not getting the right amount of SSP

If you still disagree, you can phone HM Revenue and Customs Statutory Payments Dispute team on **03000 560 630** for advice.

## What to do now

If you are still off work because of an illness or disability, you can make a claim for benefit from Jobcentre Plus.

You may be able to get money and support:

- to help you get back to work, or
- if you are not able to work in the long term

Please read the notes on page 2 to find out more.

**Please note, this form is not a claim for benefit. Your employer must fill in this form to support your claim.**



Department  
for Work &  
Pensions

## If you are an employee continued

To check if you can apply for other benefits, or if you need help with housing costs, visit [www.gov.uk/browse/benefits](http://www.gov.uk/browse/benefits)

### What if I do not have access to the internet?

You could ask your family, or someone you know, if you can use their internet access. You can also get access to the internet in your local jobcentre.

If you need more information on what benefits you might be able to apply for, local welfare advice services, such as Citizens Advice, may be able to help you

### How the Department for Work and Pensions collects and uses information

When we collect information about you we may use it for any of our purposes. These include:

- social security benefits and allowances
- child maintenance
- employment and training
- investigating and prosecuting tax credits offences
- private pensions policy,
- and retirement planning

We may get information about you from other parties for any of our purposes as the law allows to check the information you provide and improve our services. We may give information about you to other organisations as the law allows, for example to protect against crime.

To find out more about our purposes, how we use personal information for those purposes and your information rights, including how to request a copy of your information, please see [www.gov.uk](http://www.gov.uk)

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## Part A: About your employee

**Surname or family name**

Mr/Mrs/Miss/Ms

**All other names, in full**

**Address**

Postcode

**National Insurance (NI) number**

Letters   Numbers   Letter

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**Clock, payroll or employee number**

**Tax reference number**

This is also known as the Employer PAYE reference.

## Part B: Why you cannot get Statutory Sick Pay

### I am filling in this form because

I cannot pay you SSP on or after

I have ticked the boxes below to tell you why you cannot get SSP.

**Part E** tells you about the reasons in more detail.

### I cannot pay you SSP because

- |   |                          |   |
|---|--------------------------|---|
| A | <input type="checkbox"/> | You can claim a social security benefit again that you claimed before because of an illness or disability.  |
| B | <input type="checkbox"/> | Your contract of employment is for a fixed period and has ended.  |
| C | <input type="checkbox"/> | Your contract of employment has been brought to an end.   |
| D | <input type="checkbox"/> | You will soon have been getting SSP for 28 weeks or you have had SSP for 28 weeks.  |
| E | <input type="checkbox"/> | Your average earnings before your illness or disability were not high enough.   |
| F | <input type="checkbox"/> | You are expecting a baby soon or you have just had a baby.  |
| G | <input type="checkbox"/> | You have been sick on and off for more than 3 years.  |
| H | <input type="checkbox"/> | You were away from work because of a trade dispute which started before the first day you were sick.  |
| I | <input type="checkbox"/> | You were in legal custody or you were serving a term of imprisonment when you became sick.<br>Or you are now in legal custody or have been sentenced to a term of imprisonment. |
| J | <input type="checkbox"/> | You were working outside the UK on the day you first became sick and I was not liable to pay employer's Class 1 NI contributions on your earnings on that day.                  |
| K | <input type="checkbox"/> | You have not started working for me yet.  |

**Part E** tells you about the reasons in more detail.

## Part C: Medical statements

Please send this form to your employee with any medical statements you have which cover a period you cannot pay SSP for.

Medical statements are also known as medical certificates, doctor's statements or sick notes.

Tick one of the following boxes

I have enclosed medical statements that cover a period I cannot pay SSP for.

I have not enclosed medical statements.

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## Part D: Employer's declaration

I declare that the information I have given on this form is correct and complete as far as I know and believe.

I understand that if this employee has been getting SSP, I must continue to pay SSP up to and including the date before the date I have written on page 3 of this form.

**Employer's name**

**Employer's signature**

**Date**

**Position in firm**

**Phone number**

**Fax number**

**Email address**

**Employer's address**

  
  
  

**Employer's stamp**

## Part E: Reasons why you cannot get SSP

- A** You cannot get SSP if you claimed Employment and Support Allowance during the last 12 weeks.
- 
- B** You cannot get SSP if you are sick after your contract has ended.
- 
- C** You cannot get SSP after your contract has been ended by your employer. But your employer will have to pay you SSP if they ended your contract of employment solely or mainly to avoid paying SSP.
- 
- D** You cannot get SSP after you have had SSP for 28 weeks in a row. Or for periods of sickness that are 8 weeks or less apart and which are more than 28 weeks in total.
- 

- E** You cannot get SSP if your average weekly earnings were less than the Lower Earnings Limit for the 8 weeks before you went sick. When your employer works out your average weekly earnings, they do not take off tax or National Insurance contributions.

Some employers have a special arrangement with HM Revenue & Customs to pay Class 1B NI contributions on some of your earnings. This could mean that your employer could not count all your earnings when working out your average earnings. Ask your employer if any of your earnings were included in such an arrangement. And if they have not done so, ask them to recalculate your earnings as if you had been paying Class 1 NI contributions on the earnings in the special arrangement.

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- F** You cannot get SSP:
- during the period you are entitled to Statutory Maternity Pay (SMP) from your employer, or
  - during the period you are entitled to Maternity Allowance (MA) from Jobcentre Plus

Statutory Maternity Pay (SMP) is money paid by the employer to women to take time off work to have their baby.

Maternity Allowance (MA) is a social security benefit you may be able to get if you cannot get SMP.

If you are expecting a baby and are not entitled to SMP or MA, you cannot get SSP for an 18 week period.

### **If you are not already getting SSP**

The 18 week period will start on the earlier of:

- the start of the week your baby is born, or
- the start of the week you are away from work because of a pregnancy-related illness, if this is in the 4 weeks before the week your baby is expected

### **If you are already getting SSP**

The 18 week period will start on the earlier of:

- the day after your baby is born, or
  - the day after your first day away from work because of a pregnancy-related illness, if this is in the 4 weeks before the week your baby is expected
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## Part E: Reasons why you cannot get SSP continued

- G** You cannot get SSP if during the last 3 years:
- you did not go back to work for more than 8 weeks between periods of sickness, and
  - each period of sickness has lasted for at least 4 days in a row
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- H** You cannot get SSP if there is a trade dispute at your workplace. But you may get SSP if:
- you were already getting SSP when the dispute began, or
  - **you can show that you had no direct interest in the dispute.**

We use trade dispute to mean

- a strike
  - a walkout
  - a lockout
  - another dispute about work
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- I** You cannot get SSP and your SSP will stop if you:
- are in legal custody, or
  - were sentenced to a term of imprisonment
- 

- J** You cannot get SSP if you are employed outside the United Kingdom (UK) on the day you first became sick unless your employer is liable to pay the employer's share of Class 1 National Insurance contributions for you, or would be if your earnings were high enough.
- 

- K** You cannot get SSP until you start working for an employer, even if you have a contract of employment.
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