

# **CHILD MAINTENANCE SERVICE**

## What Child Maintenance is

Child maintenance covers how your child's living costs will be paid when one of the parents does not live with the child. It's made when you've separated from the other parent or if you've never been in a relationship.

This is a financial arrangement between you and the other parent of your child. Making arrangements to see your child happens separately.

You must have a child maintenance arrangement if your child is under 16 (or under 20 if they are still in full-time education).

Both parents are responsible for the costs of raising their children, even if they do not see them.

### Options for arranging child maintenance

Child maintenance can be arranged:

- privately between parents, if both parents agree
- through the Child Maintenance Service

The Child Maintenance Service can:

- work out an amount to pay
- arrange payments and take action if a parent does not pay
- sort out disagreements about parentage
- try to find the other parent if you do not know where they are

If you do not want your child's other parent to contact you or your child

You can use the Child Maintenance Service to arrange child maintenance if you do not want your child's other parent to know your location or personal information.

Find out how to get help if you're experiencing domestic abuse.

### How it affects benefits

Child maintenance payments will not affect any benefits that you and your children get, including Universal Credit. You will not have to pay tax on them.

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## Eligibility

Your child needs to be under 16 - or under 20 if they are in full-time education, up to and including A level or equivalent.

You need to live in the UK as your main home and have the right to live here.

You can apply if you're:

- either parent (you do not need to live with the child)
- a grandparent with main day-to-day care of the child
- the child's guardian
- a child over 12 living in Scotland

If you do not have an income and you're either a full-time student or in prison, you do not have to pay child maintenance. There's no need to apply.

You cannot use the Child Maintenance Service if you have an existing consent order approved by a court that is either:

- less than a year old
- made before 3 March 2003

### **If one of the parents lives outside the UK**

You cannot apply if the child and the parent with main day-to-day care live outside the UK.

The Child Maintenance Service can only help if the parent without main day-to-day care works outside the UK for a British organisation.

## How to Apply

You can either arrange child maintenance:

- privately between parents, if both parents agree
- through the Child Maintenance Service

### Get help arranging child maintenance

Use the 'Get help arranging child maintenance' tool to:

- find out about your options for paying or getting support for your child
- find out how to make a private arrangement, if you choose to do this
- apply to the Child Maintenance Service, if you choose to use it

There is a different service if you live in Northern Ireland. If you cannot use the 'Get help arranging child maintenance' tool, call the Child Maintenance Service.

### If you decide to use the Child Maintenance Service

When you contact the Child Maintenance Service, you'll need:

- the reference number you got from the 'Get help arranging child maintenance' tool
- your bank details
- your National Insurance number

If you do not have day-to-day care of the child, you'll also be asked about:

- your employment details
- your income and any benefits you get
- private pension contributions

Tell the Child Maintenance Service if it's not safe for the other parent to know your name (if you've changed it) or your location.

Find out how to get help if you're experiencing domestic abuse.

Tell the Child Maintenance Service if the paying parent has other income or expenses that you want them to consider when working out payments. This is called 'applying for a variation'. Either parent can apply.

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## Application Fees

There is a £20 application fee.

You do not need to pay this if you:

- have experienced domestic abuse
- are under 19 years old
- live in Northern Ireland

## How Your Information Is Used

The Child Maintenance Service will use your information to:

- share your name and your child's name with the other parent (your address is not shared)
- share your contact details with other government organisations, debt collection agencies or the courts, if needed (details about your case are not shared)
- look for the paying parent if you do not know their address

If the Child Maintenance Service cannot get the information from you or the other parent, they'll contact:

- the paying parent's employer
- government organisations like Jobcentre Plus
- prison services or local councils
- the paying parent's bank or building society

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## **Making and Receiving Payments**

If you use the Child Maintenance Service, they will work out your child maintenance amount based on the paying parent's circumstances.

You can then either:

- arrange payments with the other parent yourself (Direct Pay)
- use the Child Maintenance Service to collect and pass on payments (Collect and Pay) - there are fees for this service

Both parents are given a choice. If either parent chooses Direct Pay, the payment method will be Direct Pay. If the paying parent misses or is late with payments, the Child Maintenance Service can change the payment method to Collect and Pay.

If you make or receive extra payments, you must tell the Child Maintenance Service. You can also contact them if you're having problems paying.

If you need help with money as a paying parent or as a parent getting payments, find out what support you can get with the cost of living.

### **Arranging payments yourself (Direct Pay)**

Both parents should agree how and when the amount worked out by the Child Maintenance Service will be paid. You do not pay any collection fees when you arrange payment yourself. You can still ask the Child Maintenance Service for help with missed payments. Keep a record of payments in case there are any problems.

### **Getting payments without sharing your location**

If you do not want the other parent to know where you live, ask your bank to set up an account with a 'non-geographic' sort code. The Child Maintenance Service can give you a letter for your bank explaining why you need to set up this type of account. They can give your bank details to the other parent if you do not want to contact them.

Find out how to get help if you're experiencing domestic abuse.

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### **Using the Child Maintenance Service to manage payments (Collect and Pay)**

The Child Maintenance Service can collect payments from the paying parent and pass them on to the receiving parent. They can take the payment directly from the paying parent's:

- earnings (arranged with their employer)
- bank account (by Direct Debit)
- benefits or pension

You do not need to have any contact with the other parent.

### **Collection fees**

You have to pay a fee each time you make or receive a regular child maintenance payment through the Child Maintenance Service. The fee is:

- 20% (which is added to the payment) for paying parents
- 4% (which is taken off the payment) for receiving parents

If you use Collect and Pay, you cannot avoid collection fees by paying the other parent directly.

### **When you'll pay or receive the money**

You'll get a letter telling you:

- how much you need to pay and when, if you are the paying parent
- how much you'll receive and when, if you are the receiving parent

The first payment is usually made within 12 weeks of applying.



### **If a parent does not pay**

If you get payments using Direct Pay, tell the Child Maintenance Service about a missed payment.

If the Child Maintenance Service arranges payment for you through Collect and Pay, you do not need to do anything. They'll take action when a payment is missed.

If you need help with money as you wait for missing payments, find out what support you can get with the cost of living.

### **What the Child Maintenance Service can do**

The Child Maintenance Service can apply for a court order (called a liability order) and take legal action to recover any unpaid child maintenance. They may charge the paying parent for the cost of any action they take. This is on top of the child maintenance they owe.

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## Sign Into Your Account

Sign in to your Child Maintenance Service account to:

- report a change in your circumstances
- report a missed payment, if you arrange payments with the other parent yourself (Direct Pay)
- report an extra payment on top of your existing payments
- report any expenses or income that you want the Child Maintenance Service to consider, if you are the paying parent
- view your payment schedule
- use the webchat to get help reporting a change

You'll need your:

- 12-digit reference number - you'll find this on letters from the Child Maintenance Service
- National Insurance number - you'll find this on benefit letters or payslips
- 7-digit PIN number that you chose when setting up your case

You cannot use this service to set up a new arrangement. Find out how to apply instead.

### **What you need to know**

Contact the Child Maintenance Service if you need help using your online account.

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## **Disagreements About Parentage**

If you or the other parent in your child maintenance case denies that they're the child's parent, the Child Maintenance Service can:

- ask for evidence that proves one of you is not the parent
- tell the other parent what's happened and ask for evidence to prove parentage

If there's no evidence to prove you're not the parent, the Child Maintenance Service can:

- ask you and the other parent to take a DNA test
- ask the courts to make a decision

### **When the Child Maintenance Service assumes who the parent is**

You'll be assumed to be the child's parent if any of the following apply:

- you were married to, or the civil partner of, the child's mother at any time between the conception and birth of the child (unless the child is adopted)
- you're named on the child's birth certificate (unless the child is adopted)
- a DNA test shows you're the parent
- you legally adopted the child
- you're named in a court order as the parent when the child was born to a surrogate mother

### **Paying child maintenance during a disagreement**

#### **If you're assumed to be the parent**

The Child Maintenance Service will work out a child maintenance amount. You'll have to pay this if you do not have main day-to-day care of the child. If you prove you're not the parent you'll no longer have to pay.



### **If you're not assumed to be the parent**

You do not need to pay child maintenance until the disagreement has been sorted out. If you're found to be the parent, the amount of child maintenance you have to pay will be back-dated to when the case was opened.

### **If you prove you're not the parent**

When this happens, the Child Maintenance Service may:

- refund the payments you've made since the date you denied you were the parent
- offset the amount you've paid in child maintenance against maintenance for another child you pay for
- refund the cost of any DNA tests arranged through the service
- ask the other parent to pay back any child maintenance to you

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## Changes You Need To Report

There are some changes you must tell the Child Maintenance Service about by law. You should report the change as soon as it happens.

Either parent can report a change by contacting the Child Maintenance Service.

Changes to your circumstances may mean a change to the amount of child maintenance you pay or receive. Find out how child maintenance is worked out.

### What you need to report

Tell the Child Maintenance Service if:

- you change how often the child stays overnight with the other parent
- you change who the child's main carer is
- you want to change how you make and get payments using Direct Pay or Collect and Pay
- you move house (give your new address within 7 days of moving)
- you change your bank details
- you change your phone number
- you want someone else to deal with your case for you
- you add a child to your case
- the child leaves full-time education (up to and including A Level or equivalent)
- the child is being adopted by someone else
- you want to close your case
- the child no longer lives in the UK
- someone on the case dies

There are extra things that need to be reported about the paying parent. Either parent can tell the Child Maintenance Service if the paying parent:

- misses a payment when using Direct Pay
- makes any voluntary payments on top of existing payments
- has an income change of 25% or more, or no longer has an income
- is spending more or less money in order to see the child, for example on transport costs

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If you do not give the right information

You could be taken to court and fined up to £1,000 if you:

- do not give the information you are asked for
- give information that you know is false

This applies to any person or organisation who, by law, must give the Child Maintenance Service information, for example:

- employers
- accountants
- either parent

If you are the paying parent, you will not be taken to court or fined if you made a mistake when you reported your income. You must report the mistake by contacting the Child Maintenance Service as soon as possible so that you pay the right amount of child maintenance.



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## Contact the Child Maintenance Service

### Sign in to your online account

If you already have a Child Maintenance Service case you can use your online account to:

- report changes to your circumstances
- chat to a child maintenance adviser using webchat

### Call the Child Maintenance Service

Child Maintenance Service

Telephone: 0800 171 2345

Welsh language: 0800 232 1979

Relay UK (if you cannot hear or speak on the phone): 18001 then 0800 171 2345

British Sign Language (BSL) video relay service if you're on a computer - find out how to use the service on mobile or tablet

Monday to Friday, 8am to 6pm

Find out about call charges

There's a different phone number if you live in Northern Ireland.

### Contact the Child Maintenance Service by post

You can also write to the Child Maintenance Service.

Child Maintenance Service (England, Scotland, Wales cases)

Child Maintenance Service 21

Mail Handling Site A

Wolverhampton

WV98 2BU

Child Maintenance Service (Northern Ireland cases)

Child Maintenance Service 24

Mail Handling Site A

Wolverhampton

WV98 2BU

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## Complaints and Appeals

### **Make a complaint**

Follow the Department for Work and Pensions (DWP) complaints procedure if you're unhappy with the service you've received.

### **Appeal a decision about payment amounts**

Before you can appeal, you must contact the Child Maintenance Service to ask for the decision to be looked at again. This is called mandatory reconsideration.

If you're unhappy with the outcome of the mandatory reconsideration, you can appeal to the Social Security and Child Support Tribunal within one month of getting the decision. If you submit your appeal after a month you'll have to explain why you did not do it earlier.

### **Appeal to the Social Security and Child Support Tribunal**

Download and fill in form SSCS2. Send it to the address on the form.

You'll need to choose whether you want to go to the tribunal hearing to explain your case. If you do not attend, your appeal will be decided on your appeal form and any supporting evidence.

After you submit your appeal, you can provide evidence. Your appeal and the evidence will be discussed at a hearing by a judge and one or two experts. The judge will then make a decision.

It usually takes around 6 months for your appeal to be heard by the tribunal.

## Make A Private Agreement

You can make a private arrangement with your child's other parent about how to cover your child's living costs if both parents agree. No one else has to be involved. It's flexible and can be changed if your circumstances change. For example, you could both agree that one parent:

- pays some of their income to the parent with day to day care
- pays for things like housing, school uniform, trips or clubs

If you cannot agree, or you feel at risk talking to the other parent, you might be able to use the Child Maintenance Service.

## Get A DNA Test

### OVERVIEW

A DNA test can be used to either:

- prove that 2 people definitely are not related
- show the probability that 2 people are related

You'll need to give either a blood or saliva sample.

### What you can use a DNA test for

DNA tests can be used to:

- solve a dispute about child maintenance
- apply for contact with a child
- apply for a visa so that a child can settle with you in the UK
- find out who inherits an estate when someone has died

### Booking a test

You can arrange a DNA test yourself. Depending on what you're collecting DNA evidence for, you'll need to check you're going to the correct laboratory.

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## **IF YOU'RE GETTING A TEST TO USE IN COURT**

You must use an accredited testing laboratory. If you do not, the results will not be accepted in court.

### **Accredited testing laboratories**

The government accredited testing laboratories are:

- Alpha Biolaboratories (AlphaBiolabs)
- Biofortuna Limited (NorthGene)
- Cellmark (Orchid Cellmark Ltd)
- Complement Genomics (Dadcheck)
- DDC Laboratories
- DNA Analysis at King's College London
- Endeavor DNA Laboratories
- Eurofins Forensic Services Limited
- Eurofins Medigenomix Forensik GmbH (DNA Legal)
- Genetrack Biolabs
- Genomics for Life (Paternity for Life)
- IDna Genetics Limited (Anglia DNA Services)

These laboratories are accredited until the Ministry of Justice reviews the list in April 2023.

### **How much it costs**

Testing laboratories set their own fees. Check their websites for details.

## **IF THE CHILD MAINTENANCE SERVICE ORDERS YOU TO GET A TEST**

If you're ordered to get a test by the Child Maintenance Service, they'll tell you which laboratory to use.

### **Fees for child maintenance cases**

You have to pay the test fee of £239.40 if the Child Maintenance Service asks you to get a test because they think you might be the parent. It'll be refunded if the test shows that you're not the parent.

The fee will be higher if more than one child is tested.

The Child Maintenance Service may pay the test fee if you cannot afford to pay it. You'll have to pay it back if you're proved to be the parent.

## **IF YOU'RE GIVING DNA EVIDENCE TO THE HOME OFFICE**

There are different requirements if you're getting a test to prove a relationship to the Home Office. For example, to support a visa or passport application.

Use a testing laboratory that:

- has ISO/IEC17025 accreditation
- follows the Home Office 'collection process' - this means you need an independent witness to take your sample, such as someone from the testing laboratory

Check the laboratory meets these requirements. If it does not, your evidence may be rejected and you'll need to pay to retake the test.

The witness needs to confirm your identity. You must:

- show them photo ID, for example a passport or driving licence
- give them a passport-style photo

Children under 16 can provide a birth certificate if they do not have photo ID.

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## **IF SOMEONE REFUSES A DNA TEST**

The person carrying out the test can only take a DNA sample if they have permission from either:

- the person being tested, if they're an adult
- someone with parental responsibility, if the person being tested is under 16

You can ask the court to accept your claim about who someone's parents are. This is called applying for a declaration of parentage. The court might decide to order a DNA test.

It costs £365 to apply - make your cheque payable to 'HM Courts and Tribunals Service'. You may be able to get a fee exemption or refund.

Send the form and fee to the family court nearest to the home of the person whose parents are being tested.

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Scan the **QR** code  
for more **information**:



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to book an **appointment**:



 01202 985111

 [info@bhsupport.co.uk](mailto:info@bhsupport.co.uk)

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