

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**



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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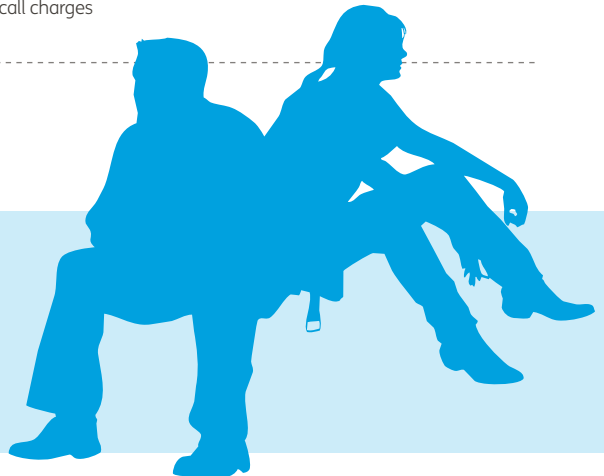
Child Maintenance Options

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.



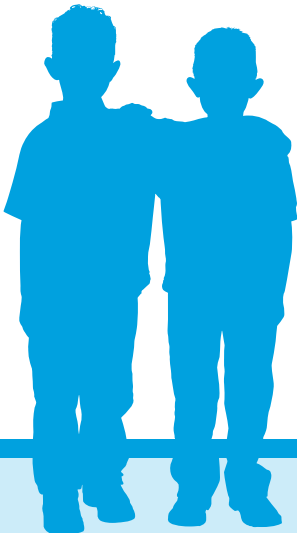
About this guide

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 is intended to help parents who have the main day-to-day care of 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 you and 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 22 to 25
- **Arranging child maintenance direct with the other parent?**
Follow our step-by-step guide to family-based arrangements on page 26.
- **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 37.

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 separati

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 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



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



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



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


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

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.

But, in most cases, your child still has another parent even if it's someone you don't have a relationship with. Encouraging them to share the parenting can be a good thing for you and your child. It can also be the starting point for a successful child maintenance arrangement.

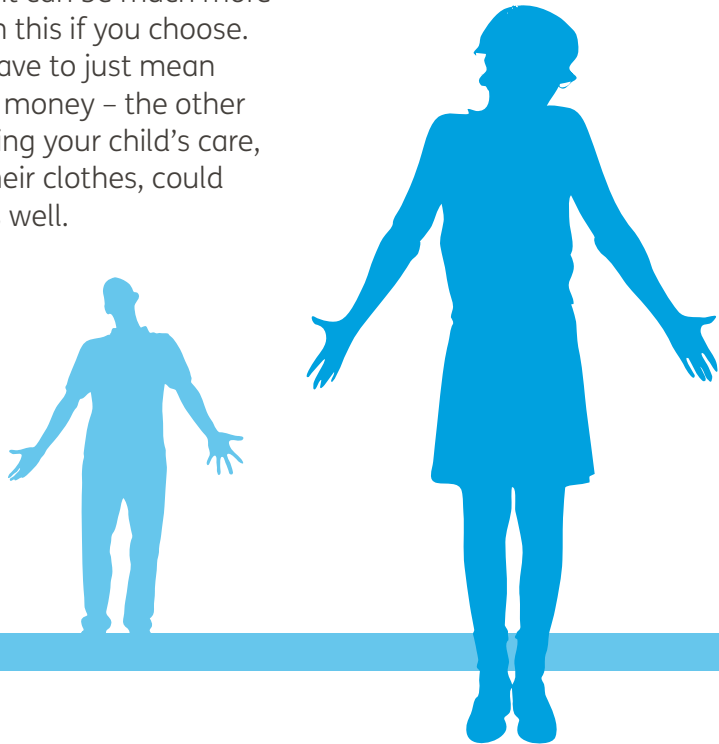
Even if you've never lived with your child's other parent or been in a family situation together, it's still important to work out together how your child can be supported by both parents. Child maintenance is part of that process.

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.



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.

Common concerns:

- **Child maintenance just means getting 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 parents.**
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 a kind of state benefit.**
Similarly, child maintenance isn’t a benefit paid to parents bringing up a child alone. It’s paid by the other parent, not by the state. It’s a way of making sure both parents contribute to their child’s upkeep when they live apart.

Child maintenance and contact arrangements

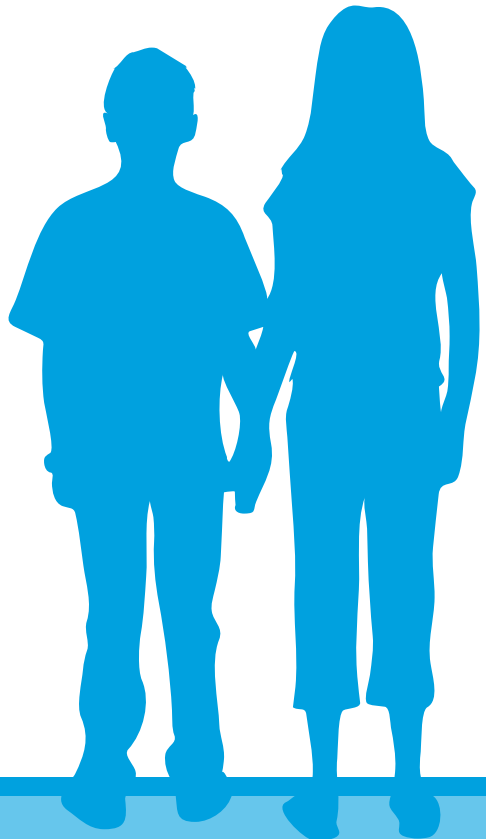
Many parents living apart from their child feel that if they pay child maintenance they should get to spend time with their child.

This is not something recognised in child maintenance or family law. If the other parent supports your child financially this does not automatically allow them contact with your child.

However, most children benefit from having a positive relationship with both their parents, wherever they live. If you can't agree with the other parent when they can spend time with your child, this is likely to make it harder for you to work together on financial arrangements. One or both of you may feel you have to turn to the Child Maintenance Service or the courts to make things happen.

So, while it may be difficult to do at the moment, talking about contact arrangements with your child's other parent could be helpful for everyone.

'Mediation' can help. This 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. This can be a less confrontational way of working through these issues and can help you reach agreement. And anything that reduces conflict between parents is a good thing for children.





Conflict between separated parents is normal, 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.***



If you're concerned that spending time with the other parent puts your child at risk of harm, then having contact (or unsupervised contact) might not be appropriate. If this affects you, some of the organisations listed in the back of this guide should be able to give you more advice.



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 has the day-to-day care of your child most of the time
- your child’s other parent (no matter where they live or what relationship you had)
- the child or children living with you (or mainly with you).

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 getting 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 getting 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. And because people tend to respect their own commitments more, the other parent may be more willing to stick to the arrangement as well.

The most important thing about family-based arrangements though, is that you and the other parent can 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 a child'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 the other parent pays you
- a larger amount that they give you at various points in your child's life
- a share of the other parent's monthly earnings (useful if their income changes from one month to the next)
- sharing the care of your child – when they stay with their other parent for one or more nights a week, or during school holidays, for example
- the other parent 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.

For a step-by-step guide to setting one up, turn to page 26.

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 make a statutory child maintenance arrangement for you. This means it will decide how much the other parent should pay, based on a set of legal rules. The parent who applies usually has to pay an application fee. The other parent can pay child maintenance directly to you – this is called Direct Pay. There are no charges with Direct Pay and you don't need to be in contact with the other parent. The Child Maintenance Service can also collect payments from the other parent and pass them on to you. If you use this collection service you will both have to pay collection fees. Enforcement action can be taken against the other parent if they don't pay regular child maintenance.

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 disregard most state benefit payments when passing child maintenance on to the receiving parent*. This means your child maintenance payments will not affect any claims you make for benefits such as housing 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 your child’s other parent is paying part or all of your mortgage. 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 can read more about statutory child maintenance arrangements on page 35.

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 40.

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.***

When the other parent lives abroad

If your child's other parent lives outside the UK, and you haven't been able to make a family-based arrangement, you may have other options. The statutory child maintenance services can't normally open a case for you, unless the other parent works for the UK civil service, the UK armed forces or a UK-based company.

But a child maintenance order could still be registered in a court in this country, and enforced by the courts or other authorities in the country where the other parent lives. 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'.

† 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'**

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 fee for applying to the Child Maintenance Service. With 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 received 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 the other parent will 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 received and what they are for</p>	<p>If the other parent stops paying, you can ask the Child Maintenance Service to change the case to Collect & Pay and to take immediate enforcement action. The paying parent 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>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. You will also have to pay a collection fee each time child maintenance is collected</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 other parent should pay, and how often</p> <p>They will collect the child maintenance from the other parent and pay it to you</p>	<p>If the other parent doesn't pay, the Child Maintenance Service can take action to enforce the agreement</p> <p>This can include taking money directly from their wages, or asking the courts to use powers including forcing the sale of property and belongings, and stopping people 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 don't know how to get in touch with the other parent, or they don't want to accept financial responsibility</p>
<p>The other parent will pay you in the way set out in the consent order or minute of agreement</p>	<p>If the other parent stops paying, you can ask the court to take action to enforce the arrangement</p> <p>The courts can order money to be taken directly from wages or property and can also force the sale of possessions if the other parent doesn't pay</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 your 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 the other parent shares the care of your child, buys their clothes and shoes, or pays 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 receive 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 the paying parent's income, plus some other factors, to work out a weekly amount of child maintenance. The principle is the same when the parent is self-employed, although they then have to provide evidence of their income themselves.

Child Maintenance Options can give you a basic calculation 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 set of calculators 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 receive.

You can find the calculator on the **Child Maintenance Options website**. Or if you call Child Maintenance Options, we'll work out an amount for you. We can also send you a written copy if you want, 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***.

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, or if they're unwilling to take financial responsibility for their child.

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 service, and if you have a Child Support Agency or Child Maintenance Service arrangement you can end it and make your own arrangements instead if you both prefer.

Either parent can apply to the Child Maintenance Service. The parent who applies will have to pay an application fee.

Direct Pay

If you want a statutory child maintenance service to work out how much child maintenance the other parent should pay, but feel you can 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 the other parent and passes it on to you.

With Direct Pay, the Child Maintenance Service works out the amount of child maintenance to be paid, but does not collect it. This means there are no collection fees. The other parent makes payments direct to you. This can be into a bank account (including a separate account so you can keep track of what you've received), or by cheque or cash. Once the Child Maintenance Service has worked out the amount, it's up to you to agree with the other parent how and when money is paid.

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 the other parent does not keep up their regular payments you can ask the statutory service to change your case to Collect & Pay, and to take action to enforce the arrangement. If this happens, both of you will 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 the other parent if you don’t know where they are
- carry out a DNA test if someone named as a child’s father in a statutory child maintenance case denies it
- work out what the other parent should pay towards your child’s upkeep
- collect the other parent’s payments and pass them on to you if you want (you

have the option of organising this between yourselves if you both prefer)

- 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.

If you choose Collect & Pay you will pay a collection fee on every payment.

Either parent can apply for a statutory child maintenance arrangement. However, if the other parent applies you don’t have to agree – you could still set up a family-based arrangement instead if you think it would be better for your family.

The arrangements the Child Maintenance Service makes are legally binding, and are based on rules that take into account the income of the other parent and the number of children they support (see our guide **Talking about money** for more information about how they work this out.)

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 the other parent gets income-related benefits, they 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 if they're in full-time education (up to and including A-level or equivalent in England and Wales, and up to Higher or Advanced Higher in Scotland).

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
- your bank details – where you'd like child maintenance payments sent to
- 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.

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 the action it takes 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. It also believes both parents should contribute to the cost of the service the Child Maintenance Service provides.

There are no charges planned for Child Support Agency cases.

Avoiding charges

The best way to avoid any fees and charges is to set up a family-based arrangement and not use the Child Maintenance Service at all. However, if you and the other parent can't agree an arrangement between yourselves and you apply to the Child Maintenance Service, you may still be able to avoid having to pay collection fees.

There are no collection fees for parents who pay or receive child maintenance using Direct Pay. You can find out more about Direct Pay on page 35.

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 the other parent doesn’t pay. However, you may have to use a solicitor to do this which can be expensive. Legal Aid won’t cover these costs if you are only going to court to get a consent order for child maintenance.

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.

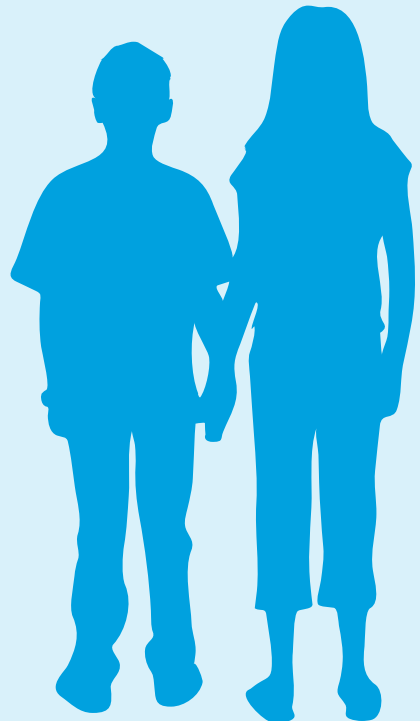
If the other parent doesn't pay you child maintenance, a sheriff officer can collect and enforce payments.

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

- information about your income, and the other parent's if you know it
- 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 living apart from 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 persuade them it's the best option for everyone.

Parents who are being asked for child maintenance tend to respond better if they feel they are being given a choice, rather than being faced with what can feel like an outright demand for money. So this can be a good way to handle the conversation.

The other parent is likely to see the main benefits of a family-based arrangement as:

- the privacy they get from it, and
- the fact that they can have more of a say in how they contribute to their child's upbringing.

It's worth making sure that they understand these points.

From your point of view, this can mean they are more likely to stick to their part of the agreement. Parents tend to be more committed to a maintenance arrangement they have had a say in.

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

12 noon 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:

0845 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.moneyadvice.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.slab.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.

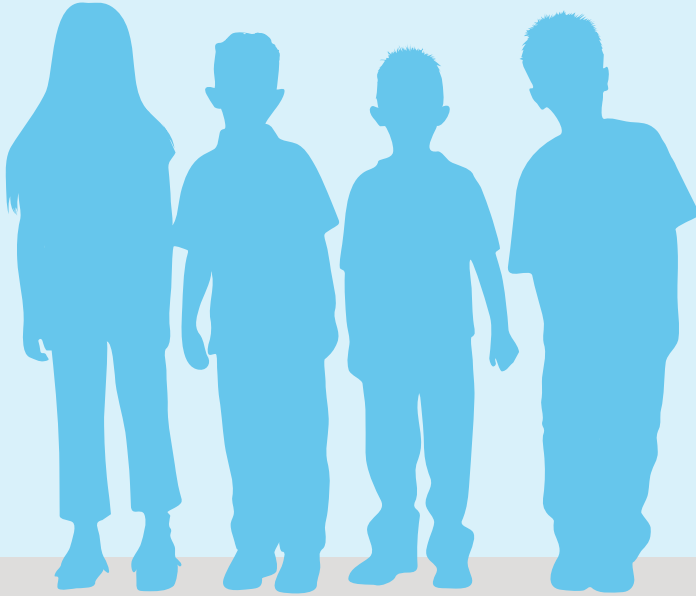
National Domestic Violence Helpline

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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