

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 June 2011.

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, your employer may pay you Statutory Sick Pay.

Statutory Sick Pay is the minimum amount that employers must pay by law. Statutory Sick Pay is paid for the days that 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
- have been sick for at least four or more days in a row, and have average weekly earnings of £102 or more.

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 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.

Special rules apply if you work at sea or on aircraft. Please contact your employer for more information.

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 seven days, or the person you work for could refuse to pay you Statutory Sick Pay.

How do I prove I am sick?

Up to seven days

You may have to fill in a form for the person you work for. If they do not have their own, you can get an SC2 form from your doctor's surgery or online at

www.hmrc.gov.uk/forms/sc2.pdf

More than seven days

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

How much Statutory Sick Pay can I get?

If you earn £102 a week or more, Statutory Sick Pay is paid at a standard rate of £81.60 a week. If this does not give you enough money, ask Jobcentre Plus about other benefits you may be able to get.

How is Statutory Sick Pay paid?

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

What if I am sick after I return to work?

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

Medical statements are also known as fit notes, sick notes or medical certificates.

What if my doctor says that I ‘may be fit for work’?

If your medical statement says you ‘may be fit for work’, the doctor’s advice will help you and your employer talk about what support you need to help you return to work.

If you and your employer have agreed that you have a phased return to work or altered hours after a period of sickness, you should get:

- your normal earnings for the days and/or hours you work, and
- Statutory Sick Pay for the other days you would have normally worked.

If your employer can’t support your return to work, the medical statement is treated as if it said ‘you are not fit for work’. You don’t need to return to your doctor for a new medical statement.

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 to help support a claim for Employment and Support Allowance.

What if I can get other types of sick pay?

If you work for more than one employer, and earn £102 a week or more 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.

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

If you want more information about Statutory Sick Pay, visit www.direct.gov.uk

Or call the HM Revenue and Customs helpline.

Phone **0845 302 1479**

Textphone **0845 915 3296**

Monday to Friday 8am to 5pm.

To find out more about benefits and financial support, visit www.direct.gov.uk/benefits

Or contact Jobcentre Plus (our details are in the 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

Charges were correct as of the date on the back of this leaflet.

Calls to **0845** numbers from BT land lines should cost no more than 8p per minute with a 13p 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 bureaux may have one.

Textphones do not receive text messages from mobile phones.

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

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