

## **VIAMED Ltd**

### **Company Personnel Manual**

#### **Section 41. Statutory Sick Pay (SSP)**

##### **As of September 2014**

The company is obliged to pay SSP, to all eligible employees, for periods of absence of four days or more, for a total of 28 weeks in one PIW (period of incapacity for work).

Your entitlement to SSP depends on:

- a. The number of days sickness – there is no entitlement for the first three qualifying days;
- b. Proper notification to the company of your absence through sickness (which you must do before the end of the first qualifying day) and;
- c. Proper provision of medical certificates, i.e. self-certificate for the first seven days of illness, and a doctor's certificate thereafter.

Your qualifying days for SSP are those you normally work, i.e. Monday to Friday inclusive.

The Company currently does not provide company sick pay.

##### **Calculations of earnings regarding SSP:**

To calculate your earnings, the payment made on the last day immediately before the period of incapacity to work, should be added to the payment made on the pay day preceding that one, and the resulting figure multiplied by 6 and divided by 52, to give the appropriate weekly rate.

##### **1. Overview**

You can get £87.55 per week Statutory Sick Pay (SSP) if you're too ill to work. It's paid by your employer for up to 28 weeks.

You need to qualify for SSP and have been off work sick for 4 or more days in a row (including non-working days).

You can't get less than the statutory amount.

##### **2. What you'll get**

You can get £87.55 a week Statutory Sick Pay (SSP) for up to 28 weeks.

You get SSP for the days you would normally have worked. It's not paid for the first 3 days you're off, unless you've been paid SSP within the last 8 weeks and are eligible for it again.

If you have more than one job you may get SSP from each employer.

### **How you're paid**

SSP is paid by your employer in the same way as your normal wages (eg weekly or monthly).

Tax and National Insurance will be deducted.

If you don't think you're getting the right amount of SSP, talk to your employer. If you're still not happy, contact the HM Revenue and Customs (HMRC) employees' enquiry line.

### **HMRC employees' enquiry line**

Telephone: 0300 200 3500

Textphone: 0300 200 3519

Monday to Friday, 8am to 5pm

## **3. Eligibility**

To qualify for Statutory Sick Pay (SSP) you must:

- be classed as an employee and have done some work for your employer
- have been ill for at least 4 days in a row (including non-working days)
- earn at least £111 (before tax) per week
- tell your employer you're sick before their deadline - or within 7 days if they don't have one

Agency workers are entitled to Statutory Sick Pay.

### **Exceptions**

You won't qualify if you:

- have received the maximum amount of SSP (28 weeks)
- have taken 3 years or more 'linked periods' of sickness - where 4 or more days of sickness happen within 8 weeks of each other
- are getting Statutory Maternity Pay

You can still qualify if you started your job recently and you haven't received 8 weeks' pay yet. Ask your employer to find out more.

### **Fit notes (previously called sick notes)**

You only have to give your employer a doctor's fit note if you miss more than 7 days of work. Employees must give their employer a doctor's 'fit note' (previously called a 'sick note') if they're off sick for more than 7 days in a row (including non-working days). Hospital doctors or GPs provide them. They can charge a fee if a fit note is asked for before the 7th day.

The fit note will say the employee is either 'not fit for work' or 'may be fit for work'.

If it says the employee 'may be fit for work', employers should discuss any changes that might help the employee return to work (eg different hours or tasks). The employee must be treated as 'not fit for work' if there's no agreement on these changes.

Employers can take a copy of the fit note, the employee should keep the original.

### **If you're not eligible or your SSP ends**

You may be able to apply for Employment and Support Allowance (ESA) if you're not eligible for SSP or your SSP has ended or is coming to an end.

You do this using form SSP1, which your employer will give you:

- within 7 days of you going off sick, if you don't qualify for SSP
- within 7 days of your SSP ending, if it ends unexpectedly while you are still sick
- on or before the beginning of the 23rd week, if your SSP is expected to end before your sickness does

### **4. How to claim**

To claim Statutory Sick Pay (SSP), tell your employer in writing (if they request it) and by their deadline (or within 7 days if they don't have one).

You only need a doctor's 'fit note' (or sick note) if you're off sick for 7 days or more.

### **If you're unhappy with a decision**

Talk to your employer if you think:

their decision not to pay you SSP is wrong

you're not getting the right amount of SSP

You can ask them for a reason. If this doesn't sort the problem, contact the HM Revenue and Customs (HMRC) employees' enquiry line.

HMRC employees' enquiry line

Telephone: 0300 200 3500

Textphone: 0300 200 3212

Monday to Friday, 8am to 5pm

Information for GOV.UK up to date as of 1<sup>st</sup> Sept 2014