



Information for parents living apart from their child

➤ a child maintenance decisions guide

- Understand your **child maintenance choices**

- Tools to help you **set up a child maintenance arrangement**



Sorting out separation

Web app

Get help with issues around your break-up with an easy-to-use web app **tailored to your needs** including:

- children and parenting
- relationships and conflict
- health
- housing
- work and benefits
- money
- legal

Over 50 organisations who can help

Expert help at the click of a button

Find us on many websites including cmoptions.org



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Help and Support
for Separated Families

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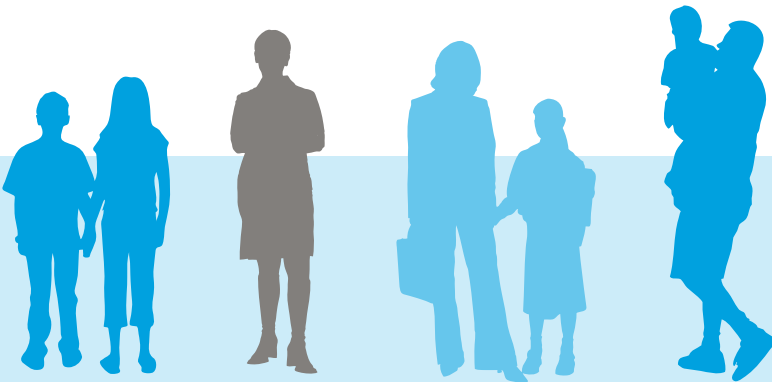
Child Maintenance Options

is a free and impartial service that provides information, tools and support to help you make informed choices about child maintenance arrangements. We can:

- help parents set up a child maintenance arrangement between themselves (a 'family-based' arrangement) and give them support to keep it going
- give you information about, and help with, other types of child maintenance arrangement
- offer practical information on a range of subjects linked to separation, such as housing, work and money, and put you in touch with organisations who can give you more specialist help and advice.

Get in touch with Child Maintenance Options on 0800 988 0988* or online at cmoptions.org

*See inside back cover for information about call charges



Supporting separating and separated families

Most children, in most circumstances, benefit from having both parents involved in their lives in a positive way, whether they live with them or not. Child maintenance is one way of making this happen, but it's only part of the story. We have written this guide to help parents build relationships and work together, to make sure their children get as much support as possible – financial and otherwise.

The information in this leaflet is only a guide and does not cover every circumstance. We recommend that you also get independent professional advice which applies to your situation. You can see a list of specialist organisations that may be able to help at the back of this guide. Although we have taken every care in preparing this guide, we cannot guarantee that information is accurate, up-to-date or complete, because it can change over time.

Child Maintenance Options does not endorse the content of any external websites.



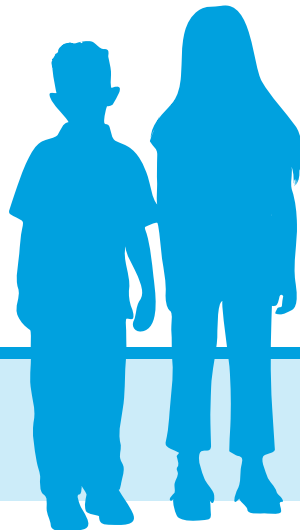
About this guide

If you're a parent who wants to know more about how best to arrange support for your child, this guide is for you. It's intended to help parents who live apart from their child or children.

Most parents want what's best for their children. This usually means both parents being involved in their children's lives, without coming into conflict with each other. It means both parents providing for their children's physical, emotional and financial wellbeing. But getting to that situation isn't always easy.

This guide can help you:

- understand your child maintenance choices, as well as your responsibilities
- feel confident about the kind of child maintenance arrangement that's best for your child
- discuss with your child's other parent the maintenance arrangements you need to make.



How to use this guide

If you're new to child maintenance you'll probably find it helpful to read this guide all the way through. It shouldn't take too long, and can help you make the right choices for your child.

If you're searching for particular information, you might find it useful to turn to one of the pages below.


- **Want a quick overview of your child maintenance choices?**
Take a look at our 'at a glance' chart on pages 24-27.
- **Arranging child maintenance direct with the other parent?**
Follow our step-by-step guide to family-based arrangements on page 28.
- **Think you'll need a statutory child maintenance arrangement because you can't arrange one direct with the other parent?**
You can find out more on page 38.

In most cases children benefit most when both parents are providing for them and are able to make arrangements between themselves. However, if there is a risk of violence or abuse this may not be possible. If these issues affect you, you might want to talk to someone who can give you specialist advice. Child Maintenance Options can help you get in touch with organisations that can do this.

Child Maintenance Options offers a parents deal with common separation

How to order our other leaflets



You can order our free leaflets by calling **0800 988 0988***. They can also be downloaded from our website: **cmoptions.org**



Information for parents with the day-to-day care of their child

- a child maintenance decisions guide



- Understand your child maintenance choices
- Tools to help you set up a child maintenance arrangement



Talking about money

- a child maintenance decisions guide



- Take control of your finances
- Think about the types of financial support your child might need
- Tips for talking about money with your child's other parent



Helping someone you know



- a child maintenance decisions guide

- Help parents make decisions about child maintenance arrangements
- Understand the role you can play
- Know about the help available for parents




Family-based arrangement form

- a child maintenance decisions guide



Child maintenance and staying safe

- a child maintenance decisions guide



Dealing with your emotions after separation

- a supporting separated families guide

- Understand where you are on your emotional journey
- Tools and tips to help you move on
- Help children deal with their feelings
- When and how to get professional help



range of practical guides to help on issues.

Practical support for separating parents

• a supporting separated families guide



- Help with making arrangements with your children's other parent
- Information about your housing and employment rights
- Where to find more help and support

Child Maintenance options

Parenting together after separation

• a supporting separated families guide




- Building a working parenting relationship with your ex
- Practical tools to help you parent together successfully

Child Maintenance options

Getting in contact with your child's other parent

• a supporting separated families guide



- Understand common fears and concerns
- Tips to help you find someone and get in touch
- When and how the statutory child maintenance services can help

Child Maintenance options


Managing conflict with your child's other parent

• a supporting separated families guide




- Learning how to deal with conflict
- Practical tools to help you avoid arguments or have fewer arguments

Child Maintenance options



How to complain about Child Maintenance Options

Child Maintenance options



How Child Maintenance Options uses your personal information

Child Maintenance options

Child maintenance explained

Shaping your child's future

Separation is a difficult time for families. If you're separated from your child's other parent you may have had the feelings some parents in similar situations describe:

- fear of not being able to cope
- worries about money
- guilt about the separation, and a range of feelings about the other parent, and
- concerns over the future.

Living apart from your child can be difficult to adjust to as well. Many parents describe the confusion and mixed feelings that go with this.

They worry about how much they're going to be involved with their children. They worry that they're going to lose touch. They worry about how their children will cope without them. And often, making it all feel worse, they can feel powerless to change the situation.

Finding a way to share the parenting with your child's other parent, and to stay involved in your child's life, can help you deal with these fears. Things may be different to what you are used to, but families come in all shapes and sizes.

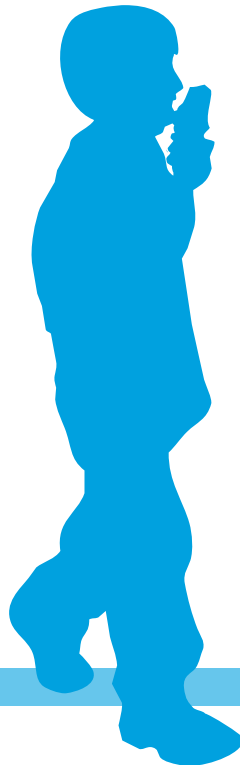
Even if you've never lived with your child's other parent or been in a family situation together, it's still important to work out together how your child can be supported by both parents. Child maintenance is part of that process.

What is child maintenance?

Child maintenance is regular, reliable support that helps towards your child's everyday living costs. It's not the only way your child's other parent can contribute, but it's a very important one. It can help meet your child's needs now, and can also give security for the future.

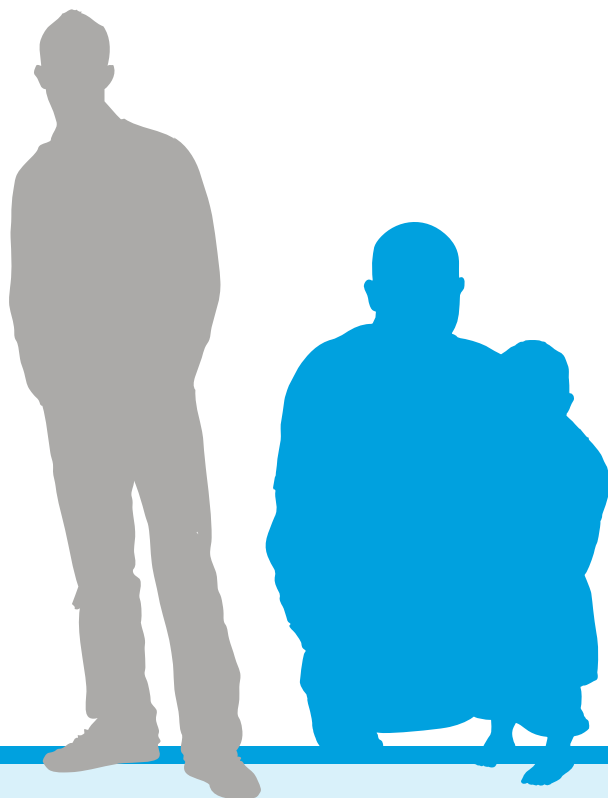
Child maintenance usually means one parent paying money to the other for their child's upkeep. But your arrangement can be much more flexible than this if you choose. It doesn't have to just mean exchanging money – the other parent sharing your child's care, or buying their clothes, could work just as well.

At the moment you may feel unable to discuss child maintenance with the other parent. Perhaps this is because you're afraid of starting an argument, or you don't like asking for money. You may be determined to show you can survive on your own. If this is the case, this guide can help you think through your options.





If you're struggling to provide maintenance because of your present situation, try to talk to your child's other parent and work something out rather than just ignoring the problem. You may find our guide **Talking about money** useful if you are struggling to pay maintenance and cover your living costs. For help with money problems you could also get in touch with one of the organisations listed at the back of this guide.



What child maintenance isn't

Child maintenance often appears in the news. Because of this a lot of myths have sprung up around the subject. Here are some common misunderstandings about child maintenance.

- **Child maintenance just means paying money through the CSA.**
Most separated parents can arrange child maintenance between themselves – either privately through a family-based arrangement or through a Child Maintenance Service ‘Direct Pay’ arrangement. The Child Support Agency stopped taking new applications in November 2013.

You can find out more about family-based arrangements, the Child Maintenance Service and Direct Pay later on in this guide.

- **Child maintenance is a way of punishing absent fathers.**
People often use the phrase ‘absent parent’, especially ‘absent father’, unfairly. But child maintenance shouldn't be a weapon to use against parents who, for whatever reason, live apart from their child. Most separated parents know that helping with the cost of a child's upkeep is just one of the responsibilities of being a parent, no matter where the child lives.
- **Child maintenance is like a bill or a tax.**
Similarly, child maintenance isn't a way to tax separated parents, but a way of making sure both parents contribute to their child's upkeep when they live apart. If you want to arrange child maintenance direct with the other parent you can.

Child maintenance and contact arrangements

Many parents living apart from their child feel that paying child maintenance should entitle them to spend time with their child, and that the more they pay, the more time they should get to spend.

This is not something recognised in child maintenance or family law. If you support your child financially this does not automatically allow you contact with your child.

However, most children benefit from having a positive relationship with both parents, wherever they live. If you can't agree with the other parent when you can spend time with your child, or if they won't stick to arrangements, you may want to get further help.

'Mediation' is a good place to start, though you may want to consider getting legal advice as well. Mediation is where both parents sit down with a trained mediator – a neutral expert who can help you talk through issues you can't agree on and help you reach agreement.

The organisations listed at the back of this guide should be able to help.

In the meantime you do still have a responsibility to provide for your child financially. It can be painful, but their needs still have to be met, even if you're not seeing them as often as you would like at the moment.

It's worth knowing that parents can find it easier to make arrangements about other things once child maintenance has been agreed. So it's often a real reason to get the financial side of things sorted. And the child maintenance arrangement you make could take into account the times you regularly care for your child, as well as other types of financial support you give.



Conflict between separated parents is common, but it's important to try to improve parenting relationships. For information about the harm conflict causes children and help making arrangements with your child's other parent, see our guide ***Managing conflict with your child's other parent.***



Understanding your options

What is a separated family?

Families come in all shapes and sizes, but in this guide when we say ‘separated family’ we mean:

- a parent like you, who lives apart from their child
- your child’s other parent (no matter where they live or what relationship you had)
- the child or children who live mainly with their other parent.

If you’re separated, or going through a separation now, you’ll know how many issues you have to deal with: legal issues, and worries about where you’ll live and how it could affect your work, just for a start.

But nearly all separated parents agree that both parents should pay towards the upkeep of their child or children. What’s more, research shows that the way a family works together has more effect on a child’s life than the family’s structure – whether the parents are separated or together as a couple. And as most parents want what’s best for their children, whatever the circumstances, it’s hardly surprising that many separated mothers and fathers put sorting out child maintenance near the top of their ‘to-do’ list.

Your rights and responsibilities as a parent

Even when you are separated, both of you have certain legal rights and legal responsibilities as parents that you must keep to. For more information about these, see our leaflet

Practical support for separating parents. Some of the issues involved can be complicated, and circumstances are different in every case, so you may want to get legal advice before you make any decisions.

What arrangements can separated families choose?

Most of the 2.5 million separated families in Great Britain have an arrangement in place where both parents contribute financially.

A lot of these arrangements were made using the Child Support Agency. That's because the law used to say that if the parent with the main day-to-day care was receiving state benefits, they had to make their child maintenance arrangements this way.

Since 2008 there are no laws that say how parents should arrange child maintenance. This means that all parents, including those receiving benefits, can set up a family-based child maintenance arrangement if they both agree to it. This is an arrangement between themselves that doesn't involve anyone else – you might also have heard it called a 'voluntary arrangement', or a 'private agreement'.

Family-based arrangements

More than half a million children in Great Britain benefit from a child maintenance arrangement that parents have made between themselves. Many parents think this type of arrangement is a better option for children, if it can be made to work.

There are a number of advantages to family-based arrangements, not least that they are private and are about your family, no one else's. They can also be quicker and easier to sort out, as you don't have to deal with lots of paperwork, or fixed rules.

The most important thing about family-based arrangements though, is that you and the other parent decide between yourselves when and how you will both support your child. This can mean fewer arguments about money, and may also help you work together in other ways, which is usually in the children's best interests.



Some people will find it easier than others to set up a family-based arrangement and you may need to have a couple of goes to get it working. But it is likely to become easier once other issues are sorted out and especially once more emotional matters are settled. Like many other separated parents, you may find our guide **Talking about money** helps you set up a successful arrangement.

Child Maintenance Options can give you plenty of help and support in setting up your family-based arrangement, including a child maintenance calculator, online discussion guides and other literature, and a handy family-based arrangement form.
Go to cmoptions.org or call 0800 988 0988* to find out more.

You can base a family-based child maintenance arrangement on:

- a fixed, regular amount that you pay the other parent
- a larger amount that you give them at various points in your child's life
- a share of your monthly earnings (useful if your income changes from one month to the next)
- sharing the care of your child – when they stay with you for one or more nights a week, or during school holidays, for example
- paying directly for things such as clothes, school dinners, uniforms or trips
- a mix of any of these things.

It's all about what both parents agree, and what's best for your child. And because this type of arrangement is flexible, you can make changes or special arrangements any time you need to.

You can read more about the different types of family-based arrangements parents have made on page 38. For a step-by-step guide to setting one up, turn to page 28.

Statutory child maintenance arrangements

If you can't agree a child maintenance arrangement with the other parent, or if you've tried a family-based arrangement and it hasn't worked, either parent can apply to the government's 'statutory' service, which can set up a statutory child maintenance arrangement for you. This means it can decide how much you should pay the other parent based on a set of legal rules. The parent who applies usually has to pay an application fee. You can pay child maintenance directly to the other parent – this is called Direct Pay. There are no collection fees with Direct Pay and parents don't need to be in contact with each other. The Child Maintenance Service can collect payments and pass them on to the other parent. If they use this collection service both parents have to pay collection fees. You will also have to pay extra charges if enforcement action is needed; for example, if you have to pay child maintenance direct from your wages.

The Child Maintenance Service opened in 2012 and now manages all new applications for a statutory arrangement. It uses slightly different rules to the Child Support Agency, which still manages many existing statutory cases. Child Maintenance Options can tell you more about the differences between these.

Child maintenance and benefits

The Child Support Agency and the Child Maintenance Service ignore most state benefit payments when passing child maintenance on to the receiving parent[†]. This means child maintenance payments do not affect any claims for benefits such as Housing Benefit and Council Tax Benefit. This applies to all kinds of payments, including family-based arrangements, Child Support Agency and Child Maintenance Service arrangements and court orders.

Some types of ‘payment in kind’ that are part of a family-based arrangement can affect benefit claims – for example, if you are paying part or all of a mortgage for your child’s other parent. If you’re making a benefit claim, you should always tell your Jobcentre Plus about your child maintenance arrangements, even if you don’t think it will affect your claim.



[†] 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’**

You can read more about statutory child maintenance arrangements on page 40.

Other types of arrangements

A small number of families in England and Wales have a child maintenance arrangement that has been agreed through the courts. This is called a ‘consent order’. This usually happens when people are going to court for other reasons, such as arranging a divorce.

In Scotland parents can have a ‘minute of agreement’, which is similar, but can be registered to make it legally binding without the need to go to court.

You can read more about consent orders and minutes of agreement on page 43.

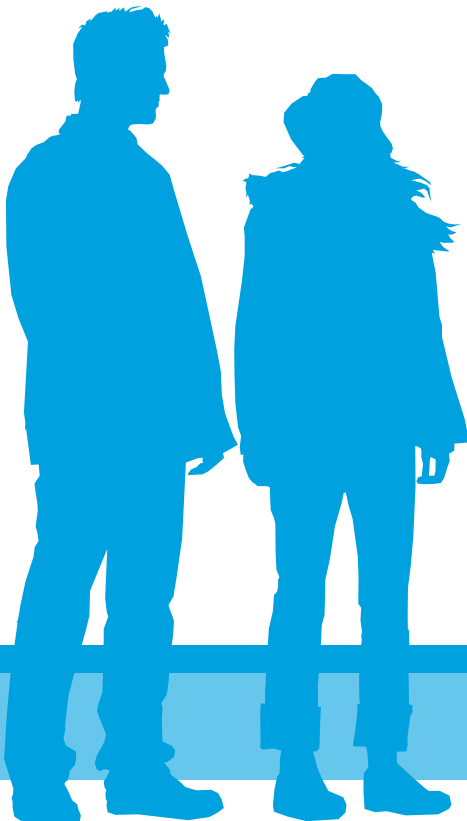
If you’re going through a separation or divorce, you don’t necessarily have to go to court to make arrangements or sort out disagreements. Many couples use mediation to help them manage the end of the relationship and make decisions that affect them both. You can find out more about mediation in our guide **Managing conflict with your child’s other parent.**

Maintenance arrangements if you live abroad

If you live outside the UK, and don't have a family-based arrangement in place, a child maintenance order could be registered in a UK court and enforced by the courts or other authorities in the country where you live. This is done through an agreement called the Reciprocal Enforcement of Maintenance Orders process, or REMO.

The UK has this type of arrangement with more than 100 countries and territories worldwide.

To find out more about REMO, and the countries where it applies, call Child Maintenance Options or go to www.gov.uk and search for 'REMO'.



Arrangement types at a glance (continued over the page)

Arrangement type	Who sets it up and how long does it take?	What does it cost?	What's involved?
<p>Family-based arrangement</p> <p>A flexible arrangement that parents set up and manage between themselves</p>	<p>You and the other parent</p> <p>Takes very little time to set up and can start straight away, if you're both able to work together to make decisions</p>	<p>Costs nothing to set up</p>	<p>A discussion about your child's needs and who will provide what</p> <p>You may want to put the things you agree in writing</p>
<p>Direct Pay</p> <p>A financial arrangement that the Child Maintenance Service sets up but parents manage between themselves</p>	<p>The Child Maintenance Service</p> <p>Most new statutory child maintenance arrangements can be put in place within about 6 weeks</p>	<p>There is a £20 application fee for applying to the Child Maintenance Service. For Direct Pay there are no collection fees</p>	<p>Call Child Maintenance Options to find out more. We will help you set up the best child maintenance arrangement for you</p>

How will you receive maintenance?	What's the legal position?	Good if...
<p>You decide this with the other parent</p> <p>Your arrangement might also include other things – for example the other parent could pay for some things directly</p> <p>It's a good idea to keep a record of payments made and what they are for</p>	<p>Family-based arrangements aren't enforceable by law</p> <p>But if the other parent doesn't keep up with payments you can go to the statutory child maintenance services or court to put in place an arrangement that is legally binding</p>	<p>... you want to decide between yourselves how your child will be financially supported in future</p> <p>... you want an arrangement that can be adapted to your child's needs and both parents' financial circumstances</p> <p>... you want to keep things as friendly as possible with the other parent</p> <p>... you want to include things in your arrangement that might help your child's other parent stay involved in their life</p> <p>... you don't want to wait a long time to get an arrangement in place, or to have to fill in lots of forms</p>
<p>Once the Child Maintenance Service has decided how much you should pay, you agree with the other parent when and how that will happen</p> <p>It's a good idea to keep a record of payments made and what they are for</p>	<p>If you don't keep up with the payment schedule you agree, the other parent can ask the Child Maintenance Service to change the case to Collect & Pay and to take immediate enforcement action. You may have to pay enforcement charges, and both of you will have to pay collection fees</p>	<p>... you want to keep things between yourselves as much as possible, but you haven't been able to agree with your child's other parent how much they should pay</p> <p>... you or the other parent wants a statutory child maintenance arrangement but want some flexibility in when payments are made</p> <p>... you don't want there to be a delay between the other parent paying maintenance through the statutory service and you receiving it</p>

Arrangement types at a glance (continued...)

Arrangement type	Who sets it up and how long does it take?	What does it cost?	What's involved?
<p>Collect & Pay</p> <p>A financial arrangement that the Child Maintenance Service sets up and manages</p>	<p>Either the Child Support Agency or the Child Maintenance Service</p> <p>Most statutory child maintenance arrangements can be put in place within 6 weeks</p>	<p>There is a £20 application fee for applying to the Child Maintenance Service. You will also have to pay a collection fee, which is added to the amount of child maintenance we collect</p>	<p>Call Child Maintenance Options to find out more. We will help you set up the best child maintenance arrangement for you</p>
<p>Consent orders (in England and Wales) and minutes of agreement (in Scotland)</p> <p>Arrangements usually made with the help of solicitors</p>	<p>You and the other parent, usually with the help of a solicitor or mediator</p> <p>It depends on your circumstances, but could typically take between one and three months to put in place</p>	<p>Possible costs include solicitor or mediator fees and court costs if you need to go to court</p> <p>These can vary depending on your circumstances</p>	<p>You usually need to agree with the other parent how much child maintenance they will pay and how often</p> <p>You can then ask the court to turn this into a consent order (in England and Wales)</p> <p>You will need to keep the consent order in place for at least 12 months but can then switch to another option if you prefer</p> <p>If you live in Scotland you can turn it into a minute of agreement. This can be registered to make it legally binding (often without needing to go to court)</p>

How will you receive maintenance?	What's the legal position?	Good if...
<p>The Child Maintenance Service will work out a payment schedule for you, showing how much the you will pay, and how often</p> <p>They will collect the maintenance and pay it to the other parent</p> <p>There are a number of ways you can pay, including Direct Debit</p>	<p>If you don't pay, the Child Maintenance Service can take action to enforce the agreement. There are a range of enforcement charges covering many of the actions the Child Maintenance Service can take</p> <p>This can include taking money direct from your wages, or asking the courts to use powers including forcing the sale of property and belongings, and stopping you from getting or keeping a driving licence</p>	<p>... it's not safe or appropriate to be in regular contact with the other parent</p> <p>... you can't agree with the other parent when or how they should pay maintenance</p> <p>... you've tried a family-based arrangement but it didn't work</p>
<p>You pay the other parent in the way set out in the consent order or minute of agreement</p>	<p>If you stop paying, the other parent can ask the court to take action to enforce the arrangement</p> <p>The courts can order money to be taken direct from your wages or property and can also force the sale of your possessions</p> <p>In Scotland a sheriff officer can collect and enforce payments</p>	<p>... you're going to court for other reasons, such as arranging a divorce or dividing a property or other assets</p> <p>... you have a family-based arrangement and want to make it legally binding</p>

Family-based arrangements

Five steps to setting up an arrangement

A 2012 survey of Child Maintenance Options clients by a leading market research company found that separated parents are more than twice as likely to be happy with a family-based arrangement than with a Child Support Agency one.

Many parents who talk to Child Maintenance Options want to make their child maintenance arrangements between themselves, if they can, rather than using the Child Support Agency, the Child Maintenance Service or the courts. The steps below can help you get started if you're trying this option.

There's no great secret to setting up a family-based arrangement – the trick is to make a start, and then regularly review your arrangement to make sure it still works for you, the other parent and your child.

That isn't to say setting up a family-based arrangement will always be easy. Separation often leads to conflict, as you both try

to deal with how you feel. This, in turn, can make talking difficult. But there's plenty of support you can turn to, to help you through the process.

Some of the organisations listed at the back of this guide can help. And if you can stick at it, everyone involved is likely to be better off.

1 Find the right time

With so many demands on your time, sitting down to work out your child maintenance arrangements might seem a bit of a daunting task. It may be something you don't feel ready to do yet.

But in most cases it's better to discuss things sooner rather than later. The quicker you can work out an arrangement, the clearer and more secure your child's future will seem. If your family-based arrangement doesn't work out, you've always got other options to fall back on.

If things are very unsettled at the moment, it may help to agree a temporary arrangement, which you can adjust later when your situation becomes clearer.

2 Ask the right questions

The main question most parents have when they start to work out their family-based arrangement is 'how much...?'

'How much do I need?'

'How much can they afford?'

In other words:

'How much is fair for both of us?'

There are some ideas on the next page to help you work this out. But in the end, only the two of you can say what is 'fair' for your circumstances.

'How much?' may not be the only question either. A family-based child maintenance arrangement doesn't have to just mean one parent paying money to the other. You can include other things in your arrangement – for example, if you share the care of your child, buy their clothes and shoes, or pay for after-school activities.

It's all about what both parents agree is best for their child.



How the Child Maintenance Service works out child maintenance

You may find it useful to know how much child maintenance you would pay in a statutory child maintenance arrangement. Some parents find this information a helpful starting point for working out a family-based arrangement.

The Child Maintenance Service uses a standard rate depending on your income and some other things, to work out a weekly amount of child maintenance. The principle is the same if you are self-employed, although you then have to provide proof of your income yourself.

Child Maintenance Options can give you a basic figure over the phone, and you can find out more about the way child maintenance is worked out in our guide ***Talking about money.***





Child Maintenance Options calculator

Child Maintenance Options has a calculator based on the rules that the Child Support Agency and the Child Maintenance Service use. These can give you an idea of the amount that you could expect to pay.

You can find the calculator on the Child Maintenance Options website. Or if you call us, we'll work out an amount for you. We can also send you a written copy, if you want us to, so you can show it to the other parent.

3 Discuss the best solution for everyone

Talking about money might feel like the last thing you want to do, especially if your relationship with the other parent is strained. But, in the long run, having the conversation could mean you end up working together as parents – rather than against each other.

Prepare

- Agree with the other parent first what you will discuss and what decisions need to be made. Decide on a neutral setting for the conversation, away from your child
- Gather any information you might need, such as the guides and information mentioned in step 2
- Think about the compromises you might need to make. Could a neutral third party help you both do this? This could be someone you both know and trust, or you could get help from a mediator.



Our guide for family and friends ***Helping someone you know*** includes tips for people helping parents make arrangements after they separate

Focus

- When you meet, deal with one issue at a time and start with the easy things. It will give you both a boost if you can agree on even a small point
- Try to explain what you're thinking when you ask for, or say, something. And give the other parent the chance to do the same
- If the conversation breaks down, talk about what you can do to put this right. Can you focus on future solutions rather than past problems? Is it time to think about mediation to help you do this?



For more information about exactly what mediation involves, and how it can help, see our guide ***Managing conflict with your child's other parent.***



You can find more tips on having a reasonable conversation with your child's other parent in our guide ***Talking about money.***

4 Write it down

Family-based arrangements aren't legally binding, but it's still worth putting your agreement in writing and you both signing it.

That way you'll both have a record of what's been agreed, and will have made a joint commitment to sticking to it.

Child Maintenance Options has a simple form that you can use to record your arrangement.



You can get this by calling the number in this guide, or download it from the **Child Maintenance Options website**.

If you want to write down other arrangements for your child at the same time, you could make your child maintenance arrangement part of a 'parenting plan'.

Parenting plans are agreements between parents that help them work together to raise their children after separation (called 'co-parenting'). They can include decisions about things like living arrangements, contact arrangements, school, childcare and holidays, as well as who pays for what.



You can download a step-by-step guide to creating a parenting plan from **www.nfm.org.uk**



For ideas about co-parenting, try reading our guide ***Parenting together after separation***.

Once you've agreed your child maintenance arrangement, you may also need to make arrangements with your bank, for example to set up a regular standing order.

And you may find it helpful to keep a record of things you buy and payments you make. Bank statements are a good way of doing this. Some parents tell us this gives them peace of mind when providing financial support through a family-based arrangement.



5 Do it – and review it!

Writing your agreement down and signing it can bring feelings of relief – you’ve taken a big step in the right direction. But you’ll still need to make sure your arrangement works for your child. This means two things.

Firstly, you’ve both got the job of carrying out what you’ve committed to in your arrangement.

Secondly, think about when you will need to review your arrangement, and make sure you do this. Your child’s needs will change as they get older, and other things may change too.

Some parents decide to review their child maintenance arrangement every year, or when children reach milestones like birthdays or a change of schools.

When you come to review your arrangement, you can look back at these five steps to help you make a new agreement.



If you want to chat about any of this – if you ever feel that your present arrangement isn’t working as well as it could, or if you want to talk about child maintenance in general – then call **Child Maintenance Options**.

What if my family-based arrangement doesn't work?

If you can't work with the other parent, or you've tried and it hasn't been successful, you have some other options.

A family-based arrangement may also not be the best option if contact with the other parent puts you at risk of domestic violence or abuse.

Using the Child Maintenance Service

You have probably heard of the Child Support Agency, which has been managing statutory child maintenance cases since 1993, and the Child Maintenance

Service, which runs the 2012 child maintenance scheme.

Most parents don't have to use the statutory child maintenance services, and if you have a Child Support Agency or Child Maintenance Service case you can end it and make your own arrangements and the other parent agree.



Direct Pay

You may want a statutory child maintenance service to work out how much child maintenance you should pay, and then arrange payment details between yourselves. Direct Pay gives you the flexibility to do this. It also means there is no delay while the statutory service collects money from you and passes it on to the other parent.

With Direct Pay, the Child Maintenance Service works out child maintenance but doesn't collect it. You make payments direct to the other parent – into a bank account, or by cheque or cash – and you don't have to pay collection fees.

Once the Child Maintenance Service has worked out the amount, it's up to you to agree with the other parent how and when you pay.



The main difference between this type of arrangement and a family-based arrangement is that the statutory service decides on the amount – and this means it's legally binding. If you don't keep up the payments the other parent can ask the statutory service to change your case to Collect & Pay, and to take action to enforce your arrangement. The Child Maintenance Service may charge you enforcement charges for the action it takes to enforce payments, and both of you will have to pay collection fees.

You can both ask the statutory service to work out a new amount if circumstances change.

Collect & Pay

With the full collection service the Child Maintenance Service can:

- trace parents whose whereabouts are unknown
- carry out a DNA test if someone named as a child's father in a statutory child maintenance case denies it

- work out what you should pay towards the upkeep of your child
- collect your payments and pass them on to the other parent (though you have the option of organising this between yourselves if you both prefer – see Direct Pay, above)
- take action if payments are not made – they have the power to force the sale of property or belongings, register child maintenance arrears as debt and even, through the courts, take away driving licences and imprison parents who avoid paying.

With Collect & Pay you will have to pay a collection fee, which is added to each child maintenance amount the Child Maintenance Service collects.

Fees and charges for using the Child Maintenance Service

In 2014 the government introduced fees for:

- making a new application to the Child Maintenance Service, and
- using the Collect & Pay service.

It also introduced enforcement charges for actions taken against paying parents who don't pay in full and on time.

The government introduced fees and charges because it wants to encourage more parents to think about working together to arrange child maintenance instead of using the Child Maintenance Service or the courts.

There are no charges planned for Child Support Agency cases.

Avoiding charges

The best way to avoid fees and charges is to set up a family-based arrangement and not use the Child Maintenance Service. However, if you and the other parent can't agree an arrangement between yourselves and you're named as a paying parent in a Child Maintenance Service application, you may still be able to avoid having to pay any fees or charges.

There are no collection fees for parents who pay child maintenance using Direct Pay. You can find out more about Direct Pay on page 39.

And by paying voluntarily, in full and on time, you will avoid having to pay any enforcement charges.

These rules mean in some circumstances the other parent does not have to pay child maintenance, because they are:

- a student in full-time education
- under 16 years old, or
- in prison.

They also mean that if you get income-related benefits, you pay a flat rate of child maintenance – no matter how many children are involved.

In Child Maintenance Service cases these circumstances are reviewed every year to make sure the right amount of maintenance is being paid in each case.

Statutory child maintenance arrangements can last until your child is 20, depending on whether your child is in full-time education. Child Maintenance Options can tell you about this in more detail.

To put a statutory arrangement in place, it's a good idea to have the following information ready when you contact the statutory service:

- your contact details
- your child's date of birth
- your National Insurance number, and the other parent's if you have it
- personal information and contact details for the other parent if you have them.

For more information about statutory child maintenance schemes contact Child Maintenance Options.

Other types of arrangements

Parents living apart can also arrange child maintenance using a court order (in England and Wales), or a minute of agreement (in Scotland). You would usually need to get legal advice to do this, and pay legal costs.

Consent order (a type of court order in England and Wales)

This is an official ruling made by a court. It's more often used when parents are deciding a divorce settlement or sharing assets. You normally have to work with a solicitor to agree the amount of child maintenance to be paid. They will then apply to the court to turn the agreement into a consent order. A consent order means the court can enforce payments if you don't meet the terms of the agreement.

If you have a consent order this can be changed to a statutory child maintenance arrangement but not until it's been in place for 12 months.

Minute of agreement (in Scotland)

Things are slightly different in Scotland. If you can make a family-based arrangement with the other parent (usually with help from solicitors), it can be made into a contract called a minute of agreement. This can be registered in the books of the Council and Session, which means that court proceedings won't always be needed.

If you don't pay the other parent child maintenance, a sheriff officer can collect and enforce payments.

Again, you will probably find there are legal costs involved.

To make either of these types of arrangement, you are likely to need:

- information about your income, and the other parent's
- details of living costs for your child, such as school costs, clothing and food
- a date for when you intend to review the agreement.

If you have any questions about a Minute of Agreement you should:

- talk to the solicitor that has already dealt with it, if you have an existing Minute of Agreement, or
- get legal advice, if it is about a new Minute of Agreement.

Next steps

If you are arranging child maintenance direct with the other parent, there are three things you could try straight away.

- Arrange a time to meet the other parent – call or email so you can start talking.
- Make sure they have the companion guide to this one – ***Information for parents with the day-to-day care of their child.***
- Take a look at the other tools and guides we've mentioned that can help you work together.

Easier said than done? It might feel that way at the moment. But over the next few pages you'll find some tips and ideas other parents have found helpful. There are also contact details for other organisations that can help you.



Don't forget that, if you ever need to speak to a child maintenance expert, you can always call **Child Maintenance Options.**



What if you can't agree on the best option?

If you're keen to set up a family-based arrangement but your child's other parent isn't so sure, it may be worth trying to help them understand it could be a better option for everyone.

They may recognise this, but worry that you might not stick to your promises. Can you reassure them? You could explain that parents tend to be more committed to a maintenance arrangement they have had a say in. You could also point out that you know they will want to set up a statutory child maintenance arrangement if you don't stick to your arrangement, but it's worth giving you a chance to prove yourself first.

Sometimes it can be useful if you both write down your worries so you can work through them together and reassure each other.

Family-based arrangement checklist

What to do	Tick when done
Arrange to meet your child's other parent to start talking about your arrangement	
Work out your budget and your goals and get them clear before the meeting	
Meet the other parent to talk about and agree your arrangement	
Write down your arrangement and each keep a copy	
Set up a date to review your arrangement for the first time	
Review your arrangement with the other parent and make any changes needed	



Useful contacts

Parenting and parenting apart

Centre for Separated Families

www.separatedfamilies.info
advice@separatedfamilies.org.uk

Provides advice and support to parents and other people experiencing family separation.

Family Lives (England and Wales)

www.familylives.org.uk

Family Lives helpline:

0808 800 2222

Monday to Sunday

24 hours a day

Help for parents, families and step families dealing with stressful situations. Runs a helpline, live chat and other services.

Families need Fathers

www.fnf.org.uk

(England and Wales)

www.fnfscotland.org.uk

(Scotland)

Helpline: 0300 0300 363

Every day, 7am to midnight

(England and Wales),

Monday to Friday

6pm to 10pm (Scotland)

Help with issues caused by relationship breakdown and parenting apart. Help to involve both parents in a child's life after separation. Services include a national helpline and local branch meetings across the UK.

**Gingerbread
(England and Wales)**

www.gingerbread.org.uk

Lone Parent Helpline:

0808 802 0925

Monday 10am to 6pm

Tuesday, Thursday and Friday

10am to 4pm

**Wednesday 10am to 1pm
and 5pm to 7pm**

Information for single parents about a wide range of legal, financial and parenting matters.

ParentLine Scotland

www.children1st.org.uk

0800 028 2233

Monday to Friday

9am to 10pm

Saturday and Sunday

12noon to 8pm

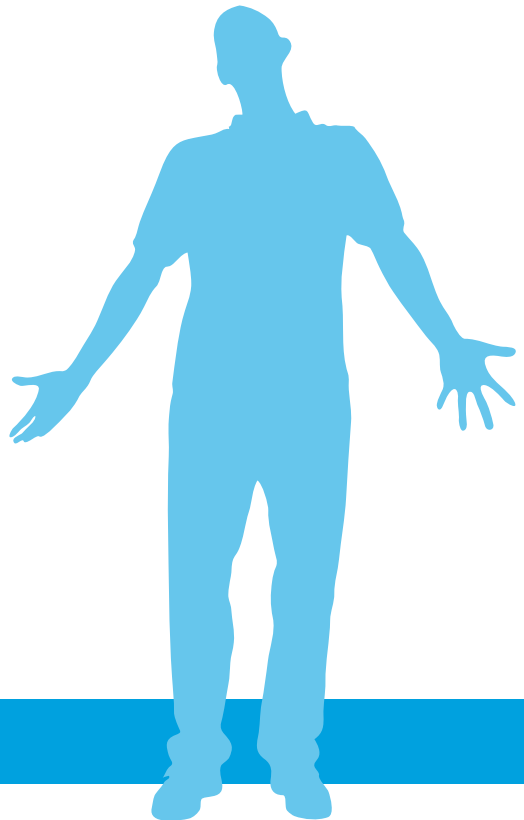
Free confidential support for parents and carers in Scotland who need help with family or relationship issues.

**The Parent Connection
from One Plus One**

www.theparentconnection.org.uk

A website for parents who are separating or are separated.

It provides a wide range of tools and information adapted from face-to-face mediation techniques that parents can use for themselves.



Money and work

Child Maintenance Options

cmoptions.org

0800 988 0988

Text 'OPTIONS' to 66644

Monday to Friday 8am to 8pm,

Saturday 9am to 4pm

Free, impartial information and guidance to help separated parents make informed decisions about supporting their children.

MATCH

www.matchmothers.org

Non-judgemental support and information for mothers apart from their children in a wide variety of circumstances.

HM Revenue & Customs

www.hmrc.gov.uk

Tax Credit helpline:

0345 300 3900

Monday to Friday 8am to 8pm,

Saturday 8am to 4pm

Child Benefit helpline:

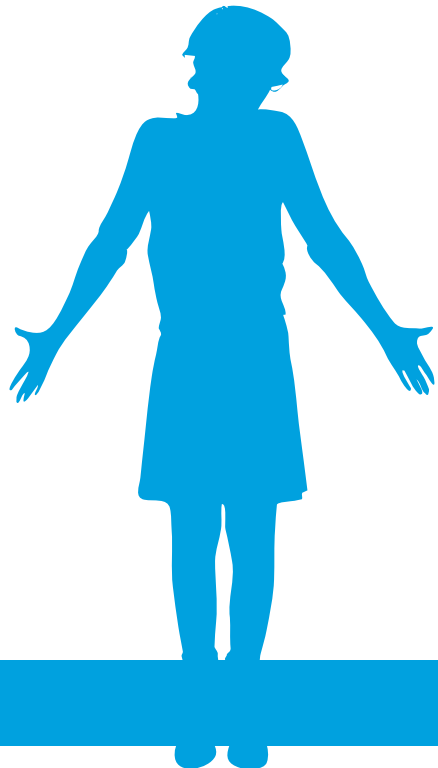
0845 302 1444*

Textphone: 0345 300 3909

Monday to Friday 8am to 8pm,

Saturday 8am to 4pm

Information about Child Benefit and Tax Credits.



Jobcentre Plus

www.gov.uk

Benefits helpline:

0800 055 6688

Textphone: 0800 023 4888

Monday to Friday 8am to 6pm

Government service that gives jobseekers information and services including benefit claims, loans and grants and help with finding a job.

Money Advice Service

www.moneyadviceservice.org.uk

Money Advice Line:

0300 500 5000

Textphone: 18001 0300 500 5000

Monday to Friday 8am to 8pm,

Saturday 9am to 1pm,

excluding Bank Holidays

Information and advice on all types of financial matters, including about parenting, separation and divorce.

Can arrange face-to-face sessions to help parents put budgets together.

National Debtline

www.nationaldebtline.co.uk

0808 808 4000

Monday to Friday 9am to 9pm,

Saturday 9.30am to 1pm

24 Hour Voicemail

Free and confidential helpline for advice about dealing with debt.



General advice and support

Citizens Advice (England and Wales)

www.adviceguide.org.uk

Advice line England:

0844 411 1444

Advice line Wales:

0844 477 2020

A popular source of free, independent and confidential advice about legal, money and other problems. Can put you in touch with a local Citizens Advice Bureau.

Scottish Citizens Advice Bureau

www.cas.org.uk

Citizens Advice Direct:

Call 0808 800 9060

**Monday to Friday 9am to 8pm
and Saturday 10am to 2pm**

Free, independent and confidential advice through its network of bureaux in Scotland.

Gov.UK

www.gov.uk

Government website providing information about parenting, money, benefits and work, and access to online government services.



Legal advice and mediation

Community Legal Advice (England and Wales)

www.gov.uk

Helpline: 0845 345 4 345

Monday to Friday 9am to 8pm,
Saturday 9am to 12.30pm

A free, confidential and independent legal advice service.

Family Law Association (Scotland)

www.familylawassociation.org

An online information and advice centre explaining family law in Scotland.

National Family Mediation (England and Wales)

www.nfm.org.uk

0300 4000 636

Monday to Friday 9am to 5pm

A network of family mediation services that helps couples who are going through separation or divorce, or living apart, to sort out issues affecting both of them.



You can also download **Parenting Plans** from nfm.org.uk It's a free guide that can be a useful source of information for parents dealing with divorce or separation.

Relate (England and Wales)

www.relate.org.uk

0300 100 1234

Relationship counselling for individuals and couples, and counselling for children and young people.



Relate has a sister website that provides online advice and support for parents and families:

www.relateforparents.org.uk

Relationships Scotland

www.relationshipscotland.org.uk

Relationship and family support across Scotland, including mediation services and child contact centres.

Resolution

(England and Wales)

www.resolution.org.uk

01689 820 272

9am to 5.30pm

National organisation of family lawyers that helps families reach solutions to problems in a non-confrontational way. Can provide information about all aspects of family law.

Scottish Legal Aid Board

www.slabb.org.uk

Legal aid helpline:

0845 122 8686

Open 7 days a week

7am to 11pm

The organisation responsible for managing legal aid in Scotland, providing funding for people who qualify for it.

Dealing with domestic violence

Mankind

www.mankind.org.uk

Helpline: 01823 334 244

**Monday to Friday 10am to 4pm
and 7pm to 9pm**

Support for male victims of domestic abuse and violence. Provides information, support and access to local police, counselling, housing and other services.

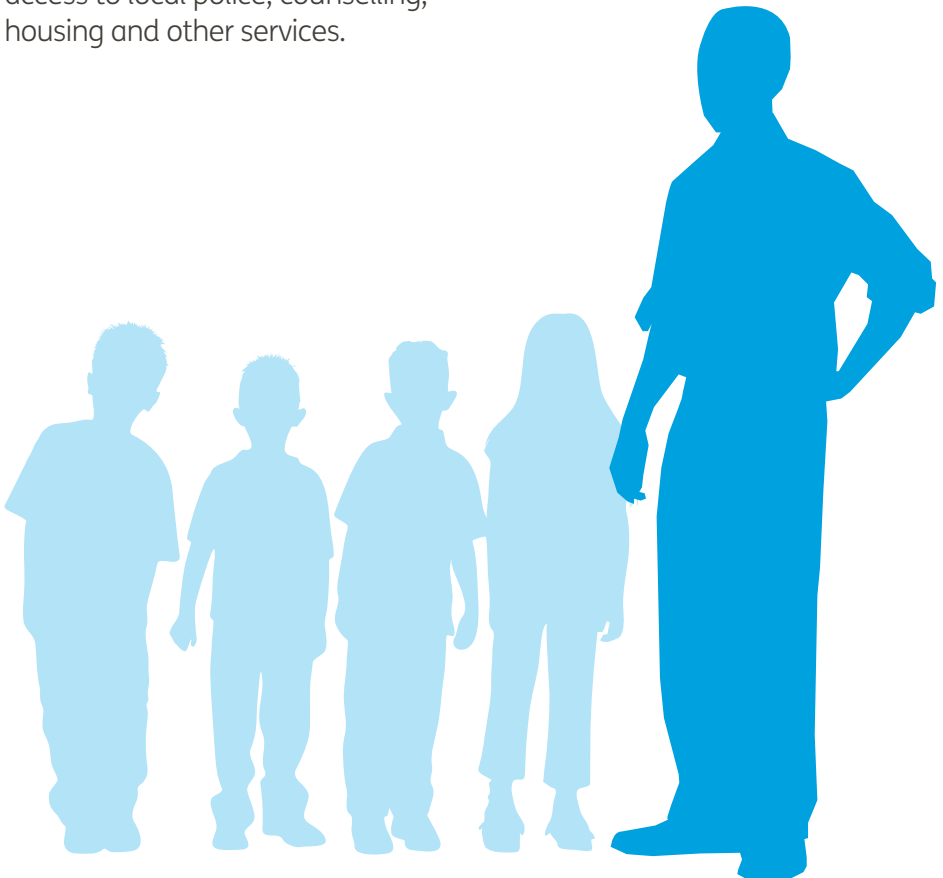
National Domestic Violence Helpline

www.nationaldomesticviolencehelpline.org.uk

Helpline: 0808 2000 247

**Open 7 days a week,
24 hours a day**

Free helpline available around the clock to give emotional support and practical advice to victims of domestic violence and abuse.



Emotional wellbeing

NHS Choices

www.nhs.uk (England)

www.nhs24.com (Scotland)

www.wales.nhs.uk (Wales)

Information from the National Health Service on conditions, treatments, local services and healthy living.

Samaritans

www.samaritans.org

Helpline: 08457 909 090

Open 7 days a week,

24 hours a day,

Free, confidential emotional support for people experiencing stress, anxiety, despair or similar feelings.

Young Minds Parents Helpline

www.youngminds.org.uk

0808 802 5544

Monday to Friday

9.30am to 4pm

parents@youngminds.org.uk

Confidential support for anyone worried about the emotional problems or behaviour of a child or young person.



The statistics quoted in this guide are based on the Office of National Statistics 2009 Labour Force Survey.



The main sources of research used to write this guide are:

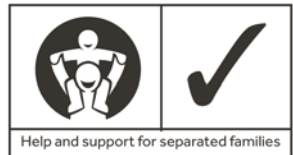
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***Call charges**

Calls to 0800 numbers are free from BT land lines but you may have to pay if you use another phone company or a mobile phone, or if you are calling from abroad.

Calls to 0845 numbers from BT land lines should cost no more than 4p a minute with a 15p call set-up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad.

Calls from mobile phones can cost up to 40p a minute, so check the cost of calls with your service provider.



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