

Factsheet C21: Managing sickness and Statutory Sickness Pay

Your employee should inform you as soon as possible if she/he is unwell and can't attend work. You should try and establish how long your employee may be off for, agree to keep in regular contact in order to plan for their return, and manage your back-up care arrangements in their absence. Employees must give their employer a doctor's 'fit note' (previously called a 'sick note') if 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 may aid the employee return to work (e.g. 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. As an employer, you can't withhold SSP if the employee is late sending you a fit note.

To qualify for Statutory Sickness pay (SSP):

- The person must be classed as an employee and done some work for you;
- The employee has been ill for at least 4 days in a row (including non-working days);
- The employee earns at least £111.00 (before tax) per week;



weeks to return to work; and help employers improve their sickness absence management and reduce SSP costs. Further information on this will be available in due course.

How to fund your SSP costs:

If you are part way through your Personal Budget year and don't have sufficient funding specifically allocated within your budget to cover this cost; then you will need to speak to your care assessor or Norfolk County Council on 0344 800 8020. Similarly, if you are in receipt of a Personal Health Budget you will need to contact your relevant team to discuss. If you fund your own care then you will be liable to fund any SSP costs your employee maybe eligible to receive. For new employers, or those who are having their care packages reviewed you should discuss with either your care assessor or support officer the need to factor some funding into your contingency fund for this purpose, in-case the need to access it arises throughout the budget year.

For further details on this you can contact HM Revenue and Customs Employer helpline on 0845 60 70 143 or visit the website www.hmrc.gov.uk

Managing long-term sickness

If any of your employees are off work due to sickness for more than 4 weeks, they may be considered long-term sick. A long-term sick employee remains entitled to annual leave.

Handling long-term absence is a delicate matter. You should:

- Keep in regular contact with the employee about their position, be clear about their sick pay and explain any updates - for example, promotion opportunities or any other important workplace changes



- Consider whether it might be best, in some cases, to simply keep in touch and give them the time they need to get better
- Think whether you need to ask the employee for permission to contact their GP to assess:
 - When a return to work will be possible
 - Will there be a full recovery and is a return to the same work advisable?
 - Should it be phased - may be part-time or flexible hours to begin with?
 - Whether the employee is disabled - if so, reasonable adjustments must be made so they can return to work
 - Whether a return to lighter, less stressful, work would be advisable.

You should consult with your employee to do all you can to aid their return to work, where possible, and document any adjustments made. As an employer, there are statutory procedures to follow in managing sickness so please get advice before taking any action. You can refer to your employees' Statement of Particulars for further guidance.

If you require further information or would like this factsheet in an alternative format you can contact us by calling: 01508 491210, by emailing: info@equallives.org.uk, or by writing to: Equal Lives, 15 Manor Farm Barns, Fox Road, Framingham Pigot, Norfolk, NR14 7PZ.

