

# Withdrawn

This publication is withdrawn.  
The publication is no longer current.



Child Maintenance  
Service

# About the Child Maintenance Service

A guide for  
paying parents  
and receiving  
parents



## 2 Receiving child maintenance

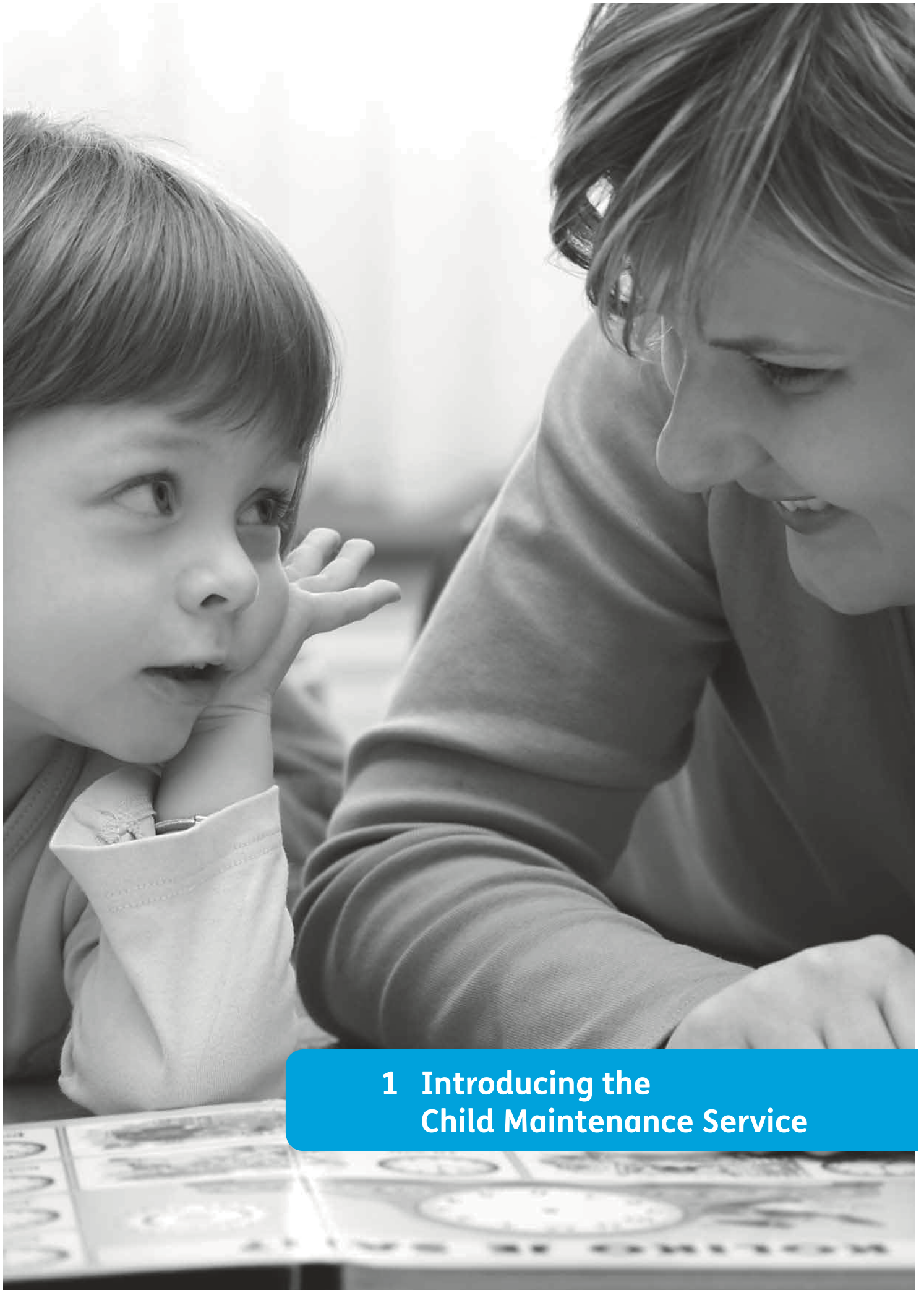
### Important information

This leaflet is only a guide and does not cover every circumstance. It only refers to the statutory child maintenance scheme provided by the Child Maintenance Service. It does not refer to any child maintenance schemes provided by the Child Support Agency.

We have done our best to make sure the leaflet is correct as of April 2019, but it may not reflect changes to the law or to our procedures after this date. You may want to get independent advice before making financial decisions based on the content of this leaflet.

### Contents

- 3 Introducing the Child Maintenance Service
- 10 Direct Pay and Collect and Pay
- 13 How we work out child maintenance
- 21 Paying and receiving child maintenance
- 25 How the Child Maintenance Service deals with missed payments
- 28 Disagreements about parentage
- 30 Changes you need to tell us about
- 33 Our commitment to you
- 35 Useful information
- 38 Glossary
- 42 Our leaflets
- 44 Our factsheets



## 1 Introducing the Child Maintenance Service

## 4 Introducing the Child Maintenance Service

### Introducing the Child Maintenance Service

This leaflet gives an introduction to the Child Maintenance Service and an overview of what we do, including:

- who the Child Maintenance Service are
- what child maintenance is
- how to get in touch with us
- what happens after an application is made
- what to expect from our service
- how you can arrange to pay or receive child maintenance
- how we work out child maintenance

#### About us

The Child Maintenance Service is the government's statutory child maintenance service. We work out, and if necessary collect and pay out, child maintenance payments on behalf of some separated parents in England, Wales and Scotland. We do this when parents cannot sort out child maintenance themselves.

We support parents who can't make a 'family-based arrangement' (a family-based arrangement is when parents work together to sort out child maintenance between themselves). Our aim is to get more money to more children, by helping parents who live apart from their children contribute towards their children's upkeep by paying child maintenance.

There are fees and charges for using the Child Maintenance Service. This leaflet explains how you can avoid them.

#### What is child maintenance?

Child maintenance is regular, reliable financial support that helps towards a child's everyday living costs.

In most cases, the parent who does not have the main day-to-day care of the child (the paying parent<sup>†</sup>) pays child maintenance to the parent who does have the main day-to-day care (the receiving parent<sup>†</sup>). In some cases, the receiving person can be a grandparent or guardian.

A child who lives in Scotland can apply to the Child Maintenance Service if they are aged 12 to 19 and in full-time, non-advanced education (up to sixth-year studies) or approved training.

<sup>†</sup> You may have heard different terms used to describe the parents in a child maintenance case.

In child support law:

- the parent who receives child maintenance is known as the 'parent with care' – we call them the 'receiving parent'
- the parent who pays child maintenance is known as the 'non-resident parent' – we call them the 'paying parent'

## Get in touch

If you can not find the information you need in this leaflet, you can contact us or find out more in the following ways:



### On the web:

Go to: [www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance)



### By phone:

Call us on **0800 171 2345\***. Our TextBox and textphone number is **0800 232 1975 \***.

Our opening hours are:

8:00am – 7:30pm – Monday to Friday

9:00am – 4:30pm – Saturday



### By letter:

Write to us at:

Child Maintenance Service 21

Mail Handling Site A

Wolverhampton

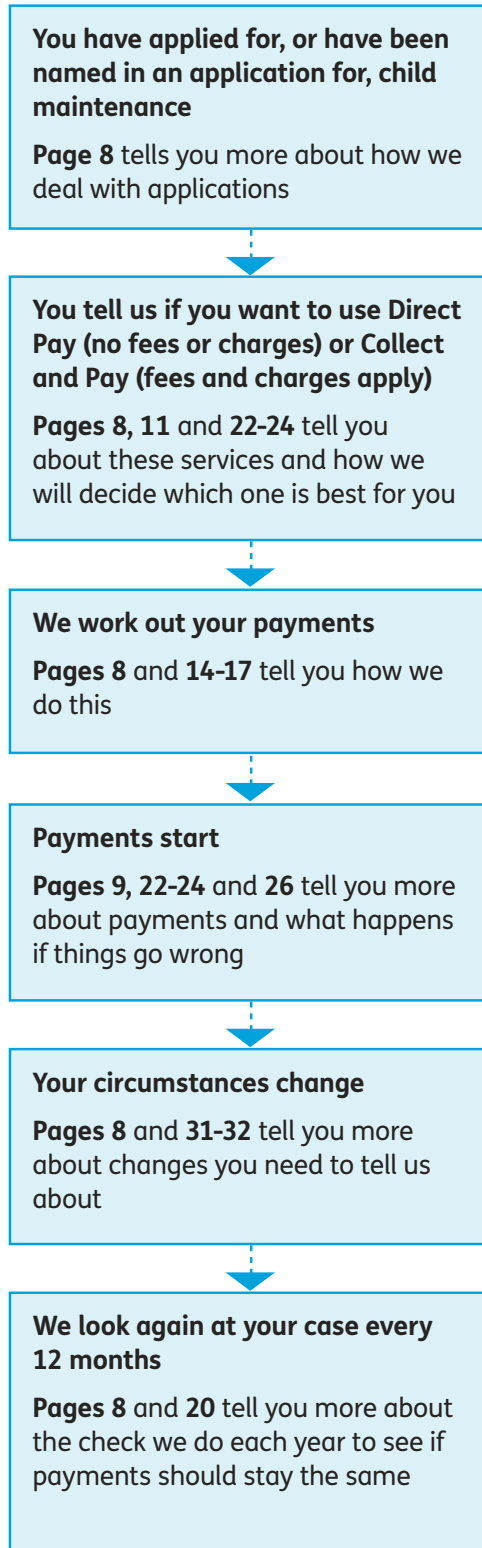
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#### \*Call charges

Calls to 0800 numbers are free from landlines and mobiles.



## What happens after an application for child maintenance is made?





## 8 Introducing the Child Maintenance Service

### How will the Child Maintenance Service help me?

When an application is made, we will do all we can to help set up a child maintenance arrangement that suits both parents' circumstances.

If you are the person who has made an application, we will:

- tell you how much your child maintenance payments are likely to be, based on the information you or someone else has given us
- try to trace the other parent if you want us to
- if needed, sort out any disagreements about who is the parent of a child (you can find more about this on page 29)
- find and contact the other parent and get any information we need from them

You and the other parent can arrange payments directly between yourselves (Direct Pay). Or, if you want us to, we will also collect payments from the paying parent and pass them on to you (Collect and Pay). (You can find out more about this on page 22).

Once a child maintenance case is set up, we will:

- look again at your child maintenance payments if your circumstances change
- do a yearly check to make sure the amount of child maintenance you pay or receive is still correct. This is called an Annual Review (you can find out more about this on page 20)
- take action to enforce payments if they are missed

### What does the Child Maintenance Service do?

When you use the Child Maintenance Service, you can expect:

#### An accurate and quick calculation

We use the paying parent's gross annual income as the starting point when we work out child maintenance. Their gross annual income is their yearly income before Income Tax and National Insurance are taken off, but after occupational or personal pension scheme contributions are taken away.

In most cases, this information is given to HM Revenue & Customs (HMRC) by the paying parent, their employer or a third party such as their accountant.

We have instant access to this information – this means we can process applications more quickly. It also means we can work out an accurate amount without waiting for the paying parent to give us information.

#### Annual Reviews

Every year we look again at the paying parent's income, benefits and other circumstances. This helps us to work out if the amount of child maintenance to be paid for the next 12 months should stay the same, or if it should go up or down.

We call this the Annual Review. See page 20 for more information.

## A firm approach to missed payments

If things go wrong and we have to take action to get child maintenance payments, we have a range of legal powers which help us to make sure paying parents pay child maintenance in full and on time. We will take the right action when we need to so that more children will benefit from parents paying what they owe.

If you are using Direct Pay, we need to be told when payments have been missed. If you have not received your payment within 5 days of your agreed payment date let us know. We can then move the case to Collect and Pay and take action. This will mean that both parents will also have to pay collection fees.

You can see more about this on page 26.

## Regular communication

### Information about your case

When we have set up a case, or when the amount of child maintenance changes, we will write to you to confirm the amount of weekly child maintenance that must be paid by the paying parent. This letter will also explain how we have worked out payments.

If you are a paying parent we will also send you a statement every year. This will tell you the amount of maintenance you have paid during the last 12 months.

If you are a receiving parent we will also send you a statement every year. This will tell you the amount of maintenance you have received during the last 12 months.

## Can I manage my case online?

Our self-service website will let you see your case information 24 hours a day, 7 days a week – saving you the time and cost of calling us, and it is available whenever you need it.

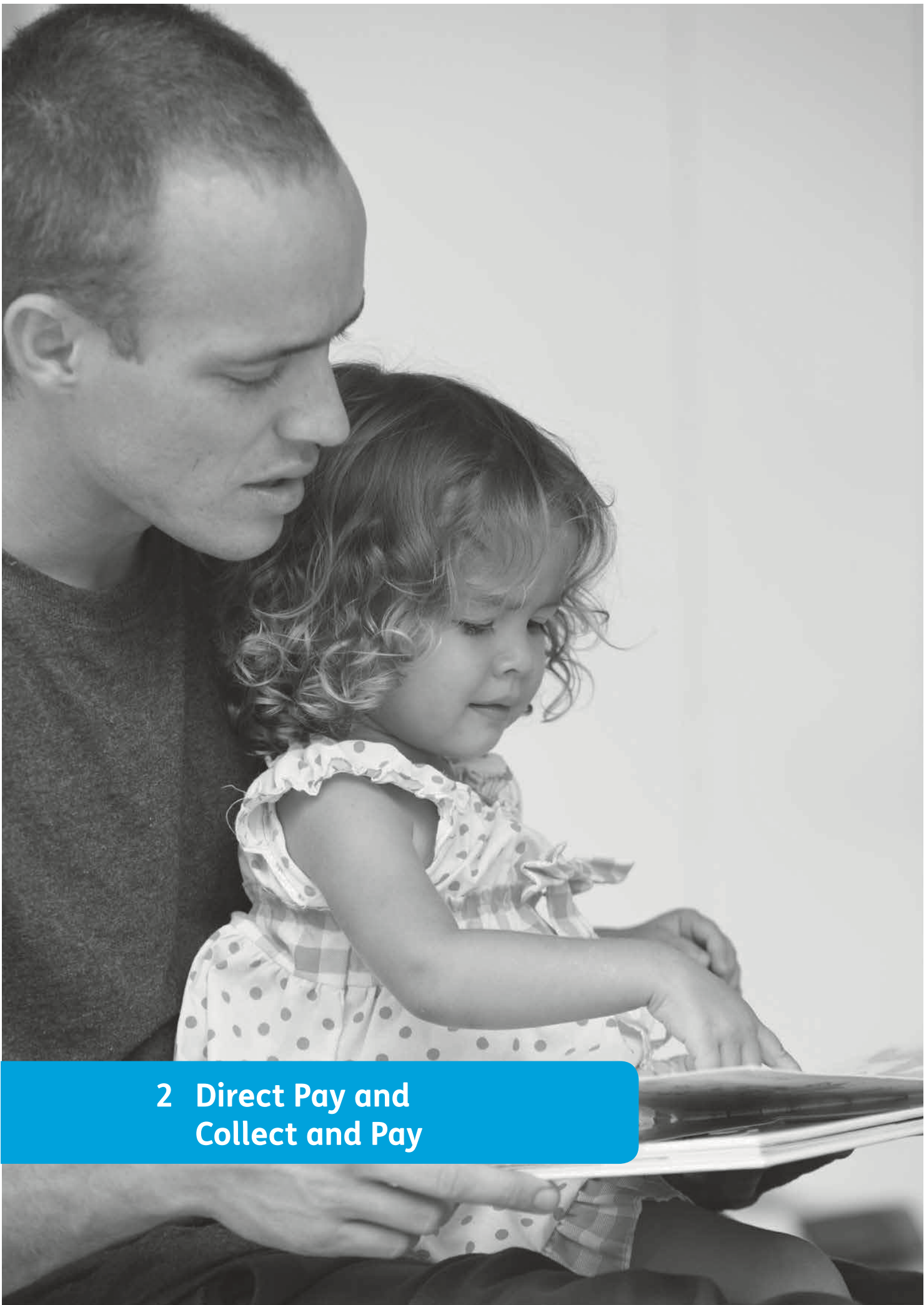
Once you have registered for a self-service account, you can:

- view and track your payments (Collect and Pay only)
- update your personal details
- view your contact history.

You will also be able to get in touch with us at a time that suits you, using an online feedback form.

Information on this site is confidential and only you and our staff can see it. If you choose not to use self-service, you can still keep up to date with your case by calling us on **0800 171 2345\***.

**For more information about the self-service website and for instructions on how to register for a self-service account, go to <http://childmaintenanceservice.direct.gov.uk/client> or see our factsheet *Managing your case online with a self-service account*.**



**2 Direct Pay and  
Collect and Pay**

## Many parents use our Direct Pay service to pay and receive child maintenance

When you use Direct Pay:

- **we will work out your payments**
- **you will pay and receive child maintenance directly between yourselves**
- **we will not charge collection fees** (20% for the paying parent, 4% for the receiving parent)
- **we can take action to get payments paid regularly again if things go wrong**

### How do parents make payments?

You can decide between yourselves when and how to pay child maintenance, or you can use the payment schedule we will send to you.

It is very important that you both keep a record of all payments you make or receive, just in case there are any disagreements.

You do not need to have contact with the parent to use Direct Pay, but they will need to know your bank or building society account details.

If you have experienced domestic violence or abuse we can tell you how to set up a bank account that will not give any clue about where you are living. Page 22 has more details about how you can arrange payments\*.

### What do I need to do if things go wrong?

You will need to tell us if Direct Pay is not working so we can try to help.

If payments are not being made in full or on time, the receiving parent will need to let us know as soon as possible that payments have been missed. It can take up to 5 working days for payments to reach the receiving parent while banks and building societies pass money between accounts.

If the paying parent can not prove they have made the payments, we can change the payment service to Collect and Pay (see page 12) and take action to collect the payments that have been missed. We may also choose the method used to collect the child maintenance.

If your case moves from Direct Pay to Collect and Pay you will both have to pay collection fees. These will be **20%** on top of every child maintenance payment for the paying parent and a **4% collection fee** taken away from each payment we pass on to the receiving parent.

Direct Pay can sometimes be confused with a family-based arrangement, which is made without involving the Child Maintenance Service.

With Direct Pay, the paying parent legally has to pay child maintenance. That is because even though we do not get involved in collecting and passing on the child maintenance payments, we still work them out. We can also take action if payments are missed and we are told about this.

But making a Direct Pay arrangement could perhaps be the first step for parents towards making a family-based arrangement in the future.

### If you can not use Direct Pay, you can use Collect and Pay

A Collect and Pay arrangement means we collect payments from the paying parent and then pass them on to the receiving parent.

**Using Collect and Pay means a 20% collection fee would be paid by the paying parent on top of every child maintenance payment. It would also mean a 4% collection fee being taken away from each payment we pass on to the receiving parent.**

When you use Collect and Pay, we can collect payments from the paying parent in several ways, including:

- by Direct Debit
- direct from wages or earnings (using a 'deduction from earnings order')
- direct from benefits

When we collect a child maintenance payment from a paying parent, we will transfer it to the receiving parent's bank or building society account. Remember, we can only transfer payments that we receive.

Paying parents who use Collect and Pay can pay:

- by Direct Debit
- direct from wages or benefits
- online using their self-service account (with a debit or credit card)

The date when payments will be made depends on when the paying parent is paid their wages, pension or benefits.

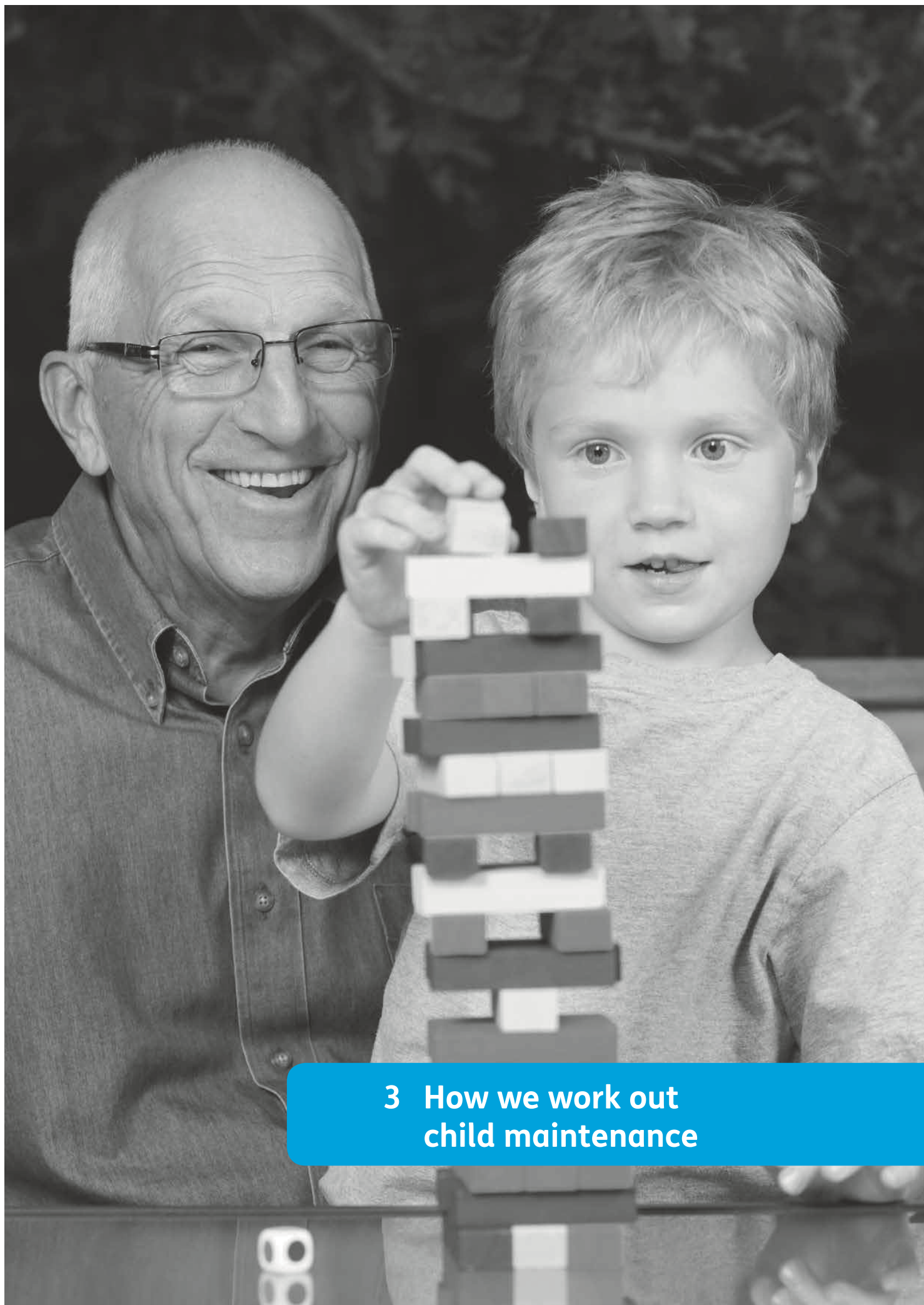
#### Who decides whether we use Direct Pay or Collect and Pay?

Either parent can ask to use Direct Pay, but you may not be able to get your preferred option:

- If the receiving parent asks for a Direct Pay arrangement, we will always set up the case as Direct Pay
- If the paying parent asks for a Direct Pay arrangement, but the receiving parent wants to use Collect and Pay, we will look at whether it is in the child or children's best interests for Direct Pay to be used
- If both parents ask for Collect and Pay we will set the case up as Collect and Pay

Without a good reason – such as proof of previous missed payments – we can not force the paying parent to use Collect and Pay and pay collection fees.

We will let you know which service will be used.



**3 How we work out child maintenance**

## 14 How we work out child maintenance

In most cases, we follow **six steps** when we work out how much child maintenance a paying parent must pay.

### Step 1 – Income

First, we find out a paying parent's gross annual income or we check if they are getting benefits.

Gross annual income is the paying parent's yearly income before Income Tax and National Insurance are taken off, but after occupational or personal pension scheme contributions are taken away.

#### Where do we get this information from?

In most cases, the gross annual income figure we use to work out child maintenance comes from information given to HM Revenue & Customs by the paying parent, their employer or a third party such as their accountant.

#### What if a paying parent does not agree with this figure?

A paying parent, their employer or their accountant can send evidence of gross annual income directly to us if they want.

But we will only use this amount to work out child maintenance if it is **at least 25% more or less** than the income figure given to HMRC by the paying parent, their employer or a third party such as their accountant. See our leaflet [How we work out child maintenance](#) for more details.

### Step 2 – Other things that affect income

If we are asked to, we check for certain things that could change the gross income amount, such as pension payments.

If we are told about them, we can also take into account the following:

- certain costs or expenses the paying parent pays
- certain types of extra income that the paying parent gets

If these things apply, we can make a 'variation' decision. This will change the income figure we use to work out child maintenance. (See page 18 for more information about variations).

We also convert the gross income amount to a **weekly** figure.

### Step 3 – Child maintenance rates

We apply one of **four** rates to the amount of gross weekly income.

The rates are different depending on the gross weekly income amount:

- **Basic** – for weekly income between £200 and £800 and **Basic Plus** – for weekly income between £800.01 and £3,000
- **Reduced** – for weekly income between £100.01 and £199.99
- **Flat** – for weekly income of £100 or less, or if the paying parent gets certain benefits
- **Nil** – for weekly income below £7 or if other circumstances apply

### Step 4 – Children we take into account

In Step 4 we:

- look at the number of children the paying parent needs to pay child maintenance for
- see if we also need to consider any other children the paying parent supports

We also check to see if we need to take any **family-based arrangements** into account (see page 11 for more information).

### Step 5 – Weekly amount of child maintenance

In the first four steps, we found out the following:

- the gross weekly income
- any other things that change that figure
- the child maintenance rate that applies
- the children we take into account

Using all this information, in Step 5 we work out the weekly amount of child maintenance that must be paid by the paying parent.

### Step 6 – Shared care

Finally, if this applies, we make a deduction to this weekly amount of child maintenance depending on the average number of ‘shared care’ nights a week. ‘Shared care’ is when a child a paying parent must pay child maintenance for stays overnight with them.



Following all six steps gives us a total weekly amount of child maintenance that a paying parent must pay. But if parents use the Collect and Pay service, collection fees will affect the amount of child maintenance they must pay or will receive (see the box below).

#### Flat rate

If the Flat rate applies, the paying parent pays a set amount of £7 a week for child maintenance. This amount is then split between the children in the case who qualify for child maintenance.

#### Nil rate

If the Nil rate applies, the paying parent does not have to pay any child maintenance.

#### Collect and Pay collection fees

Paying parents who use **Collect and Pay** must pay a **collection fee** each time we collect a payment from them. Receiving parents who use Collect and Pay are also charged a fee each time we pass a payment on to them.

- for **paying parents**, a **20%** fee is **added** to each amount of child maintenance we collect from them, if Collect and Pay is used
- paying parents are charged a fee even if they miss a payment
- for **receiving parents**, a **4%** fee is **taken away** from each amount of child maintenance they are due to receive, if Collect and Pay is used
- receiving parents are only charged a fee when we pass a payment on to them

#### How can I avoid paying the collection fees?

If parents work together to arrange child maintenance, we do not charge any collection fees.

**There is no fee to pay if you use our Direct Pay service.** Direct Pay is when we work out the amount of child maintenance a paying parent must pay, but parents agree between themselves how and when payments are made.

Paying parents or receiving parents can ask us to change from a Collect and Pay arrangement to a Direct Pay arrangement. Call us on **0800 171 2345\*** to talk about this. We will change the arrangement, unless we have a reason to believe it is not in a child's best interests to do this.

You also will not pay fees if you and the other parent make a **family-based arrangement** and do not use the Child Maintenance Service at all. This is when parents work together to sort out child maintenance between themselves without our getting involved. Find out more about this by going to the Help and Support for Separated Families section at [www.cmoptions.org](http://www.cmoptions.org).

### What will this mean for me?

This example shows how the fees work.

#### Example:

David is a paying parent. Vicky is a receiving parent. Vicky has paid £20 to make an application to the Child Maintenance Service. David and Vicky have a Collect and Pay arrangement.

#### David's fees

We work out that David must pay **£50** a week in child maintenance. He must also pay a collection fee of **20%** on top of his weekly payment. This fee works out at **£10** for each weekly payment.

After the fee is added, this means David must pay a total of **£60** a week to us. Because David and Vicky use Collect and Pay, if David pays child maintenance for 10 years and his weekly payment stays the same, he will pay a **total of £5,200 in fees**.

#### Vicky's fees

Vicky is due to receive £50 a week in child maintenance. We charge a collection fee of **4%** each time we pass on David's payment to her. This fee works out at **£2** for each weekly payment.

After the fee is taken away, this means we pay out **£48** each week to Vicky.

Because David and Vicky use Collect and Pay, if David pays child maintenance for 10 years and his weekly payment stays the same, Vicky will lose a **total of £1,040** in child maintenance because of the fees.

**David and Vicky could both avoid paying fees if they worked together to arrange child maintenance.**

The content of the examples in this leaflet (including any imagery) is for illustrative purposes only.

You can find more details about how we work out child maintenance in our leaflet [How we work out child maintenance](#).

## Applying for a variation

As we explained in Step 2 on page 14, you can ask us to take into account certain costs or expenses a paying parent has or any extra income they may receive.

This is called applying for a **variation**. You can only apply for a variation for certain types of income and expenses.

### Additional income

The receiving parent (or the paying parent) can ask us to look at certain types of the paying parent's income that are not included in the main rules we use to work out child maintenance. This is called '**additional income**' and can **increase** the paying parent's gross income figure we use to work out child maintenance.

The receiving parent (or the paying parent) can apply for an additional income variation for:

- '**unearned**' **income** – such as rental income a paying parent may receive from property or land, or dividends and interest from savings and investments (this income must be at least £2,500 a year)
- '**earned**' **income** – when the paying parent or their partner receives benefits and has gross income from a pension, employment, self-employment or taxable benefits (this income must be at least £100 a week)
- '**diversion**' **of income** – this is when the paying parent is able to control the amount of income they receive by diverting it to another person or other purpose, which means it is not being included in the income we use to work out child maintenance

### Special expenses

A paying parent can ask us to take certain expenses into account. These are called '**special expenses**' and can **reduce** the paying parent's gross income figure we use to work out child maintenance.

A paying parent can apply for a special expenses variation for:

- the cost of keeping up regular contact with a child or children you pay child maintenance for – for example, the cost of fuel to travel between the home of the paying parent and the child (must be at least £10 a week)
- costs connected with supporting a child with a disability or a long-term illness who lives with the paying parent or their partner
- repaying debts from a former relationship – for example, you are paying a car loan for a car the receiving parent has kept (must be at least £10 a week)
- boarding school fees for a child or children you pay child maintenance for – but only the everyday living costs or 'boarding' part of the fees (must be at least £10 a week)
- making payments on a mortgage, loan or insurance policy for the home that you and the receiving parent used to share – the receiving parent and the child or children must still live in the home, and you must have no legal or 'equitable' interest in it (must be at least £10 a week)

A paying parent can not ask us to take special expenses into account if their gross income is less than £7 a week or if they are getting benefits.

You can find more information on variations at [www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance) or in the leaflet *How we work out child maintenance*.

### How we tell parents about a child maintenance decision

Whenever we work out an amount of child maintenance, we send the paying parent and the receiving parent:

- a letter that tells each parent how much child maintenance the paying parent must pay each week
- a step-by-step breakdown of the information we have used to work out that weekly amount (unless the Nil rate applies)
- the leaflet *How we work out child maintenance*, which has more details about each of the six steps
- a schedule of when payments should be made or received (in Collect and Pay cases only) – see page 23 for more information

## Annual Review

Every year, we look again at the paying parent's income, benefits and other circumstances. This helps us to work out if the amount of child maintenance they pay for the next 12 months should stay the same, or if it should go up or down.

We call this the **Annual Review**.

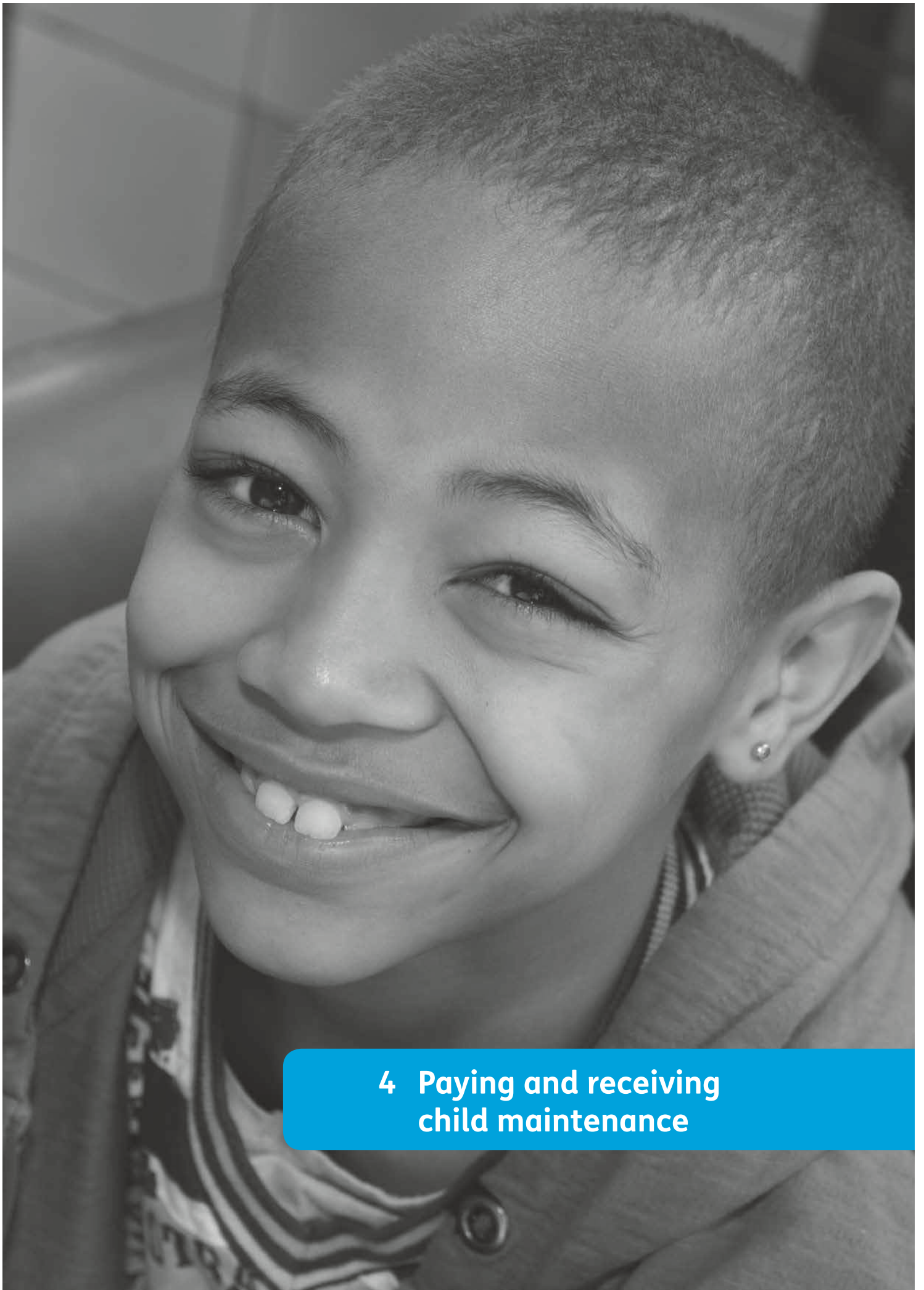
The information we use during the Annual Review comes from either:

- information that the paying parent, their employer, or another party (such as their accountant) previously gave to HMRC, or
- information the paying parent, their employer or their accountant gives directly to us

### Key facts

- the Annual Review of a child maintenance case happens every 12 months – on the anniversary of the date when a paying parent was told about a child maintenance application
- an Annual Review is carried out for every case in which child maintenance is due
- the Annual Review date decision lasts until the next Annual Review 12 months later, unless changes happen that affect payments before then
- it is also a chance for parents to look again at their case to see if it is possible to switch from Collect and Pay to Direct Pay, or from Direct Pay to a family-based arrangement

You can find much more information about the Annual Review in our leaflet ***The Annual Review – how it works***. We send this to you before the Annual Review takes place.



## 4 Paying and receiving child maintenance

## Paying and receiving child maintenance

### Paying and receiving child maintenance – Direct Pay

If a Direct Pay arrangement is in place parents can decide between themselves when to pay and how to pay child maintenance.

It is really important that both parents keep a record of all child maintenance payments made and received. This is in case there are any disagreements over payments in the future. We do not recommend making payments in cash as you will be unable to prove what payments have been paid or received. There are two ways to pay.

#### Standing orders

With a standing order, money is sent direct from the paying parent's bank account to the receiving parent's bank account.

Many paying parents who use Direct Pay set up a regular standing order that is paid when they get their wages. For example, if their employer pays them monthly, they pay child maintenance every month too. A standing order is also a good way of keeping a record of payments.

If parents can not contact each other to set up a Direct Pay arrangement, the Child Maintenance Service can securely pass bank details to the other parent so they can send or receive payments.

If the receiving parent can not share bank or building society details with the paying parent, the Child Maintenance Service can explain how to set up a free account that will not give any clue about location.

#### Money transfer services

If you do not want to share your bank or building society details with the other parent, you could choose to use a money transfer service, such as **PayPal** ([www.paypal.co.uk](http://www.paypal.co.uk)) or **MoneyGram** ([www.moneygram.com](http://www.moneygram.com)).

PayPal offers an online or 'e-money' transfer service. This means payments can be made using the internet without giving your sensitive financial information to the other parent.

With MoneyGram you can transfer money through the Post Office, or you can do it online.

**Important: some of these services may charge a fee. Check with the service provider to make sure you understand if any charges will apply.**

The web links above are to websites that are entirely independent of the Child Maintenance Service. We have no control over the content of these sites or the services offered by the site owners. We accept no responsibility for these sites or for any loss or damage that may arise from your using them. We have provided a link to these sites to show you the types of organisation which are able to offer a money transfer service.

### Paying child maintenance – Collect and Pay

This type of arrangement may be right for you if you do not think you can reach an agreement with the other parent and you can not make a Direct Pay arrangement. But remember, using Collect and Pay means that a paying parent must pay a **20% collection fee** on top of the amount of child maintenance, for each child maintenance payment.

**If a paying parent is employed and can not use Direct Pay**, we will usually ask them to pay us by Direct Debit. Or, we may take the money direct from their earnings using a 'deduction from earnings order'.

**If a paying parent is self-employed and can't use Direct Pay**, we will usually ask them to set up a Direct Debit to pay us.

**If a paying parent receives income-related benefits**, we will usually take the money direct from their benefits before they receive them.

When we get full payment from the paying parent, we'll transfer the payment to the receiving parent. We aim to do this as quickly as possible, but it can take a few days to clear through the bank.

### Receiving child maintenance – Collect and Pay

Once we have collected a child maintenance payment from a paying parent, we will pass it on to the receiving parent. Usually, this means we pay the money into the receiving parent's bank or building society account. We aim to do this within one week of receiving payment from the paying parent. This takes into account any time needed for payments to clear.

If a receiving parent does not have a bank or building society account and can not open one, we may be able to organise other ways of receiving child maintenance. See page 34 to find out how to contact us.

But remember, using Collect and Pay means that a **4% collection fee** is taken away from each amount of child maintenance a receiving parent gets.



## 24 Paying and receiving child maintenance

### How often child maintenance should be paid – Collect and Pay

When a case is first set up, we will agree with the paying parent when they will pay child maintenance. This is usually based on when the paying parent receives their earnings or pension. Most payments are made:

- every week (52 payments a year), or
- every month (12 payments a year)

If child maintenance is taken from a paying parent's benefits, the receiving parent should receive their child maintenance payments as often as the paying parent gets their benefit payments.

This can be:

- every two weeks (26 payments a year), or
- every four weeks (13 payments a year)

So, for example, if a paying parent gets their benefit payments every two weeks, the receiving parent should receive their child maintenance payments every two weeks also.

### The Payment Plan

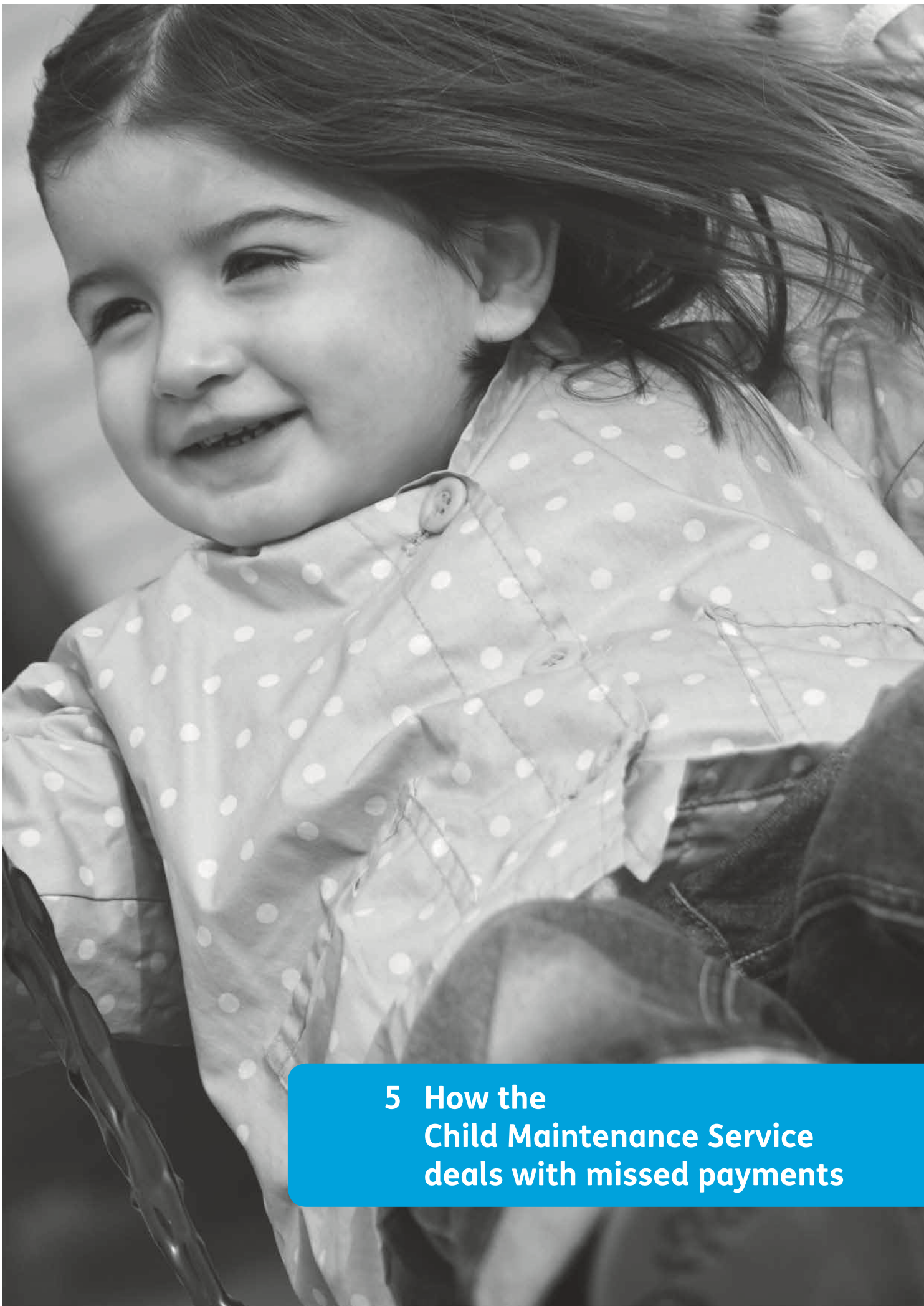
Whether you use Direct Pay or Collect and Pay, if you are the paying parent, we will send you a **Payment Plan** when we work out your payments. This will tell you:

- how much child maintenance you must pay over a certain payment period
- when you need to make the payments

### The Expected Payments Plan

Whether you use Direct Pay or Collect and Pay, if you are the receiving parent, we will send you an **Expected Payments Plan** so that you know

- how much child maintenance you are due to receive
- on what day child maintenance will be collected from the paying parent (or their employer), or what day you have agreed for the payments to be made directly to you



**5 How the  
Child Maintenance Service  
deals with missed payments**

## How the Child Maintenance Service deals with missed payments

If a paying parent uses the Child Maintenance Service to pay child maintenance, they must pay the right amount, on time. If they do not, we can and will take action to get the money owed.

If a paying parent uses Collect and Pay and they miss a payment, we can take action straight away.

If they use Direct Pay, the receiving parent needs to ask us to take action before we can do so.

We will then contact the paying parent to find out why they have not paid, and ask for evidence if they have made the payment.

If we find that payments have been missed we can take action against the paying parent to try and recover them.

We will also change the case to Collect and Pay.

We will take the action that we think will be most effective. We can take more than one action at a time.

If you are a paying parent and you know you are going to be late making a payment or you miss a payment, please tell us straight away.

### What action we can take against paying parents

There are three things we can do to get unpaid child maintenance from a paying parent:

- take the money direct from their earnings
- take the money from their bank or building society account
- take action through the courts

There are several actions we can take through the courts to get unpaid child maintenance from a paying parent. For example, we can ask the court to:

- ask bailiffs to seize the paying parent's property (in England and Wales)
- sell a paying parent's property
- send a paying parent to prison

If we have to take action through the courts, the paying parent may have to pay their own legal costs and our legal costs. This is on top of the child maintenance they owe.

### Other times we can take legal action

There are also other times when we can take legal action. For example, when someone:

- does not give us information when we ask for it
- gives us information that they know is untrue
- does not tell us when certain circumstances have changed

Read our leaflet *What happens if a paying parent doesn't pay Child Maintenance?* for more information about the actions the Child Maintenance Service can take.

### Enforcement charges

Under child support law, we may charge paying parents for taking some enforcement actions. The actions we can take, and the amounts we will charge you for taking them, are:

Type of enforcement action	One-off charge
Taking money direct from your earnings	£50
Taking regular amounts direct from your bank, building society or Post Office account	£50
Taking a lump sum amount direct from your bank, building society or Post Office account	£200
Setting up a liability order	£300

We will always tell you if we will charge you when we take action. We will confirm the charge in writing.



## 6 Disagreements about parentage

## Disagreements about parentage

When a parent applies to the Child Maintenance Service, they must name the other parent of their child or children. The person they name may deny that they are the parent. They can do this before or after child maintenance is worked out.

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

If someone denies they are the parent of a child, we will:

- tell the parent who applied to receive child maintenance
- ask both people to provide evidence to support their claims

If the person named as the parent can not provide evidence that they are not the parent, we will take one or more of the following actions:

- ‘presume parentage’ – this is when we decide we have good reason to believe that someone is the parent
- ask the person named as the parent to take a DNA test
- ask the courts to make a decision

### Paying child maintenance during a disagreement about parentage

We always ask the person named as the parent of a child whether they accept that they are the parent of that child before we work out child maintenance.

If that person denies they are the parent at that point, we will not work out child maintenance, or ask them to pay, until the disagreement has been sorted out.

If we have already worked out child maintenance before they deny parentage, the person named as the parent has to pay until they prove they are not the parent. If they go on to prove they are not the parent, we will refund the child maintenance payments they made.

But we may only refund payments made after the date that the person first denied they are the parent. We do not have to pay back any child maintenance paid before someone denies that they are the parent.

Whether we make any refunds depends on the individual circumstances of the case.

**For more information about what happens when there is a disagreement about parentage – including presumed parentage and DNA tests – see our leaflet *What happens when someone denies they are the parent of a child?***



**7 Changes you need to tell us about**

Most people's child maintenance payments will only change at the Annual Review. But if either parent's circumstances change, it can mean that we need to change the amount of maintenance that must be paid before the next Annual Review.

## Changes to tell us about – paying parents

**If you are a paying parent, you must tell us about the following changes:**

### Changes to your income

If we use a gross income amount given to us by you, your employer or your accountant to work out child maintenance, **you must tell us within 7 days** of the change if:

- the gross weekly income amount **goes up by at least 25%** (**Important:** you do not have to tell us about this if your child maintenance payments are based on a gross income amount given to HM Revenue & Customs by you, your employer or your accountant – although you can if you want to)
- you qualify for the Nil rate of child maintenance and your gross weekly income goes up to £7 or more

**The change to your income should be one that is likely to stay the same for the foreseeable future.**

**Important:** If you do not tell us about a change in your income within **7 days**, you may be prosecuted. If you are found guilty you could be **fined up to £1,000**. Your child maintenance payments may also be backdated to the date when the change happened.

### Changes to your job or employment

If you are employed – and we have used gross income information given to us by you, your employer or your accountant to work out child maintenance – **you must tell us within 7 days of the change** if you change your employer or your working hours and this leads to at least a 25% change in your gross income, up or down.

**Important:** If you do not tell us about this type of change within **7 days**, you may be prosecuted and **fined up to £1,000**. Your child maintenance payments may also be backdated to the date when the change happened.

### Deduction from earnings

If you pay child maintenance through a **deduction from earnings order** and you change or leave your job, you must tell us within **7 days**:

- the name and address of your new employer (if you have one)
- how much you earn or expect to earn (if you are working)
- your new payroll number (if any)
- the type of work you are doing, and
- the address where you are working

**Important:** If you do not tell us about this type of change within **7 days**, you may be prosecuted. If you are found guilty you could be **fined up to £500** (this amount may change in the future). Your child maintenance payments may also be backdated to the date when the change happened.



### Changes to your address

**You must also tell us within 7 days** of the change if your address changes. **Important:** If you do not tell us about a change of address within 7 days, you may be prosecuted. If you are found guilty you could be fined up to **£1,000**.

### Changes to your name

You must tell us if you change your name. Please also tell us if you do not want us to share your new name with the other parent. Instead, we will continue to use your previous name when we write to the other parent. However, if we need to take legal enforcement action against you we may need to use your new name in correspondence. The other parent will see this name as part of the legal enforcement process.

You should also tell us if:

- a child who receives child maintenance leaves full-time, non-advanced education or approved training, gets married or enters into a civil partnership
- anyone involved in the child maintenance case dies, or
- you have a **Collect and Pay** arrangement (where you pay collection fees) and want to switch to a **Direct Pay** arrangement (where you don't pay collection fees)

### Changes to tell us about – receiving parents

You should also tell us if:

- your contact details change
- your personal information or bank or building society account details change
- you want to change from a **Collect and Pay** arrangement to the Direct Pay service (there are no collection fees if you use Direct Pay) or
- you want to change from the **Direct Pay** service to a Collect and Pay arrangement (there are collection fees if you use Collect and Pay).
- you should continue to pay the amount stated on your Payment Plan. If the amount needs to change we will write and tell you
- you change your name. Please also tell us if you do not want us to share your new name with the other parent. Instead, we will continue to use your previous name when we write to the other parent. However, if we need to take legal enforcement action on your case we may need to use your new name in correspondence. The other parent will see this name as part of the legal enforcement process

**If any of these changes happen, or if you are not sure if a change will affect your payments, please call us straight away on 0800 171 2345\*.**

If we ask for information and you do not provide it, or if you give us information that you know is untrue, we can take you to court. If you are found guilty 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.

**You can find more information about what happens if your circumstances change in our leaflet *Changes you need to tell us about*.**



## 8 Our commitment to you

## Our commitment to you

We keep the interests of your child at the heart of everything we do. We do this by working with you to provide a service that helps you easily manage your child maintenance arrangements.

### We will be:

#### **Responsive...**

We will answer your questions and sort out any issues as quickly as we can. If your needs change, we will change with you. And we'll use your feedback to improve how we do things.

#### **Reliable...**

We will always tell you what is going on in your case and if we say we will do something, we will do it. You will get the right information – and it will be the same information no matter who you speak to.

#### **Respectful...**

We will be open and honest, and treat you fairly. We will explain what we are doing or why we are asking you for something. And because we respect the fact that every case is different, you can manage your case in the way that suits you best.

## What this means for you

**When you open your case** – we will work out a child maintenance amount as soon as we can. If you need us to, we will try to find the other parent as quickly as possible.

**When you need to contact us** – you can call us or send a message online.

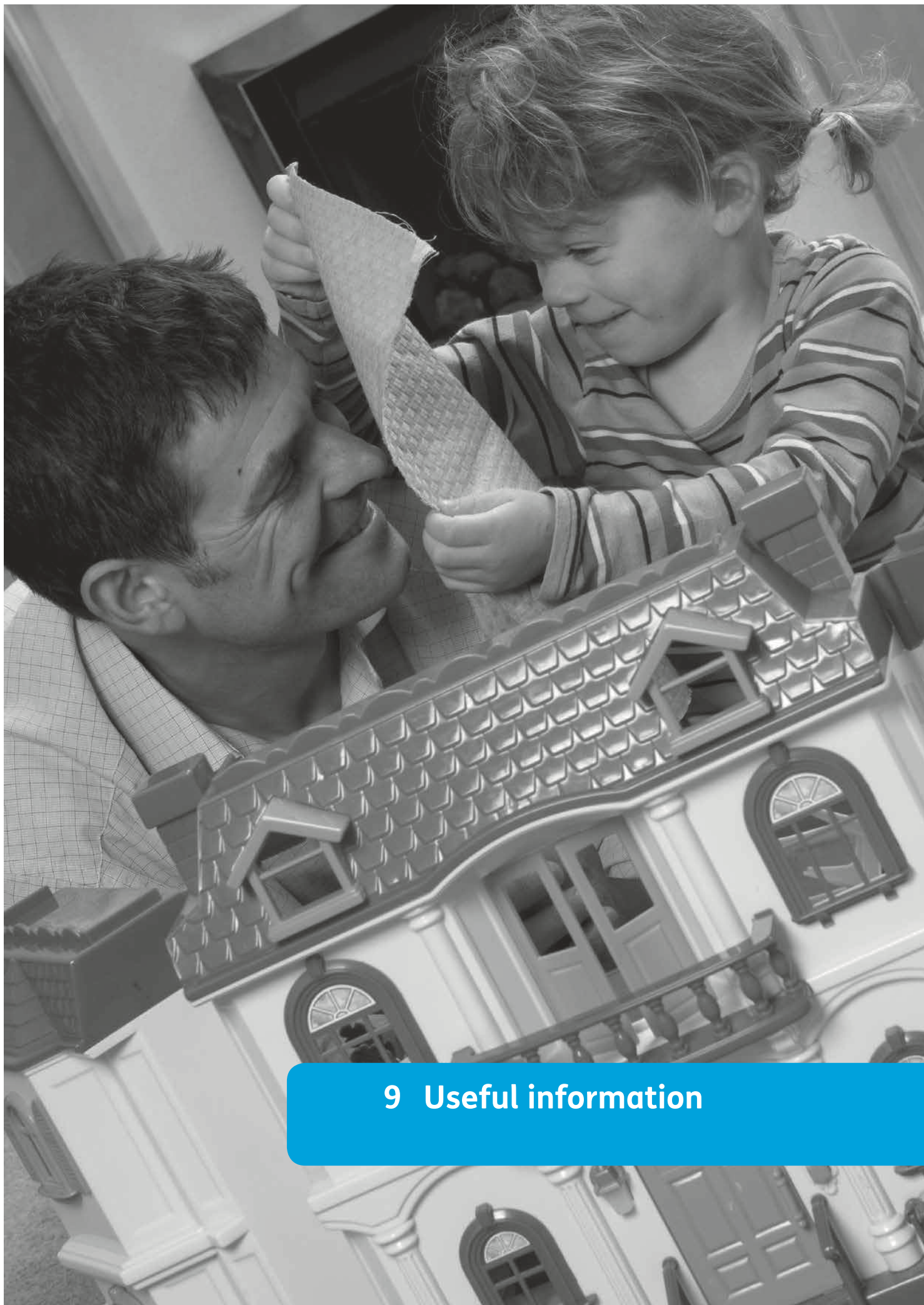
**If your circumstances change** – we'll look at your case and work out if your payments need to change.

**If payments are missed** – we will act quickly, taking the appropriate action to get the child maintenance owed.

**After 12 months** – we will look at your case in your Annual Review, to make sure your payments are still accurate.

To help us give you the best possible service, we need you to:

- tell us as soon as possible if anything changes that could affect payments
- treat our people with courtesy and respect
- send us any information we ask you for as quickly as possible
- have information you think is relevant ready when you call us



## 9 Useful information

## Get in touch

If you can not find the information you need in this leaflet, you can contact us or find out more in the following ways:



### On the web:

Go to: [www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance)



### By phone:

Call us on **0800 171 2345\***. Our TextBox and textphone number is **0800 232 1975\***.

Our opening hours are:

8:00am – 7:30pm - Monday to Friday

9:00am – 4:30pm - Saturday



### By letter:

Write to us at:  
Child Maintenance Service 21  
Mail Handling Site A  
Wolverhampton  
WV98 2BU

## Help and information

If you want to know more about child maintenance, go to [www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance). You can find information and leaflets here, and find out more about our services.

If you would like to talk to someone about your case, please call us on **0800 171 2345\***. Our TextBox and textphone number is **0800 232 1975\***.

Please have your customer reference number with you when you call. This is a 12-digit number starting with the number 12. It will be shown as 'your reference' at the top of any letter we've sent you.

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

If you don't have a case with us, you can call Child Maintenance Options on **0800 988 0988\*** between 8am and 8pm, Monday to Friday, and between 9am and 4pm on Saturdays. The person taking your call can help you with general questions about child maintenance.

## Other languages

If English is not your first language, you can use your own interpreter or one that we provide. Call us on **0800 171 2345\*** for more information.

## Information in other formats

This leaflet is available in other languages and in Braille.

Contact us on **0800 171 2345\*** for more information. Our TextBox and textphone number is **0800 232 1975\***.

### \*Call charges

Calls to 0800 numbers are free from landlines and mobiles.



## 10 Glossary

In this section, you will find explanations of some terms you may see in letters or leaflets we send to you.

## Appeal

This is when you ask an independent tribunal to look at a decision we have made, if you are not happy with it. An appeal is a legal process, which is carried out by HM Courts and Tribunals Service, not the Child Maintenance Service.

## Child

For child maintenance purposes, a child is someone who:

- is under the age of 16
- is under the age of 20 and in full-time, non-advanced education or approved training, or
- is under the age of 20, has never been married or been in a civil partnership, and child benefit is being paid for them (or has been applied for and a decision has been made not to receive payment)

## Child a paying parent must pay child maintenance for

A child a paying parent must pay child maintenance for is a child who – under the law – is entitled to have child maintenance paid for them by the paying parent. See also ‘child’.

## Child in Scotland

A child who lives in Scotland, who is 12 years old or older.

## Child maintenance

Child maintenance is regular, reliable financial support that helps towards a child’s everyday living costs. The parent without the main day-to-day care of the child pays child maintenance to the parent or person with the main day-to-day care.

## Child Maintenance Options

Child Maintenance Options is a free service for separated families. It provides impartial information and support to help parents sort out child maintenance and deal with many of the other issues around separation. You can call Child Maintenance Options on **0800 988 0988** or go to **[www.cmoptions.org](http://www.cmoptions.org)**

## Child Support Act

The Child Support Act is the law covering child maintenance payments. Among other things, the Act allows the Child Maintenance Service to work out and collect child maintenance. The Act also says that paying parents must pay the child maintenance amounts worked out by the Child Maintenance Service.

## Deduction from earnings order

Paying parents who are employed can choose to pay child maintenance direct from their earnings through a deduction from earnings order. The money is sent to us by the paying parent’s employer.



We can also set up a deduction from earnings order if the paying parent is employed and they have not kept their payments up to date using other payment methods, or have not agreed a payment method.

### Deduction order

This is when we take the child maintenance that the paying 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. We do not have to get the paying parent's agreement to do this and do not have to ask a court for permission. The bank or building society can charge the paying parent an administration fee for each deduction they make.

### Default maintenance decision

If the paying parent does not give us the information we need to work out child maintenance, we can make a default maintenance decision. This means that the paying parent must pay child maintenance at a 'default rate' until they give us the information we need. These rates are:

- £39 a week for one child
- £51 a week for two children
- £64 a week for three or more children

The rates are total amounts, rather than 'per child'

### Other child a paying parent supports

This is a child that the paying parent or their partner receives child benefit for. Usually the child will live with the paying parent. These children may affect how much child maintenance a paying parent has to pay.

### Paying parent

The parent who does not have the main day-to-day care of the child.

### Person named as the parent of the child

Someone who is named as the paying parent by the receiving parent, but who may deny that they are the parent.

### Receiving parent

The parent or carer who has the main day-to-day care of the child. In some cases this can be a grandparent, guardian or other family member.

### Shared care

Shared care is when a child who the paying parent must pay child maintenance for stays overnight with the paying parent on average at least one night a week. We take shared care into account when we work out the amount of child maintenance the paying parent has to pay.

### Split care

Sometimes, when parents separate, not all the children will have their main home with one parent. For example, when parents separate and there are two children, one child may choose to live with one parent and the other child may choose to live with the other parent.

When each parent then applies for child maintenance for the child or children living with them, we call this 'split care'.

In these situations, each parent will be entitled to receive child maintenance for the child or children living with them. But they must also pay child maintenance for the child or children who do not live with them.

To make things simpler, we can adjust the child maintenance payments each paying parent in a case is due to pay. We call this 'offsetting', and it usually means only one parent has to pay anything.

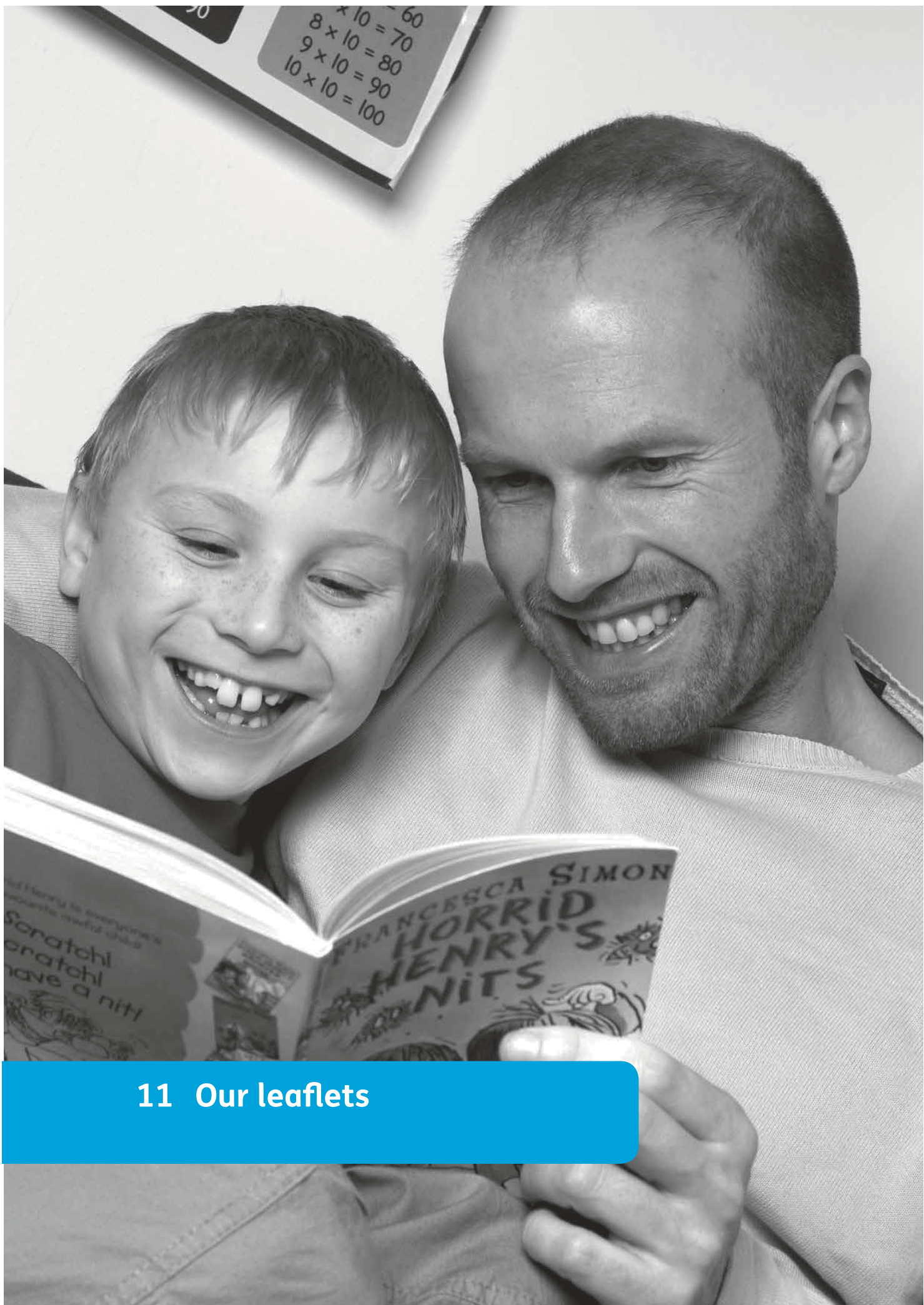
### Variation

When we work out child maintenance, we can take into account certain costs or expenses a paying parent pays, or any extra income they may get. This can mean they have to pay less – or more – child maintenance. A paying parent or receiving parent must ask us to do this; we do not do it automatically.

This is called 'applying for a variation'. For us to take a variation into account, there must be a specific reason or 'ground'. These are set out in child maintenance law.

### Voluntary payment

A payment made by the paying parent directly to the receiving parent, after the date when child maintenance was applied for, but before the date of the first scheduled payment. The payment must only be for certain reasons, such as paying the mortgage or rent on the home where the child or children who qualify for child maintenance live.

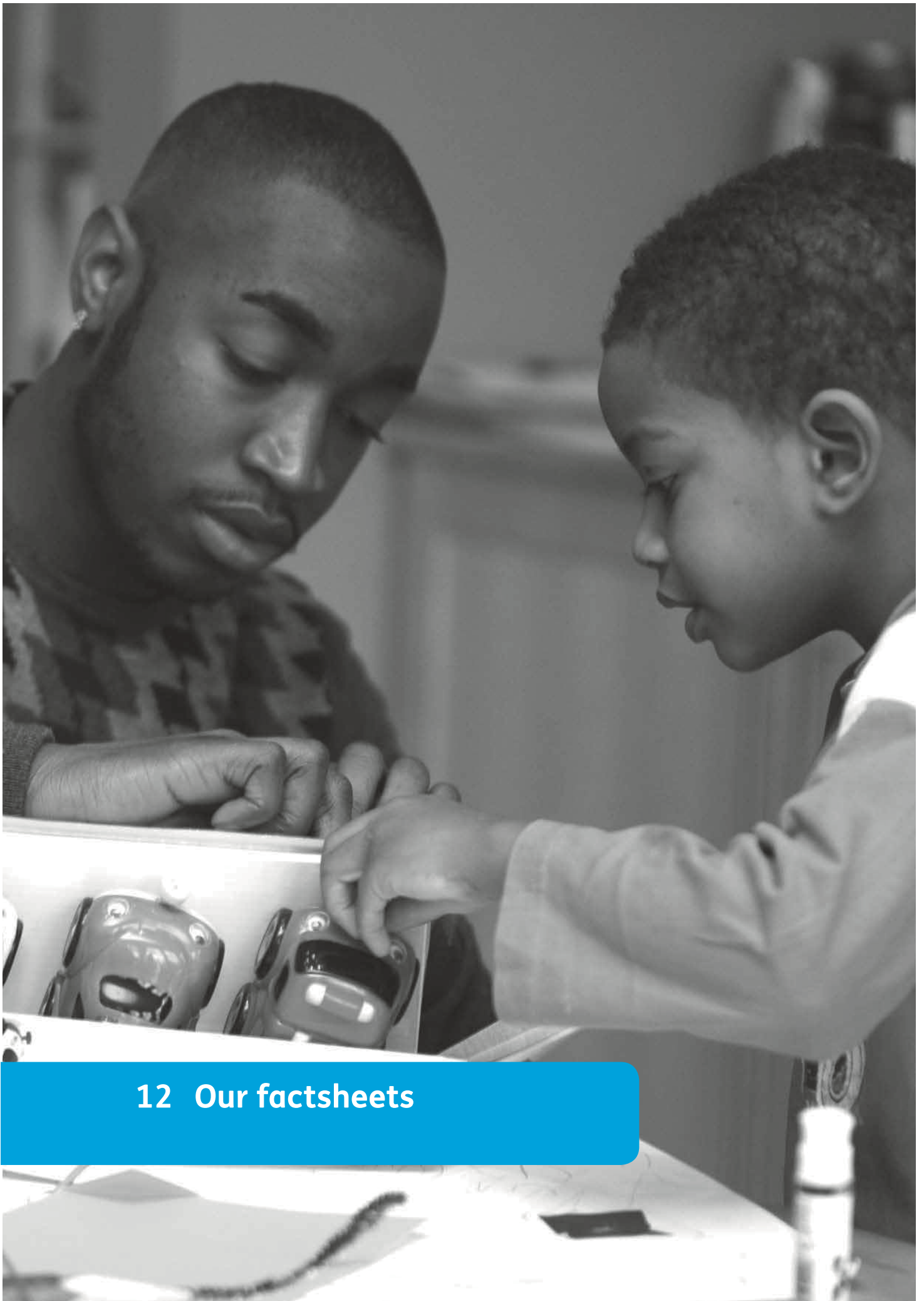


## 11 Our leaflets

This leaflet gives you general information about the services we provide. We also offer a range of other leaflets with more details on things like the Annual Review, how we work out payments or the ways you can pay or receive child maintenance.

We may send some of these to you when we write to you about your case. Or you can ask us for a copy of any leaflet at any time. See the full list below:

Leaflet title	Leaflet code
Getting someone to manage your child maintenance case	CMSB003GB
Changes you need to tell us about	CMSB004GB
What happens if you do not pay child maintenance?	CMSB005GB
What happens if a paying parent does not pay child maintenance?	CMSB006GB
How we work out child maintenance	CMSB007GB
The Annual Review – how it works	CMSB008GB
Paying child maintenance	CMSB009GB
What happens if someone denies they are the parent of a child?	CMSB010GB
What to do if you are unhappy with the Child Maintenance Service	CMSB011GB
Receiving child maintenance	CMSB013GB
Understanding your child maintenance statement – a guide for paying parents	CMSB042GB
Understanding your child maintenance statement – a guide for receiving parents	CMSB043GB



## 12 Our factsheets

We have also produced a series of child maintenance factsheets.

From an at-a-glance list of the changes you need to tell us about, to brief descriptions of our Direct Pay and Collect and Pay services, each factsheet gives you a summary of key child maintenance information.

We may send some of these to you when we write to you about your case. Or you can ask us for a copy of any factsheet at any time. See the full list below:

Factsheet title	Factsheet code
Our client charter	CMSB016GB
Pay your child maintenance by Direct Debit	CMSB017GB
Deduction from earnings orders	CMSB019GB
Liability orders explained	CMSB020GB
Visits by investigating officers	CMSB022GB
Changes you need to tell us about – a guide for paying parents	CMSB023GB
Changes you need to tell us about – a guide for receiving parents	CMSB024GB
Variations explained – a guide for receiving parents	CMSB025GB
Variations explained – a guide for paying parents	CMSB026GB
Face-to-face meetings with the Child Maintenance Service	CMSB027GB
Managing your payments with Collect and Pay	CMSB028GB
Managing your payments with Direct Pay	CMSB029GB
Our approved DNA testing companies	CMSB030GB
Managing your case online with a self-service account	CMSB038GB
How we collect and use your information	CMSB039GB
How your child's living arrangements affect child maintenance	CMSB041GB
How payments can be adjusted to take into account split care	CMSB045GB
How to pay towards a liability order	CMSB046GB
Information about charging	CMSB047GB
What is a liability order?	CMSB052GB







The Child Maintenance Service administers the statutory 2012 Child Maintenance Scheme (2012 Scheme) and is part of the Department for Work and Pensions.

**[www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance)**

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