

Variations explained: a guide for receiving parents⁺

Information for parents who receive child maintenance.

Do we take any other information into account when we work out child maintenance?

Yes, but you or the paying parent have to ask us first. We call this 'applying for a variation'.

You (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'. It can **increase** the paying parent's gross income figure that we use when we work out child maintenance.

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

You or the paying parent can apply for a variation at any time, either before or after a child maintenance amount is worked out.

A paying parent's additional income you can ask us to consider

You can apply for a variation for:

- 'unearned' income – for example, rental income the paying parent gets from property or land, or dividends and interest from savings and investments. This type of income must be at least £2,500 a year
- 'notional income from assets' - this is income that we can work out the paying parent could get based on certain types of assets that they own if the asset's total value is £31,250 or more
- 'earned' income – this is when the paying parent is getting benefits (and qualifies to pay Flat rate child maintenance) but also has gross income from a pension, employment or self-employment. This type of income must be at least £100 a week

- 'diversion' of income – this is when you think the paying parent is controlling the amount of income they get by diverting it to another person or another purpose, which means it is not being included in the figure we use to work out child maintenance

Expenses a paying parent can ask us to consider

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

- the cost of keeping up regular contact with a child or children that qualify for child maintenance – for example, the cost of fuel to travel between the home of the paying parent and the child that qualifies for child maintenance (must be at least £10 a week)
- costs connected with supporting a child with a disability or a long-term illness
- repaying debts from a former relationship – for example, the paying parent is 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 that qualify for child maintenance – 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 the paying parent and receiving parent used to share – the receiving parent and the child or children must still live in the home, and the paying parent must have no legal or 'equitable' interest in it (must be at least £10 a week)

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

When either parent applies for a variation, we share the information they give us with the other parent. This allows us to get information from everyone involved before we make a decision.

We will also use other sources of information such as Companies House.



How to apply

You can apply for a variation at any time.

You can make an application for a variation over the phone in most cases. However, if the application is complicated we may ask you to apply in writing, using an application form.

It is very important that the application contains as much information as possible. The person applying must say why they are applying for a variation, or give us enough information for us to be able to see why they are applying. The only reasons for applying for a variation are given above and are set out in child support law.

Where can I get more information?

Go to www.gov.uk/child-maintenance for more information, or call us on **0800 171 2345*** if you have any questions.

Important information about this factsheet

This factsheet 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. 'Statutory' means set up under the law.

We have done our best to make sure the factsheet is correct as of September 2018, 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 factsheet.

*Call charges

Calls to 0800 numbers are free from landlines and mobiles.

*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'