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# Child maintenance

Getting started



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This leaflet is only a guide and does not cover every circumstance. It should not be taken as giving legal advice. We have done our best to make sure the leaflet is correct as of May 2009. However, it is not comprehensive and it may become inaccurate over time, for example because of changes to the law. Your position may depend on your particular circumstances and you should seek independent specialist advice before making financial decisions based on the leaflet. A list of specialist organisations that may be able to offer detailed advice is given at the end.

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# Contents

About this leaflet	02
What is child maintenance for?	03
How the Child Maintenance Options service can help you	04–05
What are my child maintenance options?	06–16
How do I choose the right option for me and my child?	17–18
How child maintenance affects benefits	19
Negotiating child maintenance	20–27
Being prepared for the future	28
Glossary	29
Useful organisations to contact	30–34
How to order our other leaflets	36

# About this leaflet

This leaflet gives you impartial information about your options and rights as a parent.

## Who the leaflet is for

The leaflet is for you if you are the parent of a child and you are separated from the other parent. It will help you if:

- you are responsible for the main day-to-day care of your child, or
- you are living apart from your child and you are not the main day-to-day carer.

Guardians, relatives and anyone concerned about a child or family living apart may also find the leaflet useful.

## How the leaflet can help you

The leaflet tells you about:

- the options available for arranging child maintenance
- how to set up a child maintenance arrangement
- how you might negotiate with the other parent
- how to calculate child maintenance and what you might pay or receive
- practical steps forward and useful organisations that can help you.

# What is child maintenance for?

All parents have a responsibility to provide financially for their child (pay for things the child needs), even if they live apart from the child and the other parent.

Child maintenance can make a big difference to a child's wellbeing and the quality of family relationships.

Child maintenance is regular, reliable financial support that helps towards the child's everyday living costs. The parent who is not the child's main day-to-day carer pays child maintenance to the parent who is the main carer.

You should do everything you can to make sure your child is covered by an effective child maintenance arrangement. As parents, you could agree this arrangement yourselves (private agreement), or use the Child Support Agency (CSA).



# How the Child Maintenance Options service can help you

At Child Maintenance Options, we're here to help with questions like these:

- What are my options for child maintenance?
- How do I know what's right for me and my child?
- Where can I go for help?

Our service is run by the Child Maintenance and Enforcement Commission, a new child maintenance body set up in July 2008.

We provide unbiased information and support to help parents make informed choices about all the child maintenance options available. We offer a different service from the CSA, which is just one option for getting child maintenance from the other parent.

We're here to help you decide which option is best for you.

## What will you do if I contact you?

Parents who live apart often need to deal with difficult practical things like money, childcare while they are at work, and feelings of stress and anger. We're not experts in these areas, but we can give you information and put you in touch with specialist organisations that can help. For example:

- **we can** talk you through the options for putting in place a child maintenance arrangement, if you don't already have one
- **we can** help you check if your existing child maintenance arrangement is the right one for you and your child
- **we can** offer practical information on subjects linked to child maintenance, such as housing, work and money.

## Get in touch

You can contact our freephone\* information line on **0800 988 0988** and speak to someone today. We are open 8am to 8pm Monday to Friday and 9am to 4pm Saturday.

Our helpline staff are specially trained to provide unbiased information and support on child maintenance. Our service is available to any parent in England, Wales or Scotland.

If you are a guardian, relative or friend, or if you have a professional interest in finding out more about child maintenance, we may also be able to help you.

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

# What are my child maintenance options?

As a parent you have several options. We'll take a closer look at each one, highlighting the key issues you'll need to think about. We'll also help you weigh up the advantages and drawbacks of each option.





### A private agreement

You can make a private agreement if you and the other parent can agree on how to provide child maintenance for your child without involving the courts or the CSA. If you feel able to work with the other parent, then this could be an option for you. But whether this is your best option will depend on your circumstances.

If you are not the child's parent but provide the main day-to-day care, you can also make a private agreement with either parent who is living apart from the child.

Here are some of the things you need to think about and agree on when making a private agreement:

#### Working out a figure

In a private agreement, you don't have to follow a strict formula to work out child maintenance.

You and the other parent could agree on a weekly figure or include payments 'in kind'.

Payments in kind are where one parent pays for things like taking the child on holiday, buying school uniforms and clothes, food, fees or home repairs – rather than paying money to the other parent.

The important thing is that you both agree to the private agreement and that it provides reliable financial support to help towards your child's everyday living costs.

If you need help reaching a figure, call us on freephone **0800 988 0988** and we can try to give you an estimate over the phone, which you can use to start the discussion with the other parent.

#### Agreeing how often

Once you have both agreed on how much the maintenance payments will be, you need to decide how often they should be paid. It could be weekly, every 2 weeks, once a month – whatever suits both of you best. Some people find it easier to budget if they pay or receive maintenance payments at the same time as salary or benefits reach their bank account. Whether this is best for you will depend on your circumstances.

## How to make or receive payments

There are 3 main ways of making and receiving the payments: standing order, cheque or cash. A standing order is the best way to ensure the payments are made in full and on time and are recorded on paper. If you agree to use cheque or cash, make sure you keep written records of all payments.

### Keeping a written record

Whatever you arrange, it's vital that you write it down clearly so there's no misunderstanding. Your written agreement may not be a legally binding document, but signing your names to it shows your personal commitment.

We have produced a simple private agreement form that you can fill in to suit your own circumstances, then sign and keep it as a personal record of what both of you have agreed. Call us on freephone **0800 988 0988** and ask for a copy.

## Reviewing your agreement

Things change over time, so you may want to review your agreement together. You should agree on a reasonable time to sit down and discuss things together again. How often you choose to review your agreement will depend on your own circumstances (for example, changes to your work, new relationships and living arrangements).

### Keeping up payments

One drawback of a private agreement is that it's not usually legally binding or enforceable. If one parent fails to pay the agreed amount or breaks the private agreement in another way, you could turn to the CSA. The CSA can arrange to collect the money for you and can legally enforce the agreement on your behalf.

Alternatively, if you want to make your private agreement legally binding you may be able to apply to the court to make the agreement into a specific type of court order, known as a 'consent order'. You may need legal help to do this. See 'A consent order' on page 15.

Here are some of the good and bad points parents have told us about a private agreement.

## Advantages

## Disadvantages

Doing things yourself can be quicker and easier than through the CSA (as long as you and the other parent are able to work together). There is no bureaucracy to deal with or set rules to follow. You can be more flexible about how, what and when payments should be made.

If the other parent isn't willing to **co-operate**, or refuses to take **responsibility**, then a private agreement won't work. It takes both of you to make it work.

If you can keep lawyers and the CSA out of it, it's a lot easier to keep things **friendly**. It can be a good way to rebuild trust for the future.

A private agreement is **not generally legally binding** and overdue child maintenance payments cannot be enforced or collected if your private agreement breaks down.

People tend to respect their own promises more. When both parents agree things together, **payments** are more likely to be made **in full and on time**.

If you've **failed** to make a private agreement work before, it's less likely to succeed the second time.

A private agreement is totally **private**. No one else needs to get involved in your affairs.

If the other parent won't give you accurate information about their **income**, you won't be able to work out a figure based on their income.

It's far more **flexible**, because you can make special arrangements or changes at any time, quickly and easily.

If you don't know where the other parent lives, or don't want to have any **contact** with them, it's hard to make a private agreement work.

It's **not final**. If it doesn't work out, we can talk to you about your other options, including asking the CSA to set up an arrangement.

## What information should I have ready?

To make a private agreement, you may find it useful to have the following information ready for your discussion with the other parent:

- information about your income, and theirs if you have it
- the living costs for your child, such as school costs, clothing and food
- your own living costs, such as mortgage or rent and house bills
- when you'd like to pay or receive the child maintenance payments
- a date for when you will review the agreement.

You may want to use our private agreement form to help you. Call us on freephone **0800 988 0988** to ask for a free copy.

### Arrangement using the CSA

Sometimes it just isn't possible for parents to come to a private agreement. There may still be bad feelings between you, or there may be a good reason for one of you not to trust the other. Or you may prefer the security of a CSA arrangement.

To put a CSA arrangement in place, here are some key things you need to think about.

#### Who can ask for one?

Applications to the CSA can be made by:

- the parent or person with the main day-to-day care of the child, or
- the parent without the main day-to-day care of the child, or
- qualifying children (in Scotland).

A person can ask the CSA for an arrangement as long as:

- the child is under 16 (or under 19 and in full-time education – not higher than A-level equivalent), and
- the person asking to receive child maintenance has the main day-to-day care of the child and lives in the UK, and

- the parent without the main day-to-day care lives in the UK, or works in the civil service, the armed forces or for a UK-based company, and
- no court order is in place from before 2003, or there is a court order from after April 2003 but it was set up more than 12 months before the application.

If you are not the child's parent but you do provide the child's main day-to-day care, you may be able to apply to the CSA.

#### If your child is aged 12 or over and lives in Scotland, he or she can make their own claim for child maintenance from a parent they don't live with.

All the conditions shown above must be met, and also:

- no one else can be receiving child maintenance payments for the child (such as the other parent or guardian)
- there must be no registered 'minute of agreement' made within the past year or before 3 March 2003
- the child must be in full-time education (but not higher or advanced higher education such as university)
- the child must live apart from one or both parents.

## How much does a CSA arrangement cost?

Nothing. The CSA provides its services free.

### Working out the right figure

The CSA will work out for you how much child maintenance you should pay or be paid. The CSA will look at the income of the parent who should be paying child maintenance, including their salary, benefits and tax credits. The CSA then uses a formula to work out child maintenance payments.

The CSA uses 4 rates to calculate child maintenance payments. The rate will depend on the income of the parent who should be paying child maintenance.

Here is a basic summary of the 4 rates:

#### 1. Basic rate

If the parent who should be paying has a weekly income of **£200 or more** after certain deductions (the 'net' amount), the CSA will use the basic rate to work out how much child maintenance must be paid.

#### 2. Reduced rate

If the parent who should be paying has a weekly income (net) of more than £100 a week but less than £200, the CSA will use the reduced rate to

work out how much child maintenance must be paid.

#### 3. Flat rate

If any of the following applies to the parent who should be paying, then they will pay a flat rate of £5 a week for child maintenance:

- their weekly income (net) is between £5 and £100, or
- they are getting certain benefits, or
- the partner they live with gets Income Support, income-based Jobseeker's Allowance or Pension Credit.

The flat rate is £5 – no matter how many children are involved.

#### 4. Nil rate

In some circumstances the parent who should pay qualifies for the nil rate. This is where the parent does not have to pay any child maintenance because he or she is:

- a student in full-time education, or
- under 16 years old, or
- in prison, or
- living in a care home or independent hospital (or equivalent services in Scotland) and getting help with the fees.

The CSA also takes into account things like:

- the number of 'relevant other' children (children living with either parent but not the subject of maintenance arrangements – see the glossary at the end of this booklet)
- whether the parent paying child maintenance has to pay maintenance for other qualifying children (children that that maintenance must be paid for – see the glossary)
- whether the qualifying child stays with the parent paying child maintenance at least 52 nights a year.

The CSA can also take into account any special circumstances, such as whether:

- the parent paying child maintenance is caring for a disabled child, or
- keeping in contact with the child involves exceptionally high travel costs, or
- the parent paying maintenance has substantial assets (money or property).

### How to make or receive payments

Under a CSA arrangement, there are different ways to make and receive payments. If you are the parent who pays, you can:

- pay it by direct debit to the CSA, who will then pay it straight to the other parent's bank account, or
- get your employer to take it out of your wages and pay it to the CSA, who will pay it straight to the other parent's bank account.

### Agreeing how often

The CSA will work out a payment schedule for you, showing how much you will pay or receive, and how often. Payments are usually either:

- once a week (52 times a year)
- every 2 weeks (26 times a year)
- every 4 weeks (13 times a year), or
- once a month (12 times a year).

Here are some of the good and bad points parents have told us about a CSA arrangement:

## Advantages

A CSA arrangement may be a better option if you have a **strained relationship** with the other parent, for whatever reason. You may find it helpful for the CSA to collect and enforce the right level of maintenance payments.

If you don't know where the other parent is, or they don't want to accept responsibility, **the CSA** can try to trace them, assess payments, collect payments and enforce the arrangement when they don't pay.

You don't have to be in any kind of **contact** with the other parent if you don't want to, for example if there's a history of abuse.

It's a **free service**.

You can **go back** to a private agreement in the future, if you can both make one work. You don't have to keep using the CSA arrangement for ever.

## Disadvantages

When people can reach agreement privately, this can get money to the receiving parent more quickly than through the CSA. Also, it can be easier to resolve breakdowns in payment when a third party is not involved.

Due to **the formal process** and the **paperwork** involved with CSA arrangements, it can take time to update a CSA arrangement, for example when your circumstances change.

Once you ask the CSA to decide on, for example, how much maintenance to pay, you have to keep to its decision. You can't ask the CSA to collect a different amount of maintenance – it will collect only what was decided by its formula.

There is less flexibility about how and when you make and receive payments. Making special arrangements for things like summer holidays is more difficult with a CSA arrangement than with a private agreement. The CSA uses a set formula to work out payments.

You have to share your details with the CSA. With a private agreement, you only have to share your details with the other parent.



## Advantages

If a parent **won't share their details**, CSA has the power to get those details from the Government, or their employer.

## Disadvantages

The more 'legal' things become, the harder it can sometimes be on your child and your relationship with the other parent.

### What information should I have ready?

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

- your contact details, such as address, daytime and mobile telephone numbers, and the 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 paid from or sent to
- personal information and contact details of the other parent if you have it, such as their full name, date of birth and place of work.

### Other options

#### A consent order (a type of court order in England and Wales)

A consent order is an official ruling made by a court. To put in place a consent order, both parents need to agree how

much child maintenance will be paid and how often.

You can agree either privately between yourselves (see option 1: A private agreement) or through a solicitor. You can then ask the court to turn the agreement into a consent order. This usually happens when people are going to court for other reasons, such as arranging a divorce or dividing their property or other assets. A consent order can be useful here because it gives a private agreement a legal footing.

#### Working out the right figure

Both parents have to agree on a figure before going to court. That may mean agreeing between yourselves or getting people to negotiate on your behalf, such as solicitors or mediators. If you need help to decide on a figure, call us on freephone **0800 988 0988**. We can try to give you an estimate over the phone, which you can use to start the discussion with the other parent. Once you've agreed an amount, the court judge will tell you if it seems reasonable.

### Cost of a consent order

A consent order costs money for fees to solicitors, mediators and the court fees. Legal aid will not cover these costs if you are only going to court to get a consent order for child maintenance.

### Keeping up payments

If the parent who should be paying child maintenance fails to pay, the other parent can ask the court to enforce the consent order.

The court can order money to be taken directly from the wages or property of the parent who should be paying child maintenance, and can also force them to sell their possessions.

During the first 12 months of a consent order, you cannot ask the CSA to set up an arrangement. After 12 months of the consent order, either parent may ask the CSA for an arrangement. This would cancel the consent order.

You must ask the court to take action if payments break down.

### Using a minute of agreement (in Scotland)

Things are slightly different if you live in Scotland. If you and the other parent can work out and agree an arrangement between yourselves (usually with help

from solicitors), the arrangement can be made into a contract called a 'minute of agreement', which can be registered to make it legally binding. A sheriff officer (the Scottish equivalent of a bailiff) can collect and enforce payments if the parent who should pay does not pay.

### What information is needed for a consent order or minute of agreement

Each parent should have ready:

- information about your income, and the other parent's if you know it
- details of the living costs for your child, such as school costs, clothing and food
- details of your own living costs, such as mortgage or rent and house bills
- when you would like to receive the child maintenance payments
- a date for when you will review the agreement.

You would need to take legal advice before going to court. A solicitor could tell you what you would need to prepare for court.

# How do I choose the right option for me and my child?

Every family is different. What works for one family may not suit another. So how can you work out which option is best for you and your child? Here are some of the key things you need to think about.

## Working together

To make a private agreement work you must be able to work together and build a collaborative relationship.

But you may not feel that you want to talk about money matters with the other parent. If so, you can contact the CSA and they will make a CSA arrangement on your behalf.

At any time, if you decide that you want to make your own private agreement after all, you can close your CSA arrangement and we can help you set up a private agreement.

## Commitment

To make an agreement work, you both need commitment. You need a basic level of trust between you, and must be willing to work together. Once you have an agreement, neither parent should try to change it without talking to the other first. It's a good idea to sit down once a year or so to make sure you are both still happy with the agreement. You don't have to meet face to face, there's always phone or email.

## Income

It's important to make an arrangement that's affordable and realistic, so the parent who's paying is more likely to keep paying.

That's why child maintenance payments should be calculated based on the income of the parent paying child maintenance.

If you would like an estimate of how much the maintenance should be, call us on freephone **0800 988 0988** and we'll work it out with you over the phone.

It's also important to let the other parent know right away if your money situation changes in a way that could affect any payments – such as a new job or changes to your benefits or credits. Give them enough warning, so they have time to budget.

## Irregular income

If the parent who's paying only works part-time or only part of the year, an agreement should still be possible.

If you have chosen a private agreement, you could agree a rate for when the parent paying is out of work, and adjust it for when they are earning. Remember to record all payments made.

If you change anything, be sure to keep a clear written record (for example, using our private agreement form). If there are no changes, it's still a good idea to take a fresh look at your agreement from time to time to make sure it's still fair.

If you have chosen a CSA arrangement, you should let the CSA know whenever circumstances change for either of you. The CSA will adjust the child maintenance calculations if necessary.

# How child maintenance affects benefits

The way child maintenance affects benefits changed on 27 October 2008. If you're the parent with the main day-to-day care and you're on benefits, you can now choose to arrange child maintenance through a private agreement or through the Child Support Agency (CSA). Whichever child maintenance option you choose, this is how it works.

## **Income Support, income-based Jobseeker's Allowance or income-related Employment and Support Allowance**

- If you arrange child maintenance through the CSA, any money the other parent pays to the CSA is passed straight on to you.
- It's your responsibility to tell Jobcentre Plus how much child maintenance you receive and when you receive it.
- The first £20 of any child maintenance you receive each week has no effect on the amount of benefit that Jobcentre Plus pays you.

After that, your child maintenance payments affect the level of benefits you receive.

- For example, if you receive £30 per week in child maintenance, Jobcentre Plus will reduce your benefit by £10 per week. If you receive £40 per week in child maintenance, Jobcentre Plus will reduce your benefit by £20 per week.

## **Council Tax Benefit or Housing Benefit**

- Any child maintenance money you receive has no effect on Council Tax or Housing Benefit.

## **Tax credit award**

- Any child maintenance money you receive has no effect on your tax credit award.

# Negotiating child maintenance

Negotiation is a way you can reach an agreement about child maintenance. It involves both parents discussing their needs and views and those of the child.

Negotiation can help you to:

- resolve disputes
- reach the right agreement
- agree a course of action
- secure the best outcomes for your child.



It wasn't easy working out how much maintenance Lennox should be paying for the girls. We were both angry about the way our marriage ended. But we decided to give it a go for the sake of the kids. I'd seen so many of the girls at work get into fights with their ex-partners about child support. Someone suggested we went to Relate and they helped us deal with some of the emotional stuff that was going on between us. I'm not saying we forgave each other – never! – but it helped us focus on what the girls needed and how we were going to sort things out. I think we're both fairly happy with what we agreed. The girls don't lose out and Lennox doesn't feel I'm using maintenance to get back at him.

**Naomi, mother**



## Things to remember when negotiating child maintenance

### 1. Child maintenance and contact

Child maintenance and contact are not linked in law, and difficulties over one should not disrupt arrangements for the other. Never use contact arrangements as a way of bargaining with each other for maintenance payments or as a way of getting more or paying less maintenance.

### 2. The child is the priority

The top priority is that your children are supported financially – everything else comes second. It's certainly not about winning or losing; the only loser in a bad agreement is your child.

## Different types of negotiation

Private negotiation	If your relationship isn't spoilt by too much hurt and anger, and you have agreed to put your child's needs at the top of the list, you may be able to reach an agreement without outside help.
Mediation	You can use a qualified family mediator to help you reach a suitable agreement. You both explain your concerns to each other in the presence of the mediator.
Collaborative law	Collaborative law means each parent appoints a solicitor. But instead of negotiating by letter or phone, you can meet to sort things out face to face with solicitors there to help. The aim is to avoid the stress and expense of going to court.

## Advantages and disadvantages of negotiation

Negotiating child maintenance is better than having a solution imposed on you, as long as you feel able to negotiate with the other parent. However, negotiation isn't perfect – so it's important you're aware of its good and bad points.

The important thing is to try to move on beyond the bad bits of your relationship. If either of you lets negative feelings get in the way, a negotiated agreement is unlikely to succeed. In this situation, counselling or mediation can help.

Advantages of negotiation	Drawbacks of negotiation
Builds trust between parents.	Can leave one parent feeling hard done by.
Allows both parents to have their say.	The parent with the dominant personality will say the most.
Allows greater flexibility.	The outcome can be uncertain.
Creates greater equality.	You may feel bullied into a bad agreement.
Builds communication.	Can end in hostility.



### How long does it take?

The time it takes to reach an agreement through negotiation depends on how many issues you are trying to sort out and how complex the issues are. It also depends on how easy you find it to communicate and co-operate with each other. Family mediation usually takes between 2 and 6 sessions to reach an agreement.

### When to negotiate

Negotiation works best when both parents are genuinely committed to finding a solution that's fair and workable and puts the needs of their child first. If you both want to achieve these things, a negotiated agreement is likely to work well for you and your child.

### When not to negotiate

Negotiation fails where one or both parents just want to have things their own way, or want to prove a point. Negotiation is also harder when one parent is not being co-operative or wants to take revenge. If either parent feels at risk of being bullied into a bad agreement, or is at risk of violence, then you should not try to start negotiating.

### How to negotiate

There are 3 things to think about before you start negotiating.

## 1. Is negotiation possible?

Before you can begin negotiating, you both need to:

- put aside your feelings about the ending of your relationship
- feel confident that negotiations will be open and honest
- forget about scoring points. Negotiation is about getting the best outcome for your child.

## 2. Do we need any help?

If you both believe that negotiation is the way forward, it's worth thinking about whether you need:

- any legal advice
- practical or emotional support
- help with deciding where to start
- a way of recording your agreement. Contact us on freephone **0800 988 0988** for useful information
- a mediator or collaborative law practitioner to help you reach an agreement.

If you have a legal issue contact the Community Legal Advice Helpline on **0845 345 4345**.

### 3. How can we make the most of negotiation?

It's a good idea to write an action plan. This will help you to focus on solutions rather than problems. Think about:

- what you want to achieve
- your priorities if you have more than one goal
- what you think the other person wants to achieve
- the facts – do you need help to establish the truth?
- all the options – including those you don't like
- the possible and the probable outcomes of each option.

If you decide that negotiation is right for you and your child, it's time to think about the process itself. There are 4 main stages in negotiation:

## The 4 stages of negotiation

- Prepare**
- Agree what you want to discuss before you meet.
  - Call us on freephone **0800 988 0988** for a basic maintenance calculation.
  - Write down a plan so you won't get sidetracked.
  - Decide which issues you need to agree on.
  - Prioritise the most important issues.
  - Think about any information you need to bring with you.
  - Decide if you need the help of a mediator.
  - Think about your ideal outcome.
  - Decide what compromises you're prepared to make.
- Discuss**
- Choose a neutral place away from your child.
  - Deal with one issue at a time.
  - Agree on the easy things first.
  - Be as honest and open as possible.
  - Stick to the matter in hand. If you lose track, refer to your plan.
  - Remember that you're negotiating for your child's best interests.
  - Use open language such as 'tell me about...'.  
• Be direct and explain your reasoning.
  - Listen and respond to what the other parent is saying.
  - If you get stuck, agree to negotiate at a later date or agree a different method of making arrangements.
- Propose**
- Suggest a solution that you think is right and affordable for both of you.
  - Be prepared to compromise if it's appropriate.
  - Remember that our basic maintenance calculation is a good indicator of what you could receive if you decided to use the CSA.
- Agree**
- Once you've reached an agreement, decide if you want to record it – we strongly recommend that you do. You can use our private agreement form.

Call us on freephone **0800 988 0988** to ask for a copy of our private agreement form.

### Should I compromise?

That depends. Remember that you are negotiating about how your child will be taken care of financially. Be prepared to compromise over what you want, but don't agree to anything that could cause your child money trouble.

If you aren't sure about what counts as a sensible compromise, call us on freephone **0800 988 0988**.

We can provide you with a basic child maintenance calculation that the CSA would use. You can choose to use this as the basis for your agreement.

### How to reach an agreement

You must both be open, honest and clear about what you want to happen. Deal with one topic at a time and don't let other issues get in the way.

We offer some practical help in our leaflet *Emotional wellbeing*. To get a copy, call us on freephone **0800 988 0988**.

## Things to bear in mind

### Stay positive

- Focus on future solutions rather than past problems.
- Remember that change for the better is always possible.
- Focus on what's going right now, rather than what went wrong in the past.

### Take steps

- You need to know your goals before you can achieve them.
- Small steps can lead to big changes, so set frequent short-term goals.
- Think about the next small step – what needs to happen to make things better?
- Ask yourself: 'Will the next small step bring me closer to my target?'

### Find solutions

- This *Getting started* pack describes all of your child maintenance options, so that you can discuss alternative options if necessary.

### How to record agreements

Private agreements made outside the courts aren't usually legally binding. So it's a good idea for both of you to keep a written record of the things agreed. Then, when you come to review your agreement, you can easily check what was agreed. The written record will also help you settle disputes about whether the agreement has been broken.

We have a private agreement form which is ideal for recording what you've agreed and what's been paid – call us on freephone **0800 988 0988** to ask us for a copy.

### Problem solving and renegotiation

Sometimes even the best agreements fall through and end in dispute. Here's what to do if that happens.

The first step is to try talking to the other parent. It may be that they've had a change in employment, an illness or some other problem that's stopped them sticking to the agreement. Or they may be angry or upset about something you have done.

Try to think of anything you have done that could have caused a negative reaction.

If you can't make progress, contact the CSA on **08457 133 133**. They'll be able to calculate and collect maintenance on your behalf.

Our leaflet *Legal rights and responsibilities* will give you more detailed information on your legal rights and options. It will also help you work out whether you might be entitled to legal aid. To get a copy, call us on freephone **0800 988 0988**.

# Being prepared for the future

## What happens when things change?

We all know life doesn't always go to plan. Jobs come and go, as well as relationships. Tomorrow it may not be so easy to keep to the arrangements you made today.

That's why you have to be prepared for **change**. The more you plan for it, the easier it is to deal with when you need to.

## What could change?

Lots of things, such as:

- your job
- where you live
- who you live with
- having more children.

These are big life changes – not just financial. If you're finding it all hard to deal with, you could try reading our leaflet called *Emotional wellbeing*. It's full of useful information and it gives names and details of organisations you can turn to for help.

Call us on freephone **0800 988 0988** and ask for a free copy of any of our leaflets.

## How will income changes affect my child maintenance?

Your child deserves a share of both your incomes, even if one parent lives apart. If your incomes go down, then you should adjust child maintenance payments. This will help make child maintenance fair and the agreement realistic.

## **Child**

For child maintenance purposes, a child is either:

- under 16, or
- under 19 and still in full-time education up to A-level (or equivalent).

## **National Insurance number**

This is a reference number issued by the UK Government. Everyone has a unique number and this number allows you to work. It's normally on your payslip.

## **Qualifying child**

This is any child who fits the definition of a 'child' (see above) and who lives apart from one or both parents.

## **Relevant other children**

These are the children that the parent who should be paying child maintenance lives with, but are not the children that the maintenance is for.

## **Shared care**

If a child stays with the parent who should be paying child maintenance for more than 52 nights a year, it's called 'shared care' because both parents share the care of the child. The parent paying child maintenance will pay less as a result of sharing the care.

# Useful organisations to contact

## Child maintenance

**Child Support Agency**  
Telephone **08457 133 133**  
(8am to 8pm Monday to Friday  
and 9am to 5pm Saturday)  
Textphone **08457 138 924**  
**[www.csa.gov.uk](http://www.csa.gov.uk)**

## Domestic violence and abuse

**National Domestic  
Violence Helpline**  
Freephone helpline providing  
information, help with safety  
planning, translation facilities  
and access to emergency  
refuge accommodation.  
Telephone **0808 2000 247**  
(freephone 24 hours,  
7 days a week)  
**[www.refuge.org.uk](http://www.refuge.org.uk)** and  
**[www.womensaid.org.uk](http://www.womensaid.org.uk)**

**Scottish Domestic  
Violence Helpline**  
Freephone helpline providing  
information, help with safety  
planning, translation facilities  
and access to emergency  
refuge accommodation.  
Telephone **0800 027 1234**  
(freephone 24 hours,  
7 days a week)  
**[www.scottishwomensaid.org.uk](http://www.scottishwomensaid.org.uk)**



Employment and financial support available

### Jobcentre Plus

Telephone **0800 055 6688**  
(8am to 6pm Monday to Friday)  
Textphone **0800 023 4888**  
**www.jobcentreplus.gov.uk**

### Jobseeker Direct

Search and apply for jobs by phone.  
Telephone **0845 606 0234**  
(8am to 6pm Monday to Friday and 9am to 1pm Saturday)  
Textphone **0845 605 5255**  
**www.jobcentreplus.gov.uk**

### Connexions

An information service for people aged 13 to 19 (or people with learning difficulties or disabilities aged 25 and under) who are living in England and looking for work.  
Telephone **0808 001 3219**  
**www.connexions.gov.uk**

### Careers in Scotland

Careers advice for people leaving school, leaving a job, returning to work after a break, wanting to change direction, or keen to do more with their current job.  
Telephone **0845 850 2502**  
**www.careers-scotland.org.uk**

### HM Revenue & Customs

Information about tax credits and eligibility.  
Telephone **0845 300 3900**  
(8am to 8pm, 7 days a week)  
Text phone **0845 300 3909**  
**www.taxcredits.inlandrevenue.gov.uk**

### National Debtline

Specialist advisers offering free confidential advice and support on dealing with personal debt.  
Telephone **0808 808 4000**  
(Monday to Friday 9am to 9pm, Saturday 9.30am to 1pm; or 24-hour voicemail)  
**www.nationaldebtline.co.uk**

### General information

#### **www.direct.gov.uk**

Government website with information on topics such as parenting, money, benefits and work entitlements.

#### **Citizens Advice Bureau (CAB)**

Provides free information and advice on topics such as law, housing and debt. To find your local CAB, look in the phone book or click on 'Find your local CAB' on the website.  
**www.citizensadvice.org.uk**

**NHS Direct****(England and Wales)**

Provides information and advice about health, illness and health services.

Telephone **0845 4647**

(24 hours, 7 days a week)

**www.nhsdirect.nhs.uk****NHS 24 (Scotland)**

Health information and self-care advice.

Telephone **08454 242424**

(24 hours, 7 days a week)

**www.nhs24.com****Housing****Shelterline**

Provides free advice and information for anyone with a housing problem.

Telephone **0808 8004 444**

(8am to 8pm, 7 days a week)

**www.shelter.org.uk****National Housing Federation**

Supports and promotes the work of housing associations and campaigns for better housing and neighbourhoods.

Telephone **020 7067 1010****www.housing.org.uk****Information for parents who live apart****Centre for separated families**

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

Telephone **0845 4786 360****www.separatedfamilies.org.uk****Families Need Fathers**

Provides information for parents and also runs local open support meetings.

Telephone **0870 7607 496**

(Monday to Friday 6pm to 10pm)

**www.fnf.org.uk****One Parent Families/  
Gingerbread**

Information for lone parents on such things as: maintenance, tax credits, benefits, work, education, legal rights, childcare and holidays.

- Lone Parent Helpline  
**0800 0185 026** (Monday to Friday 9am to 5pm, free on landlines; mobile rates vary)  
**www.oneparentfamilies.org.uk**

- Lone Parent Helpline for Scotland  
Telephone **0808 8010 323**  
(Monday to Friday 9.30am to 4.30pm, free on landlines; mobile call rates vary but calls from Vodafone, Orange, Virgin and T-Mobile are free)  
**www.opfs.org.uk**

### One Parent Families Scotland

A national voluntary organisation, registered as a charity.

Members include lone parents, the organisations who work with them and others who want to help. The helpline and conditions are the same as Lone Parent Helpline (see above).

Telephone **0131 556 3899**

**[www.opfs.org.uk](http://www.opfs.org.uk)**

### Parenting across Scotland

A partnership between adult relationship organisations and children's charities on issues affecting parents and families in Scotland.

Telephone **0131 319 8060**

**[www.parentingacrossscotland.org](http://www.parentingacrossscotland.org)**

### ParentlinePlus

Provides advice and support for anyone in a parenting role, including step-parents and grandparents.

Telephone **0808 8002 222**

(free and confidential 24 hours, 7 days a week)

**[www.parentlineplus.org.uk](http://www.parentlineplus.org.uk)**

### Parentline Scotland

Provides free and confidential advice and support for anyone in a parenting role, including step-parents and grandparents.

Telephone **0808 8002 222**

(Monday, Wednesday and Friday 9am to 5pm, Tuesday and Thursday 9am to 9pm)

**[www.children1st.org.uk/parentline](http://www.children1st.org.uk/parentline)**

### Community Legal Advice (formerly Community Legal Service Direct)

A Government-funded confidential legal service offering free advice to those eligible for legal aid in England and Wales.

Telephone **0845 345 4345**

(Monday to Friday 9am to 6.30pm. Calls from 4p per minute)

**[www.clsdirect.org.uk](http://www.clsdirect.org.uk)**

### Scottish Legal Aid Board

Can provide funding to people who qualify to get legal advice and 'representation' (where a solicitor puts their case in court).

Telephone **0845 122 8686**

(7am to 11pm)

**[www.slab.co.uk](http://www.slab.co.uk)**

### Children and Family Court Advisory and Support Service (Cafcass)

Cafcass works with families referred by the court in England and Wales. It helps families reach agreement over arrangements for their children.

The website has useful information, case studies, advice and contact links.

Telephone **020 7510 7000**

**[www.cafcass.gov.uk](http://www.cafcass.gov.uk)**

## Resolution

Family lawyers focused on constructive resolution of family disputes.

Telephone **01689 820272**

(9am to 5.30pm)

Email **info@resolution.org.uk**

**www.resolution.org.uk**

## Mediation

### National Family Mediation

A network of local not-for-profit family mediation services in England and Wales, which offer help to couples, married or unmarried, who are in the process of separation or divorce.

Telephone **01392 271610**

(Monday to Friday 9am to 5pm)

**www.nfm.org.uk**

### Family Mediation Scotland

Helps parents who are separating or divorcing, with making their own arrangements and plans for the future.

**www.familymediation  
scotland.org.uk**

## Relationships Scotland

Helps parents who are separating or divorcing with making their own arrangements and plans for the future.

**www.relationships-scotland.org.uk**

## Relate

Offers advice, relationship counselling, mediation and support – face to face, by phone and through the website. There may be charges for this service.

**www.relate.org.uk**



Providing impartial information  
and support for both parents  
to make choices about child  
maintenance

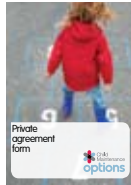
# How to order our other leaflets

You can order our free leaflets by phone. The diagram lists them and explains what to ask for when you call.

Help with making choices about child maintenance:



Your child maintenance options



Private agreement form

About the Child Maintenance Options service:



Our complaints process



How we handle your data

Practical information on the issues that you may face when parenting apart:



Your rights and responsibilities



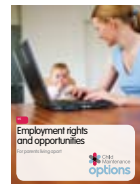
You and your child's wellbeing



Housing rights and options



How to deal with your finances



Managing work and parenting



Providing impartial information and support for both parents to make choices about child maintenance

## Contact us

Freephone\* **0800 988 0988**

8am–8pm Monday to Friday

9am–4pm Saturday

**[www.cmoptions.org](http://www.cmoptions.org)**

This leaflet is also available in other languages, in large print, in Braille and on audio cassette.

You can get these formats by calling us on freephone\*

**0800 988 0988**

Our TextBox and textphone number is **0800 988 9 888**

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

Calls to 0845 numbers from BT landlines should cost no more than 4p per minute with a 6p 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 to 0870 numbers from BT landlines should cost no more than 8p per minute with a 6p 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 per minute, so check the cost of calls with your service provider.

