

Statutory Sick Pay and an employee's claim for benefit

jobcentreplus

Department for
Work and Pensions

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

Or you can contact HM Revenue & 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

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 Statutory Sick Pay, visit 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 & 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.

If you are an employee continued

How to claim

Contact Jobcentre Plus on **0800 055 66 88**.

If you have speech or hearing difficulties, you can contact us using a textphone on **0800 023 48 88**.

For more information about benefits

For more information about benefits you can visit our website at www.gov.uk/browse/benefits

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 dealing with:

- social security benefits and allowances
- child support
- employment and training
- financial planning for retirement
- occupational and personal pension schemes.

We may get information about you from others for any of our purposes if the law allows us to do so. We may also share information with certain other organisations if the law allows us to.

To find out more about how we use information, visit our website at www.gov.uk/dwp/personal-information-charter or contact any of our offices.

Part A: About your employee

Surname or family name

All other names, in full

Address

Postcode

Letters Numbers

Letter

National Insurance (NI) number

Clock, payroll or employee number

Tax reference number

This is also known as the *Employer PAYE reference*.

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.

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

Code

Number

Fax number

Code

Number

Email address

Employer's address

Postcode

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.
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- 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.

- 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.
-

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.
-

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