

How do I pay
child maintenance?

child support agency

Payment

Instruction to your bank or building society.
Please pay the account detailed on this
Direct Debit form for the safeguards assured
by the Child Support Agency Direct
Debit Guarantee.

Reference number:

9	4	1	3	2	2
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Originator's identification number:

Direct Debit
Instructions to your bank or
building society to pay

What is this leaflet about?

This leaflet is for non-resident parents. It explains how to make child maintenance payments through the CSA for your children. It also explains what happens if you don't make a payment.

The leaflet is for all non-resident parents, whether you are employed, self-employed, unemployed or retired.

In this leaflet, we use some standard terms to talk about our services and the way we work. The glossary at the end explains them.

This leaflet only covers cases where we work out child maintenance using the scheme that started on 3 March 2003. We call this the current scheme. We use different rules for cases set up before this date. For more information, visit www.csa.gov.uk.

Important information about this leaflet

This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure the leaflet is correct as of 25 January 2011, but it may not reflect changes to the law or our procedures after this date. You may wish to get independent advice before making financial decisions based on the leaflet.

How do I pay child maintenance?

About us

The Child Support Agency (CSA) is the Government's child maintenance service. It is provided by the Child Maintenance and Enforcement Commission.

Our role is to make sure that parents who live apart from their children contribute towards their children's upkeep by paying child maintenance.

We use a standard process to work out how much child maintenance should be paid in each case, and to manage the payments. We can take legal action if the right amount of money is not paid at the right time.

To get help or more information, visit our website **www.csa.gov.uk** or call us on **0845 713 3133** or **0845 713 8924** (textphone). For details of call charges, opening times and our Welsh-language helpline, see page 31.

If you want to make a family-based arrangement, rather than one through the CSA, contact Child Maintenance Options for impartial information and support. Visit their website at **www.cmoptions.org** or call them on **0800 988 0988** or **0800 988 9888** (textphone).

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How do I pay child maintenance?

How do I pay child maintenance through the CSA?

The easiest way to pay child maintenance is direct to the parent with care. You can do this by standing order, which means you set up a regular payment direct from your bank or building society account to the parent with care's account.

This is not the same as a family-based arrangement (known as a family arrangement in this leaflet), because we have worked out the amount you must pay and we can take action if you don't pay. If you and the parent with care don't want to pay this way, you must pay through us. In this situation:

- if you are **employed**, we'll normally either ask you to pay us by direct debit (see page 18), or agree with you that we will take the money direct from your earnings or pension using a deduction from earnings order (see page 11)
- if you are **self-employed**, we'll ask you to set up a direct debit to pay us (see page 18)
- if you are **receiving income-related benefits**, we'll take the money direct from your benefits before you receive them (see page 19).

When we get the payment from you, we'll transfer the right amount to the parent with care's bank or building society account. We aim to transfer child maintenance within one week of receiving it.

We can arrange for you to make your first payment or a one-off payment by debit or credit card or online banking.

If either parent has no bank or building society account and can't open one to pay or receive child maintenance, you can discuss with us other ways of paying or receiving it.

How do I pay child maintenance?

What changes to my circumstances must I tell the CSA about?

If either parent's circumstances change, it can mean that we need to change the amount of maintenance that must be paid. So you should tell us if there is a change to any of the information you gave us to work out child maintenance, such as the amount of your income.

In particular, as a non-resident parent, you **must** tell us if:

- your address changes (you **must** tell us about this within 7 days from the date that your address changes)
- you pay child maintenance through a deduction from earnings order and you leave your job. You **must** tell us:
 - the name and address of your new employer (if any)
 - how much you expect to earn, and
 - your payroll number (if any).

The parent with care **must** tell us if there is a change to:

- the number of children living with them that you must pay child maintenance for, or
- the number of nights a child regularly stays overnight with you.

If you fail to give us the information we need, or you give us information that you know is false, we can take you to court and you could be fined up to £1,000. This applies to any person or organisation who, by law, must give us information – such as employers and accountants as well as parents.

How do I pay child maintenance?

How often do I pay child maintenance?

We'll agree with you and the parent with care how often you will make payments. Often, this will be based on when you are paid your earnings, pension or benefits.

Payments can be made every week, fortnight, every 4 weeks or monthly.

How do I pay child maintenance through a deduction from earnings order?

If you are employed, you can pay child maintenance direct from your earnings through a deduction from earnings order. The money comes from your earnings before you receive them.

We'll tell your employer how much to take from your earnings. Your employer must send us this amount on your behalf. If they fail to do this, we can take them to court.

Your employer will normally take the money each time you are paid. So if you are paid weekly, they will take an amount every week. If you are paid monthly, they will take the money once a month.

If your employer takes money once a month, they must send this money to us by the 19th day of the month that follows the one in which they took it from your earnings. (For example, if your employer took the child maintenance from your earnings in

February, they must send it to us by 19 March.) Because employers have until the 19th of the following month, it can take longer for payments to reach the children they are meant for.

Your employer may also take up to £1 extra every time they take child maintenance from your earnings. This is towards their administration costs.

Your employer must tell you how much they take from your earnings, including any amount taken for administration costs. You may find this information on your wage slips.

If you are a member of HM Armed Forces, you can also pay direct from your earnings, but you have to use a deduction from earnings request, which works in a similar way. Contact us for more information. See page 29 for how to get in touch with us.

How does a deduction from earnings order work?

A deduction from earnings order is made up of 2 parts.

- **he normal deduction rate** – This is the amount of child maintenance we take from your net earnings in each pay period. It is the amount of child maintenance you normally have to pay, plus an amount towards any payments you have previously missed or not made in full.
- **he protected earnings proportion** – This is the amount you are allowed to keep for your own living costs. We work it out as 60% of your net earnings after things like income tax, National Insurance and any money paid into a pension scheme have been taken off.

How do I pay child maintenance?

We'll work out the normal deduction rate and the protected earnings proportion based on the information we have been given. We'll then tell you and your employer what these amounts are.

If you pay child maintenance using the scheme that started before 3 March 2003 (the old scheme), we work out protected earnings in a different way. To find out about deduction from earnings orders under the old scheme, read our leaflet *Payment of child maintenance under the old scheme* (CSA2034). See the back page for details.

Your employer will go on taking child maintenance from your earnings unless we tell them to stop.

For more about how we work out child maintenance, read *How we work out child maintenance* (CSL303). See the back page for details.

What counts as 'earnings' for a deduction from earnings order or deduction from earnings request?

When setting up a deduction from earnings order, we count the following as earnings:

- wages, fees, bonus, commission, overtime pay or any payments on top of wages
- private or occupational pensions, and compensation payments
- Statutory Sick Pay
- contractual sick pay
- contractual maternity pay (not Statutory Maternity Pay)
- contractual paternity pay (not Statutory Paternity Pay)

- contractual adoption pay (not Statutory Adoption Pay)
- contractual redundancy pay (not Statutory Redundancy Pay).

Contractual pay is pay that has been agreed between you and your employer over and above your statutory pay. Statutory pay is money you are entitled to by law.

The earnings listed above are what we can take a deduction from. They are not the same as the sources of earnings we use to work out your net weekly income when working out how much child maintenance you must pay.

What does not count as earnings for a deduction from earnings order or deduction from earnings request?

We don't count the following as earnings and they cannot be used for a deduction from earnings order:

- money paid to you by a public department of the Government of Northern Ireland or any country outside the UK
- any social-security pension, allowance or benefit
- Tax Credits
- any pension or allowance paid for a disability
- a Guaranteed Minimum Pension under the Social Security Pensions Act 1975
- Statutory Maternity Pay
- Statutory Paternity Pay
- Statutory Adoption Pay

How do I pay child maintenance?

- Statutory Redundancy Pay.

If the only earnings you receive fall into these categories, you cannot pay by deduction from earnings order.

How will my employer know they have to take child maintenance direct from my earnings?

We'll send your employer a deduction from earnings order that will tell them how much to take from your earnings or occupational pension. They must send this amount to us.

The deduction from earnings order will include the following information:

- your name and address
- your employer's name
- your place of work, the type of work you do and your works or payroll number, if any
- your National Insurance number
- the amount or amounts to be taken, and the dates of any change to these amounts in the next 52 weeks
- your protected earnings proportion
- the address of the CSA office that your employer must send the payments to.

Each year, we will send you and your employer a letter which reminds you how much must be paid and when.

If the amount you need to pay changes, we will send you and your employer a revised deduction from earnings order.

What happens if my employer does not or cannot take the full amount?

If your employer does not take the full amount direct from your earnings or pension, we'll ask them why. There may be a good reason – for instance, because you did not earn enough during the pay period to take the full amount after income tax, National Insurance payments and any money needed to pay for other court orders.

In these circumstances, your employer must take as much as possible from your earnings but leave you your protected earnings proportion, so that you have enough money to live on. Any difference between the amount they can take and the amount of child maintenance needed is called a shortfall.

This shortfall will be carried over to the next time you are paid and added to the regular amount of child maintenance we ask your employer to take.

If your income regularly falls below the protected earnings proportion, you should tell us because we may need to look at your child maintenance calculation again. If you don't arrange to pay off the shortfall, we can take you to court.

If your employer doesn't take the full amount of child maintenance, and can't give us good reason for this, we can take your employer to court and fine them. You will still have to pay the child maintenance you owe.

How do I pay child maintenance?

Your employer can find more information about this on our website at **www.csa.gov.uk** or in our leaflet for employers, *What happens if my employer already has to take money from my earnings for other court orders?* (CSL313). See the back page for details.

Will my information be treated confidentially?

Yes. All information about child maintenance is confidential, so your employer won't be able to identify the names and address of the parent with care and your children.

What happens if my employer already has to take money from my earnings for other court orders?

Courts can make several different orders that mean your employer must take money direct from your earnings in a similar way to our deduction from earnings orders.

In England and Wales, these include:

- attachment of earnings orders, and
- Council Tax attachment of earnings orders.

In Scotland, these include:

- earnings arrestments
- current maintenance arrestments, and
- conjoined arrestment orders.

There are rules to follow so that employers know which money to take first. In England and Wales, they start with the earliest order. In Scotland, a deduction from earnings order will always

be taken first, before any others. They should then follow later orders using any earnings you have left after they have made the deduction under the first order.

What happens if I stop working for my employer?

You **must** tell us within one week if you are paying child maintenance under a deduction from earnings order and you:

- stop working for your employer
- change jobs
- become unemployed, or
- become self-employed.

You must also tell us:

- the name and address of your new employer, if any
- how much you expect to earn, and
- your payroll or employee number, if any.

You must tell us about any of these changes within one week of them happening. Not doing so is a criminal offence.

Your employer must also tell us if you stop working for them.

If you move to a different employer, we'll normally set up a new deduction from earnings order once we have all the information we need. If your earnings have gone up or down, we may also change the amount of child maintenance needed.

If we can no longer use a deduction from earnings order, we can arrange a different way for you to pay child maintenance.

How do I pay child maintenance?

What happens if I'm self-employed?

If you are self-employed, you must still pay child maintenance like any other non-resident parent. You can either pay direct to the parent with care, or set up a direct debit to pay through us.

How do I pay by direct debit?

Paying by direct debit is simple and reliable. The easiest way to do this is to call us to set up a direct debit over the phone.

When we get the payment from you, we'll transfer the right amount to the parent with care's bank or building society account. We aim to transfer child maintenance within one week of receiving it.

If you or the other parent have no account and can't open one to pay or receive child maintenance, please contact us on the telephone number at the top of the last letter we sent you.

What happens if I receive benefits?

If you are getting one of the following benefits, and you pay the flat rate of £5 for child maintenance (no matter how many children are involved), then the child maintenance will normally be taken direct from those payments before they are paid to you.

- Income-related benefits – Income Support, income-based Jobseeker’s Allowance or income-related Employment and Support Allowance
- Contribution-based Jobseeker’s Allowance
- Contribution-based Employment and Support Allowance
- Pension Credit
- State Pension
- Incapacity Benefit
- Training Allowance
- Armed Forces Compensation Scheme Payments
- War Pension
- Bereavement Allowance.

If you have a partner and they get income-related benefits or Pension Credit, the child maintenance will be taken before they receive the benefit. This means you or your partner will receive less in benefit.

If the child maintenance can’t be taken from your benefits because other money is already being taken, you will need to talk to us about making other arrangements to pay the child maintenance.

How do I pay child maintenance?

How do I know when to pay?

If you are making payments to us, we'll contact you to set up payment arrangements and tell you when to pay. We do this by sending you a collection schedule.

What's a collection schedule?

A collection schedule is a table that shows details of how much child maintenance you must pay and when. If you are paying direct to the parent with care, you may find it useful to agree your own timetable of payments, so that you and the other parent know how much child maintenance is due and on what date.

What does a collection schedule look like?

See page 22 for this. All amounts are shown as weekly, fortnightly, 4-weekly or monthly, depending on how often you have agreed to pay.

The collection schedule is usually for 12 months.

If we know that the amount you must pay will change within the next 12 months, the schedule will show this. For example, at first you may be paying any previous payments you have missed (often called 'arrears'), as well as your child maintenance payments.

If you pay all the arrears before the end of the 12 months, your collection schedule will show when to pay a different amount. Each line of the schedule will show:

- how much to pay
- the number of times you have to pay a specific amount
- the date when payments start, and
- the date they should be paid up to.

About 28 days before the date of the last payment shown, we'll send you a new schedule for the next child maintenance period. We'll also send you a new schedule if the amount of your child maintenance changes for any reason.

Where can I find out more?

To find out more about your collection schedule, you can phone us or write to us – the address and phone number are at the top of your collection schedule.

Please have your **reference number** ready when you phone or include it in your letter. You will find it in any letter we have sent you or at the top of your collection schedule. If you phone us, you will also need your National Insurance number ready – sometimes it's the same as your reference number.

Collection schedule

The total amount you must pay after we have taken off any overpayments and added together:

- your regular child maintenance payments
- any payments you owe, and
- any other payments you are responsible for.

The date you must start paying the child maintenance.

Total to be paid by you	How often paid	Number of payments	Date payment starts	Date payment ends
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The number of times you have to pay a specific amount

How often you should pay child maintenance.

You must pay the child maintenance up to and including this date. After that, we may send you a new collection schedule.

The amount of child maintenance you must pay.

Payments, other than child maintenance, you need to pay. For example:

- the cost of a DNA test, or
- court costs.

Regular maintenance amount to be paid

Plus maintenance arrears

Plus any other liabilities

Less any overpayment

The amount you need to pay to cover any previous payments you missed.

The amount of child maintenance you have overpaid.

How do I pay child maintenance?

What happens if I have to pay child maintenance to more than one parent with care?

If you are paying child maintenance to more than one parent with care through us, we work out the total amount of child maintenance you have to pay through us. We then divide this total amount so you pay the same amount for each child. You can pay the total amount through us, and we'll then send on the right amount to each parent with care, or you can pay each parent with care direct.

Sometimes, a non-resident parent may pay child maintenance to one or more parents with care through us, and also to one or more parents with care through family arrangements. In this situation, we can't take account of what you are paying through family arrangements when we work out what you have to pay through us. But if you have a court order covering child maintenance, we can take this into account.

What happens if I give money to the parent with care for another reason?

Exceptionally, a non-resident parent who normally pays child maintenance through us may pay money to or for the parent with care for a particular reason. If you do this, you can ask us to count this payment towards the amount of child maintenance you have to pay or any arrears you owe.

We may be able to count this payment if it was made, with the agreement of the parent with care, for one of the following reasons:

- to pay a mortgage or loan which is taken out to buy or pay for essential repairs or improvement to the home where the child lives, and which is secured on that home
- to pay rent or council tax for the home where the child lives
- to pay gas, water or electricity charges for the home where the child lives, or
- to make essential repairs to the heating system or fabric of the home where the child lives.

If you regularly give the parent with care money for another reason – such as to pay bills each month – then you should think about changing the way you arrange child maintenance. You could make a family arrangement, where you would not have to use the CSA. For more information, contact Child Maintenance Options by visiting **www.cmoptions.org** or call them on **0800 988 0988** or **0800 988 9888** (textphone).

How do I pay child maintenance?

What happens if I can't make a payment?

If you know you are going to miss a child maintenance payment or pay it late, you should tell us straight away.

If you are late in making a payment or have already missed a payment, you can pay by credit or debit card or online banking. Please call us straight away on **0845 7133 133** or **0845 7138 924** (textphone) if you are behind with your payments.

What will the CSA do if I can't pay or don't pay?

If you can't pay because your circumstances have changed – for example, because you have changed jobs or become unemployed – tell us and we may be able to change the amount. But if you refuse to pay, we'll take action to make sure you do pay. If you are paying through us, we can take action immediately. If you and the other parent agreed that you would pay them direct after they applied to us, and you fail to keep to that arrangement, the parent with care can ask us to take action.

We'll try to get in touch with you by phone first. If we can't contact you by phone, we'll write to warn you that we can start action to make you pay unless you:

- make an agreement to pay the full amount of the child maintenance you have missed, or
- keep to the agreement you have already made.

You then have one week to comply. If you do not contact us and agree to pay what you owe, we can start action against you.

The action we take will depend on the circumstances of each case, but could include going to court.

If you are working for an employer, and child maintenance isn't already taken from your earnings, our first step is to set up a deduction from earnings order. We'll tell your employer how much to take from your earnings. Your employer must take this amount and send it to us on your behalf.

See page 10 for more details of how deduction from earnings orders work.

What action can the CSA take if I don't pay?

We have legal powers to collect any child maintenance you owe.

You will normally receive a formal warning that we are going to take action if you don't pay the amount you owe.

We can take money from your earnings using a deduction from earnings order. We can also take money directly from your bank or building society account using a deduction order. We can set up a deduction order to take regular payments or to take a one-off payment. The bank or building society can charge you an administration fee for each deduction they make. We do not have to get your agreement before doing this.

We can also take action through the courts. This could mean losing your driving licence, being forced to sell your home or other assets, or even going to prison. Taking action through the courts is costly and you could end up paying our legal costs as well as your own. However, before we take you to court, we always take into account:

- the welfare of your children, and
- any hardship you tell us about.

If you want to know more about our powers to make sure you pay, read *What can the Child Support Agency do if I don't pay?* (CSL306). See the back page for details.

Where can I get more help and information?

If you want to know more about child maintenance and how we work it out, visit our website at **www.csa.gov.uk**. You can download all our leaflets from there and also find out how much child maintenance might be in your situation, using our online calculator. The calculator is for guidance only, and we don't keep the information you give when using it.

If you would like to talk to someone about your case, you should call the number on the top right-hand corner of your most recent letter from us. That number will be for the office handling your case.

If you do not yet have a case with us or cannot find a recent letter, you can contact our national helpline. The person taking your call will not have your personal information so won't be able to answer questions on your case. However, they can help you with anything general to do with child maintenance. They will also be able to give you the phone number of the office handling your case if you want to speak to someone who can answer specific questions.

You can call the national helpline on **0845 713 3133** from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays.

Please have your National Insurance number with you when you call.

We may record our phone calls to check our service and to train our employees.

How do I pay child maintenance?

Textphone services

If you have speech or hearing difficulties, a textphone service is available on **0845 713 8924**. Textphones are for people who find it hard to speak or hear clearly. If you do not have a textphone, some libraries or citizens advice bureaus may have one.

Textphones do **not** receive text messages from mobile phones.

Welsh-language helpline

If you want to speak to us in Welsh, you can ring our Welsh-language helpline on **0845 713 8091**. The line is open from 9am to 5pm, Monday to Friday. There is also a Welsh-language textphone service on **0845 713 8099**.

Other languages

If English is not your first language, you can use your own interpreter or one that we provide.

Call charges

Calls to **0845** numbers from BT landlines should cost no more than 5p a minute with a 13p call set-up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad. Calls from mobile phones can cost up to 40p a minute, so check the cost of calls with your service provider. Charges were correct as of the date of this leaflet.

Information in other formats

This leaflet is available in other languages, in Braille, and on audio cassette. You can order information in these formats online or by contacting our national helpline. We also have large-print versions of this leaflet available for you to download from our website, **www.csa.gov.uk**.

Leaflets available from us

What is child maintenance and how does it affect me?

(Reference: CSL301) For all parents

How do I complain about the service I get from the Child Support Agency?

(Reference: CSL308) For all parents

How do I apply for child maintenance?

(Reference: CSL309) For children aged 12 and over in Scotland or their parents

How is child maintenance worked out?

(Reference: CSL303) For all parents

What happens if someone denies they are the parent of a child?

(Reference: CSL304) For all parents

How can I appeal against a child maintenance decision?

(Reference: CSL307) For all parents

My case is moving to the child maintenance scheme introduced in 2003 – what will change?

(Reference: CSL310) For any parent whose case is moving to the current scheme

How does the Child Support Agency use and store information?

(Reference: CSL311) For all parents

How do I pay child maintenance?

(Reference: CSL305) For non-resident parents

How will I receive child maintenance?

(Reference: CSL314) For parents with care

What action can the Child Support Agency take if parents don't pay?

(Reference: CSL306) For all parents

How a child maintenance case can progress

This diagram shows you how a child maintenance case can progress. This leaflet covers part of the process at the highlighted stage.



Information and guidance

CSA can provide information on how the process works, what parents will need to do and what might be an acceptable amount of maintenance in their case.

Application

A case officially begins when a parent applies to us to set up child maintenance payments.

If there is a change in either parent's life that could affect the amount of child maintenance that should be paid, we can review your case – so let us know.



Gathering information and calculation

To work out the amount of child maintenance that should be paid, we need to gather important information. We ask both parents to provide certain information. When we have this, we will work out child maintenance.



Payment

The non-resident parent pays the agreed amount on the agreed dates and in the agreed way. This can be either direct to the parent with care, or to us. We then pass the payments on.

Enforcement

If the payments aren't made in full or on time, we can take action.

How do I pay child maintenance?

Glossary

Child

For child maintenance purposes, a child is anyone under 16 or someone between 16 and 20 who:

- is not, nor has ever been, married or in a civil partnership, and
- is in full-time non-advanced education.

However, if child benefit is still being received, someone under 20 can still be regarded as a child for child maintenance purposes even if they are not in full-time non-advanced education.

Child maintenance

Money paid by the non-resident parent to the parent with care towards their child's everyday living costs.

Collection schedule

A table that shows details of your child maintenance payments. It shows how much child maintenance is due and on what date.

Deduction from earnings order

One of the ways we normally set up payments if the non-resident parent is employed. Under a deduction from earnings order, we ask the non-resident parent's employer to take child maintenance direct from the non-resident parent's earnings and send it to us.

We can also set up a deduction from earnings order if the non-resident parent is employed and they have not kept to other payment methods or have failed to agree a payment method.

Deduction order

This is how we take the child maintenance that the non-resident parent owes, direct from their bank or building society account. We can set up a deduction order to take regular payments or to take a one-off payment. The bank or building society can charge an administration fee for each deduction they make. We do not have to get the non-resident parent's agreement to do this and do not have to ask a court for permission.

Income-related benefits

In all CSA leaflets, income-related benefits are Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance.

Non-resident parent

The parent who the child does not normally live with.

Parent with care

The parent or carer who the child normally lives with and who therefore pays for most of the child's everyday living costs. In some cases this can be a grandparent, guardian or other family member – who is known as the 'person with care', rather than the parent with care.

Information in CSA leaflets is also available in other languages, in large print, in Braille and on audio cassette.

You can get any of our leaflets:

- by phone on **0845 713 3133** (the line is open from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays)
- by textphone on **0845 713 8924**, or
- from our website at **www.csa.gov.uk**.

Where textphone numbers are provided, these are for people who find it hard to speak or hear clearly. If you do not have a textphone, some libraries or citizens advice bureaux may have one. Textphones do not receive text messages from mobile phones.

CSL305

October 2012

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ISBN: 978-1-84763-533-4

