

Statutory Sick Pay (SSP) and an employee's claim for benefit



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About this form

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 the Social Security Agency 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.

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. If you still disagree with the decision, you can contact the HMRC employee helpline on **0845 302 1479**.

After speaking to the HMRC employee helpline, you may wish to take your case further. If you do, the employee helpline team will give you the telephone number of the HMRC Statutory Payments Disputes Team to register your dispute with them.

What to do now

If you are still off work because of an illness or disability, you can make a claim for benefit from the Social Security Agency.

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.

How to claim

Contact the Social Security Agency on

0800 085 6318

If you have speech or hearing difficulties, you can contact us using a textphone on

0800 328 3419

Where to get help and advice

For more information about Statutory Sick Pay

Contact your local HM Revenue & Customs Enquiry centre. You can find the phone number and address on the advert in the business section of the phone book. Look under **HM Revenue & Customs**.

Or you can contact the HM Revenue and Customs helpline on **0845 302 1479**. If you have speech or hearing difficulties you can contact them using a textphone on **0845 915 3296**.

For more information about benefits

For more information about benefits you can visit our website at **www.dsdni.gov.uk**

Or you can contact the Benefit Enquiry Line on **0800 220 674**.

How we collect and use information

We, the Department for Social Development (DSD), collect information to deal with Social Security, Child Support, employment and training, housing and community development and urban regeneration (redeveloping towns, cities and villages). The information we collect about you depends on the type of your business with us, but we may use the information for any of these purposes.

We may check information about you with other information we may have. We may get information about you from other people and certain other organisations.

We may give information to certain other organisations, as allowed by the law, to:

- check that the information is accurate
- prevent or detect crime
- protect public funds in other ways, and
- use in research statistics.

These other organisations include other government departments, authorities who deal with Housing Benefit and private-sector organisations (such as banks) that may lend you money. We will not give information about you to anyone outside our department unless the law allows us to.

The Department for Social Development is the data controller for the Data Protection Act.

If you want to know more about what information we have about you, or the way we use your information, please contact us. You can contact any of our offices and ask for leaflet *Data Protection Act 1998 - It affects you*. Or you can find a copy of the leaflet on our website at **www.dsdni.gov.uk**

If you want more information

For more information about SSP, please read **E14 Employer Helpbook** *What to do if your employee is sick*. This Helpbook includes information about the penalties that HMRC can impose for not completing this form.

You can get the **E14** from any HM Revenue & Customs office, the Employer CD-ROM, or by visiting the HM Revenue & Customs website **www.hmrc.gov.uk/employers**

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** You can claim a social security benefit again that you claimed before because of an illness or disability.
-
- B** Your contract of employment is for a fixed period and has ended.
-
- C** Your contract of employment has been brought to an end.
-
- D** You will soon have been getting SSP for 28 weeks or you have had SSP for 28 weeks.
-
- E** Your average earnings before your illness or disability were not high enough.
-
- F** You are expecting a baby soon or you have just had a baby.
-
- G** You have been sick on and off for more than 3 years.
-
- H** You were away from work because of a trade dispute which started before the first day you were sick.
-
- I** You were in legal custody or you were serving a term of imprisonment when you became sick.
Or you are now in legal custody or have been sentenced to a term of imprisonment.
-
- J** 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** You have not started working for me yet.
-

Part E tells you about the reasons in more detail.

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

Medical certificates are also called sick notes or doctor's statements.

Tick one of the following boxes

I have enclosed Medical Certificates that cover a period I cannot pay SSP for.

I have **not** enclosed Medical Certificates.

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 I have written **on page 4** of this form.

Employer's name

Signature

Date

 / /

Position in firm

Phone number

Code	Number	ext
------	--------	-----

Fax number

Code	Number
------	--------

Email address

Address

<input type="text"/>
<input type="text"/>
Postcode

Business stamp

- A** You cannot get SSP if you claimed Employment and Support Allowance
- during the last 12 weeks, or
 - during the last 104 weeks if you returned to work or training within 1 month of leaving benefit.

You cannot get SSP if you claimed Incapacity Benefit or Severe Disablement Allowance

- during the last 8 weeks, or
- during the last 104 weeks if you returned to work or training within 1 month of leaving benefit.

-
- 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.

-
- F** You cannot get SSP:

- during the 39 weeks you are entitled to Statutory Maternity Pay (SMP) from your employer, or
- during the 39 weeks you are entitled to Maternity Allowance (MA) from Incapacity Benefits Branch.

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.

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.
-

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.

