

Statutory sick pay

By law, employers must pay statutory sick pay (SSP) to workers who meet the eligibility criteria.

Eligibility criteria

The [Employment Rights Act 2025](#) is changing the eligibility criteria for statutory sick pay. The changes will apply from 6 April 2026 and are not yet law.

Before 6 April 2026

A worker is eligible for statutory sick pay if they:

- have done some work for their employer
- have been off sick for at least 4 days in a row – this includes non-working days
- earn on average at least £125 a week, before tax
- have told their employer they're sick within any deadline the employer has set or within 7 days
- are classed as employed for tax purposes

Those classed as employed for tax purposes include anyone who has their tax paid automatically through PAYE. For example, employees and agency workers.

Workers who pay their own tax through self assessment are not eligible to receive statutory sick pay.

[Check employment status for tax on GOV.UK](#)

When statutory sick pay is paid

If a worker is eligible, they are entitled to statutory sick pay for the days they would have worked, except for the first 3.

The days they would have worked are called 'qualifying days'. The first 3 qualifying days are called 'waiting days'.

If the worker does not have a regular pattern of work, the employer should agree with them which days count as qualifying days.

For example, a worker who works Monday to Friday is sick before work on Thursday. By Monday they have been sick for 4 days so are eligible for statutory sick pay. As they do not work weekends, their waiting days are Thursday, Friday and Monday. So the employer must pay statutory sick pay from Tuesday onwards.

Statutory sick pay is the minimum amount employers must pay. Some employers might pay more. If they do, this must be written in the contract or workplace policy.

It should also say in the contract or the organisation's policy whether the first 3 days of sickness absence are paid or unpaid.

Linked periods of sickness

If 2 or more periods of sickness absence are linked, there are only 3 waiting days in total. To be linked, the periods of sickness must:

- last 4 or more days
- be 8 weeks or less apart

From 6 April 2026

The [Employment Rights Act 2025](#) is changing the eligibility criteria for statutory sick pay. From 6 April 2026:

- statutory sick pay will be paid from the first day of sickness, instead of the fourth day
- the lower earnings limit will be removed – workers will not need to earn a minimum amount to be eligible

The other eligibility criteria will stay the same. Workers must meet all of the criteria to be entitled to statutory sick pay.

For sickness absences that started before 6 April 2026

The [Employment Rights Act 2025](#) is introducing changes to statutory sick pay. This will affect sickness absences that start before 6 April 2026 and continue beyond this date.

An eligible worker will be entitled to statutory sick pay from 6 April if this is a qualifying day. This applies even if they:

- have not completed the 3 waiting days by 6 April 2026
- earn less than the lower earnings limit

Qualifying days are days when someone would usually be required to work.

Some workers might not have a regular pattern of work. Their employer should agree with them which days count as qualifying days.

For example, Ash earns £110 per week. They are off sick on 5, 6 and 7 April. Due to the lower earnings limit, Ash won't receive statutory sick pay before 6 April. However, they will be entitled to statutory sick pay for any qualifying days from 6 April onwards.

How much statutory sick pay is

Statutory sick pay is £118.75 per week. It can be paid for up to 28 weeks.

From 6 April 2026

The [Employment Rights Act 2025](#) is changing the rates for statutory sick pay.

From 6 April 2026, statutory sick pay will be either:

- 80% of the worker's average weekly earnings
- £123.25 per week

Eligible workers will be entitled to whichever rate is lower. It will be paid from the first full day of sickness absence.

Average weekly earnings will be calculated based on the 8 weeks before the sickness absence. Payments will be rounded up to the nearest penny.

Calculating sick pay for linked periods of sickness

Being off sick for the same reason more than once might be a 'linked period of sickness'.

In a linked period of sickness, the initial period's average weekly earnings will be used for subsequent calculations.

To be linked, the periods of sickness must be 8 weeks apart or less.

Protection to prevent a reduction in sick pay

A worker's sickness might start before 6 April 2026 and continue beyond this date. In this situation, they might be transitionally protected for their continuous absence. This means they would not receive a reduction in their pay.

These arrangements could protect some workers from being paid less because of the law change.

Workers will be transitionally protected for a continuous absence if they:

- earn between £125 and £154.05 per week
- are already receiving statutory sick pay before 6 April 2026

To prevent a reduction in their pay, they will still get the flat rate of £123.25. This will continue until one of these things happens (whichever comes first):

- they return to work
- they have been receiving statutory sick pay for 28 weeks
- their employment ends
- they start receiving statutory maternity pay or maternity allowance

If they return to work and are off sick again within 8 weeks, they will get either:

- £123.25 per week
- 80% of their average weekly earnings

Workers will be entitled to whichever rate is lower for the second period of sickness.

Fit notes

An employer might ask a worker for a fit note before they'll pay statutory sick pay.

A fit note is sometimes called a 'sick note'. It is a statement from a registered healthcare professional giving their medical opinion on a person's fitness for work.

A worker must get a fit note if:

- they have been sick for more than 7 calendar days
- their employer requests one

An employer should be understanding if there's a delay getting a fit note. A worker might have difficulty getting a doctor's appointment.

[Find out more about fit notes and proof of sickness](#)

If someone's not eligible for statutory sick pay

If someone is not eligible for statutory sick pay, their employer must tell them why in writing. They can do this in either:

- an SSP1 form
- a letter or email

[Find employer form SSP1: statutory sick pay on GOV.UK](#)

Someone who is not entitled to statutory sick pay might be entitled to benefits or financial support to help with living costs.

[Find out about benefits and financial support on GOV.UK](#)

If there's a problem with statutory sick pay

[Contact HM Revenue and Customs \(HMRC\) statutory payment dispute team](#) if you think your employer has:

- not paid you statutory sick pay when you're eligible
- paid you the wrong amount of statutory sick pay

More about statutory sick pay

You can find:

- [statutory sick pay information on GOV.UK](#)
- for employers, [statutory sick pay for different employment types on GOV.UK](#)