

Withdrawn

This publication is withdrawn.
The publication is no longer current.



Child Maintenance
Service

Changes you need to tell us about

A guide for
paying parents
and receiving
parents

About this leaflet

This leaflet explains about the changes in circumstances that you need to tell us about, whether you are a paying parent or a receiving parent.

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.

About us

The Child Maintenance Service is the government's statutory child maintenance service. We work out, collect and pay out child maintenance payments on behalf of some separated parents in England, Wales and Scotland.

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

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 pays child maintenance to the parent who does have the main day-to-day care. In child support law the parent who receives child maintenance is known as the 'parent with care' - we call them the 'receiving parent' - and the parent who pays child maintenance is known

as the 'non-resident parent' - we call them the 'paying parent'. In some cases, the receiving person can be a grandparent or guardian.

If they live in Scotland, a child aged 12 to 19 and in full-time, non-advanced education or training can apply for child maintenance.

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:

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:

8am to 7.30pm - Monday to Friday

9am to 4.30pm - Saturday



By letter:

Write to us at:

Child Maintenance Service 21

Mail Handling Site A

Wolverhampton

WV98 2BU

*Please see the information about call charges at the back of this leaflet.

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Why we need to know if your circumstances change

The information given to us by a paying parent and a receiving parent is very important when we work out child maintenance.

Although we make decisions using up-to-date information, things can – and often do – change.

If either parent's circumstances change, it can mean that we need to change the amount of maintenance that must be paid by the paying parent to the receiving parent.

Telling us about changes as soon as they happen helps us make sure a child maintenance decision stays accurate.

Changes to tell us about – at a glance

The changes we need to know about are explained in more detail later in this leaflet. Here is a quick summary.

If you are a paying parent

You must tell us **within 7 days** of the change if:

- your gross weekly income goes up by **25% or more**, if your gross weekly income figure was given to us by you, your employer or your accountant
(Important: you do not have to tell us about this if your child maintenance payments are based on a gross income figure 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.

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You must also tell us **within 7 days** of the change if:

- your address changes
- you pay child maintenance through a deduction from earnings order and you leave your job

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
- you have a **Collect and Pay** arrangement (where you pay collection fees) and want to switch to a **Direct Pay** arrangement (where you do not pay collection fees)

If you are a receiving parent

You must tell us if:

- there is a change affecting a child or children living with you which would mean that the paying parent no longer has to pay child maintenance for them
- anyone involved in the child maintenance case dies

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***.

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)

How to tell us about a change

If you think a change in your circumstances could affect the amount of child maintenance you pay or receive, you can let us know in the following ways:



By using a self-service account

Self-service is a personal online Child Maintenance Service account. If you are registered, you can use it to let us know about changes in your circumstances and to track payments. It is completely safe and secure.

You can log in or register for a self-service account at www.childmaintenanceservice.direct.gov.uk/client



By phone:

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

Our opening hours are:

8am to 7.30pm – Monday to Friday

9am to 4.30pm – Saturday



By letter:

Write to us at:

Child Maintenance Service 21
Mail Handling Site A
Wolverhampton
WV98 2BU

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Changes to tell us about – a guide for paying parents

1 Changes to your gross annual income

Gross annual income is your income **before** Income Tax and National Insurance are taken off, but **after** occupational and personal pension contributions are taken away.

We use a gross income figure when we work out how much child maintenance you must pay each week. We usually get this from information that you, your employer or a third party such as your accountant have given to HM Revenue & Customs (HMRC). Or you, your employer or accountant may give it to us direct.

We then convert the gross annual amount to a weekly amount before we work out child maintenance.

If child maintenance is worked out using information given to HMRC by you, your employer or a third party such as your accountant

If we use a gross income figure **that has been given to HMRC** to work out child maintenance, this figure must go up or down by at least **25%** for us to look again at your payments.

You do not have to tell us about this type of change (we will find out about it at the Annual Review – over the page), but you can if you want to.

If you want us to look again at your child maintenance payments, we need to see proof that your gross annual income is at least **25% different** to the amount used to work out your payments.

This proof must come from you, your employer or your accountant.

The proof we need is a single, taxable gross income figure. You can get this from your employer or from a recent self-assessment tax return.

The Annual Review

If you or another person (such as the receiving parent or an employer) do not report any changes to your gross weekly income, we will look again at your payments during the **Annual Review**. This happens every 12 months – on the anniversary of the date when you were told about the child maintenance application.

The Annual Review helps us to work out if the amount of child maintenance you must pay for the next 12 months should stay the same, or if it should go up or down.

During the Annual Review we get the latest available information about your gross income from information given to HMRC by you, your employer or a third party such as your accountant.

You can find more information about what happens during the Annual Review in the leaflet *The Annual Review – how it works*.

Example

Chris is a paying parent. We are given proof that the gross weekly income figure is £250.

However, Chris gives us up-to-date proof to show that the gross weekly income figure is now £175.

Because there is more than a **25%** difference between £250 and £175, we can accept this change.

This means we now work out Chris's child maintenance payments based on a gross weekly income figure of £175.

The content of the examples in this leaflet is for illustrative purposes only.

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If child maintenance is worked out using information given to us by you, your employer or a third party such as your accountant

If we use a gross income figure 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 figure we use to work out child maintenance **goes up by 25% or more**
- you qualify for the Nil rate of child maintenance and your gross weekly income goes up to **£7** or more

Important: If you do not tell us about these types of change 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.

You **do not** need to tell us if your gross weekly income goes up by **less than 25%**. For example, if we use a gross weekly income figure of £200 and this amount goes up to £210 a week, you would not need to tell us.

You can also tell us at any time if your income **goes down** by at least **25%** – but you do not have to do this under child support law.

The proof we need to confirm a change to income of at least **25%** is a single, taxable gross income figure. You can get this from your employer or from a recent self-assessment tax return. The figure you provide should allow us to work out a weekly amount of income. **The change to your income should be one that is likely to stay the same for the foreseeable future.**

Annual Review

We will also look again at your gross weekly income during the **Annual Review**. This happens every 12 months – on the anniversary of the date when you were told about the child maintenance application. The Annual Review helps us to work out if the amount of child maintenance you must pay for the next 12 months should stay the same, or if it should go up or down.

During the Annual Review, we compare the amount of income that was previously reported to us by you, your employer or your accountant with the latest available information about your gross income given to HMRC by you, your employer or another source. We do this to see if there is at least a **25%** difference between the two amounts.

You can find more information on what happens during the Annual Review in the leaflet *The Annual Review – how it works*.

The ‘periodic current income check’

If we use a gross income figure given to us by you, your employer or your accountant when we work out child maintenance, we can keep using that amount for up to 12 months.

If this figure has been in place and unchanged for at least 11 months then we will ask you for more proof so we can check if this figure has changed by at least **25%** or not.

This is called a ‘periodic current income check’ and is separate from the Annual Review.

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Example – Mark’s Annual Review

1 March 2013

Mark is a paying parent. On 1 March we work out his child maintenance payments based on a gross weekly income figure of £250. This figure had been given to HMRC by Mark’s employer.

1 September 2013

Mark gives us proof that his income has now gone down to £150 a week.

This is a change of at least **25%**. Because of this, we now work out a new amount of child maintenance he has to pay, based on a gross weekly income figure of £150.

1 March 2014

On the Annual Review of Mark’s case, we are given the latest available information from HMRC – that Mark’s gross weekly income figure is £160.

Although Mark’s income has gone up, it hasn’t gone up by at least **25%** from the gross income figure of £150 he told us about on 1 September. This means we continue to work out payments for the next 12 months based on a gross income figure of £150.

1 August 2014

On 1 August 2014 Mark’s case has a periodic current income check. This is because his latest income figure of £160 has been in place, unchanged, for 11 months.

Mark is asked to provide up-to-date proof of his gross weekly income.

Mark provides evidence to show that his income is still £160 a week. This means his child maintenance payments do not change.

We will look again at Mark’s child maintenance payments at the next Annual Review on 1 March 2015.

The content of the examples in this leaflet is for illustrative purposes only.

If you are self-employed

You do not have to tell us about changes to your gross weekly income within 7 days if you are self-employed.

This is because you would not be able to tell if a **25%** change had taken place until the end of the financial year.

Instead, we use the Annual Review to make sure your child maintenance payments are kept up to date.

However, if you are self-employed, you can tell us about a **25%** change to your gross weekly income if you want to. To do this, you must send us an up-to-date self-assessment tax return.

If you are not sure whether you need to tell us about a change to your income, you can:

- **check the most recent letter we sent you about your payments**
- **call us on 0800 171 2345***

2 Changes to your job or employment

If you are employed you must tell us within 7 days of the change if you change your employer, or your working hours, and this means your gross weekly income goes up by **25% or more**.

For example, you must tell us if you change your working hours from full-time to part-time.

If you are a registered company director or board member, you must tell us if you hold a new office.

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If 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 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
- 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.

3 Changes to your address

Under child support law, if your home address changes, you must tell us about this within 7 days of the change.

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**.

4 Changes to the number of other children we take into account

Other children you support

If you or your partner get Child Benefit for a child or children, we can take these children into account when we work out child maintenance.

Because these children affect the amount of child maintenance you must pay, you must tell us if there is a change to the number of children for whom you or your partner get Child Benefit.

Family-based arrangements

We also take into account children in family-based arrangements when we work out child maintenance. A family-based arrangement is when two parents decide between themselves on how best to support a child or children without involving the Child Maintenance Service.

You should tell us if you stop or start paying child maintenance for a child or children through a family-based arrangement.

Children living abroad

If you pay child maintenance for a child or children living outside the UK, we can also take this into account.

For us to do this, we must see proof of either a court order or payments to a state child maintenance scheme in another country.

You should tell us if you stop or start paying child maintenance for a child or children living abroad.

5 Changes to your contact details

If the phone number or email address we use to contact you changes, you should let us know about this as soon as possible.

This helps to make sure we can always contact you straight away if we need to get in touch with you about your case.

6 Changes to your personal information and bank or building society account details

We need to know if your personal details change.

If you change your name, you must tell us about this straight away. You will need to provide written proof of the change, such as a confirmation letter from Deed Poll to confirm its register has been updated with your new name.

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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 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 also need to let us know if you change the bank or building society account from which we collect child maintenance. It is important to tell us about this change straight away so you do not miss any payments.

Go to page 7 to find out how to contact us when you need to tell us about a change.

7 If you want to change the service you use to receive child maintenance

The Child Maintenance Service offers two ways of arranging your payments:

- **Direct Pay** – where you manage payments with the other parent once we have worked out a child maintenance amount (there are no collection fees if you use Direct Pay)
- **Collect and Pay** – where we set up and manage your payments for you (there are collection fees if you use Collect and Pay)

You can ask us to change the service you use at any time.

If you use **Direct Pay** and you feel this arrangement is not working out, you may be able to change to the **Collect and Pay** service. This gives you the added security of us collecting and passing on child maintenance payments. However, there are **collection fees** for using Collect and Pay.

To use **Collect and Pay**, paying parents must pay a **20% collection fee** for each scheduled payment. Receiving parents are charged a **4% collection fee** each time we pass a payment onto them.

If you use **Collect and Pay** and you are confident you can sort out payments with the other parent once we have worked out a child maintenance amount, you may be able to change to **Direct Pay**. This service gives both parents more flexibility about how and when payments are made. Also, there are no collection fees.

What happens when you tell us about a change

If the change **affects how much child maintenance you must pay**, we will:

- write to you to confirm the change
- tell you the new weekly amount of child maintenance you must pay and how we worked this out
- tell you the date from which the change affects your payments
- send you an updated Payment Plan (if you pay child maintenance using a Collect and Pay arrangement)

If the change **does not affect your payments**, we will:

- write to you to confirm the change and other information we hold about you on our systems

Changes to tell us about – a guide for receiving parents

1 Changes to the number of children who qualify for child maintenance

You must tell us if a child who qualifies for child maintenance either:

- leaves full-time, non-advanced education or an approved training course (see pages 17 and 18 for more information)
- gets married or enters into a civil partnership, or
- has their day-to-day care provided by a different person or a local authority (for example, if they are adopted)

Any of these changes would mean that a child would no longer qualify to receive child maintenance. If a qualifying child leaves a full-time course at school or college, the date they no longer qualify for child

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maintenance may be different to the date they actually leave school.

We also need to know if a child who qualifies for child maintenance dies.

Full-time, non-advanced education and approved training courses

Children over the age of 16 need to be in full-time 'non-advanced' education at a school or college, or starting an 'approved' training course, to qualify for child maintenance.

Full-time, 'non-advanced' education means that, on average, the child spends more than 12 hours a week on tuition, exams, practical work or supervised study towards certain qualifications. These include but are not limited to:

- GCSEs
- A levels
- NVQ and SVQ level 1, 2 or 3
- BTEC National Diploma, National Certificate and First Diploma
- SCE higher grade or similar

Any qualifications above this level (for example, a degree) are called 'advanced' education. If you are not sure whether your child's education counts, you can contact the Child Benefit Office for more advice.

Approved training is various training programmes arranged by the government.

For a training course to be approved it should be one of the following:

England - Foundation Learning Programmes (previously known as 'Entry to Employment') or Access to Apprenticeships.

Scotland - Get Ready for Work or Skillseekers.

Wales - Foundation Apprenticeships, Traineeships or Skillbuild/Skillbuild+ (if started before 1 August 2011).

Northern Ireland - Jobskills or Training for Success, including Programme Led Apprenticeships.

A course provided by an employer as part of a job contract does not count as approved training.

We need to know as soon as a child that qualifies for child maintenance stops attending an approved training course or leaves full-time, non-advanced education.

2 Changes to your contact details

If the phone number or email address we use to contact you changes, you should let us know about this as soon as possible.

This helps to make sure we can always contact you straight away if we need to get in touch with you about your case.

3 Changes to your personal information and bank or building society account details

We need to know if any of your personal details change.

If you change your name, you should tell us about this straight away. You will need to provide written evidence of the change, such as a confirmation letter from Deed Poll to confirm its register has been updated with your new 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 we may need to use your new name in correspondence. The other parent will see this name as part of the legal enforcement process.

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You also need to let us know if you change the bank or building society account which we use to pay child maintenance into. It is important to tell us about this change straight away so you do not miss out on receiving payments.

Go to page 7 to find out how to contact us when you need to tell us about a change.

4 If you want to change the service you use to receive child maintenance

The Child Maintenance Service offers two ways of arranging your payments:

- **Direct Pay** – where you manage payments with the other parent once we have worked out a child maintenance amount (there are no collection fees if you use Direct Pay)
- **Collect and Pay** – where we set up and manage your payments for you (there are collection fees if you use Collect and Pay)

You can ask us to change the service you use at any time.

If you use **Direct Pay** and you feel this arrangement is not working out, you may be able to change to the **Collect and Pay** service. This gives you the added security of us collecting and passing on child maintenance payments. However, there are **collection fees** for using Collect and Pay.

To use **Collect and Pay**, paying parents must pay a **20% collection fee** for each scheduled payment. Receiving parents are charged a **4% collection fee** each time we pass a payment onto them.

If you use **Collect and Pay** and you are confident you can sort out payments with the other parent once we have worked out a child maintenance amount, you may be able to change to **Direct Pay**. This service gives both parents more flexibility about how and when payments are made. Also, there are no collection fees.

What happens when you tell us about a change

If the change **affects how much child maintenance you receive**, we will:

- write to you to confirm the change
- tell you the new weekly amount of child maintenance you should receive and how we worked this out
- tell you the date from which the change affects your payments – called the ‘effective date’
- send you an updated Expected Payments Plan (if you receive child maintenance using a Collect and Pay arrangement)

If the change **does not affect your payments**, we may:

- write to you to confirm the change and other information we hold about you on our systems

Frequently asked questions

Q: What happens if a paying parent, receiving parent or qualifying child moves abroad?

A: If we are given proof that a paying parent, receiving parent or qualifying child has moved abroad, this means they may no longer be classed as ‘habitually resident’ (living) in the UK. If a person is no longer ‘habitually resident’, this means they no longer have a regular, continuing physical presence in the UK.

If either parent or the child that qualifies for child maintenance was not habitually resident in the UK, under child support law we would no longer have the legal right to make a child maintenance decision. This means we would not be able to collect regular child maintenance from a paying parent to pay to a receiving parent.

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If there was some unpaid child maintenance in a case, we would still be able to try to recover any amount owing by the paying parent.

If a paying parent works abroad for a UK-based company, this person would still have to pay child maintenance. Temporary absences from the UK – for example, for holidays – do not affect child maintenance payments.

A paying parent may still have to pay an amount of child maintenance through the courts if there is an agreement between the United Kingdom and the country where the receiving parent or child lives. This agreement is known as a ‘Reciprocal Enforcement of Maintenance Orders’ or REMO. This is how maintenance orders made by UK courts on behalf of UK residents can be registered or enforced by courts or other authorities in other countries against people who live there. It also means that maintenance orders made by foreign courts can be registered and enforced by UK courts against UK residents. The Child Maintenance Service is not involved in this.

If either parent is not habitually resident in the UK, child maintenance payments could also continue if a family-based arrangement is made. This is when two parents agree on the amount of child maintenance, and how often it should be paid, without any involvement from the Child Maintenance Service.

Q: Do you take a change of circumstances into account from the date you were told about the change or from the date when the change happened?

A: It depends on the type of change. A change of circumstances has an ‘effective date’ – the date from which we can take the change into account.

The effective date of a change will either be:

- the date the change happened (for example, the date when a child no longer qualifies for child maintenance)
- the date the change is expected to happen (for example, the date that parents agree a change to shared care will take effect from)

- the date we are told about a change (for example, the date when we are told of a change of address), or
- the date we make a child maintenance decision (for example, at the periodic current income check)

We will always tell you the date from which we will take a change into account when we write to you.

Q: Can I tell you about more than one change at a time?

A: Yes, you can report as many changes as you need to when you contact us. But you may get more than one letter about the changes, depending on the type of changes you report.

Q: What if I am not sure if I should report a change?

A: The information in this leaflet should give you a guide to the changes we need to know about and when to tell us. But if you are not sure, it is better to get in touch with us straight away. See page 7 for all the information you need to contact us.

Q: What happens if I disagree with the Child Maintenance Service's decision?

A: If you think a decision is wrong, or have any information that would affect it that we have not already considered, we will always be happy to look at it again. Just get in touch with us within 32 days of the date of the letter telling you about the decision and ask us to look at our decision again.

When we look at one of our decisions again we call it a 'mandatory reconsideration'.

In a mandatory reconsideration we will look again at how we worked out the amount. If we find that the amount is wrong, we will change it. If we can not change it, we will tell you why. Then we will send you a letter that explains our decision and tries to answer any questions you may have about it. We call this a 'mandatory reconsideration notice'.

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If you still feel our decision is wrong after you receive your mandatory reconsideration notice, you will be able to appeal to an independent tribunal against our decision. Your mandatory reconsideration notice will include all the information you need to do this. You can not appeal against our decision until we have done your mandatory reconsideration.[†]

You can find more information about asking us to look at our decision again or appealing against our decisions in our leaflet *What to do if you are unhappy with the Child Maintenance Service*.

[†] If the decision you think is incorrect was given to you on a letter dated before 28 October 2013 then you do not have to ask us for a mandatory reconsideration before you appeal, but you will need to do it within one month of the date of the letter telling you about the decision.

Useful information

Help and information

If you want to know more about child maintenance, go to 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 have sent you.

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

If you do not 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 23454*** for more information. Our TextBox and textphone number is **0800 232 1975***.

*Call charges

Calls to 0800 numbers are free from landlines and mobiles.

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

We print on recycled paper. This keeps costs down and helps look after the environment.

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