



SSP WEBINAR

Statutory Sick Pay Reforms 2026

Legal talking points for recruitment agencies

Presented by

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AGENDA

What we'll cover

- 1 What changed on 6 April 2026
- 2 Agency workers and who owes the obligation
- 3 Assignment ending is not necessarily employment ending
- 4 Contracts and policies to review
- 5 Limits on contractual workarounds
- 6 Sickness reporting and absence management
- 7 Wider employment-law risks
- 8 Practical legal checklist for agencies



TALKING POINT

What changed on 6 April 2026?

- **Lower Earnings Limit removed**
- **Waiting days abolished**
- **The legal point for agencies**



TALKING POINT

Agency workers and who owes the obligation

- **Do not assume temporary status means no SSP**
- **Start with employment status**
- **Documentation must match reality**

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TALKING POINT

Assignment ending is not necessarily employment ending

- Keep the concepts separate
- Sickness can expose weak processes
- Document the reason
- Sickness before work starts
- Gaps between zero-hours assignments



TALKING POINT

Contracts and policies to review

- **Worker-facing documents**
- **Sickness policies and handbooks**
- **Client contracts**



TALKING POINT

Limits on contractual workarounds

- **Statutory rights cannot simply be contracted away**
- **Be careful with drafting**



TALKING POINT

Sickness reporting and absence management

- **Day-one SSP is not a free-for-all**
- **Front-line consistency matters**
- **Avoid informal eligibility decisions**



TALKING POINT

Wider employment-law risks

- **Disability discrimination**
- **Pregnancy-related sickness**
- **Detriment and dismissal issues**

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TALKING POINT

Practical legal checklist for agencies



Update worker contracts, sickness policies and internal guidance



Ensure sickness decisions are consistent and properly documented



Check that branch teams and consultants understand the new eligibility framework



Build in checks for disability, pregnancy and other discrimination risks



Review the distinction between assignment termination and the end of the underlying employment relationship



Review how health information is collected, stored and shared



Review client terms for statutory-cost and change-in-law provisions



For recruitment agencies, this is not simply a payroll change. The reforms widen the circumstances in which SSP can become payable and bring with them contractual, process and wider employment-law issues. Agencies should be confident not only that their payroll systems calculate SSP correctly, but that their contracts, policies and front-line practices support the legal position.

— Kareena Prescott, C2E Law

TO FINISH YOUR SECTION

“If one of your PAYE temps phones in sick tomorrow for one day, are you confident that the consultant taking the call, your internal policy and your payroll process would all lead to the right legal outcome?”