

# Child maintenance and staying safe

 a child maintenance decisions guide



# Sorting out separation

Web  
site

**Get help** with issues around your break-up with an easy-to-use website **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 at  
[www.sortingoutseparation.org.uk](http://www.sortingoutseparation.org.uk)



Brought to you by  
**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 [www.cmoptions.org](http://www.cmoptions.org)**

\*See inside back cover for information about call charges

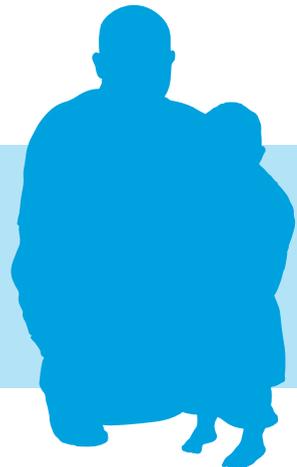


## Supporting separating and separated families

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.



# Child maintenance and staying safe

Most parents want what's best for their children and understand that they are both responsible for supporting their children financially after they separate.

Many parents now choose to make child maintenance arrangements between themselves, but it isn't always possible. If you've been in a violent or abusive relationship, it might not be safe to have any contact with your ex-partner.

Only you can decide whether trying to work with your child's other parent might be possible. If you have any doubts or worries for your own safety or your child's, there are other options for arranging child maintenance.

We have these options to make sure that no child has to miss out on the benefits of regular, reliable financial support. This leaflet aims to answer any child maintenance questions that you might have, and explains how the government's statutory child maintenance scheme, run by the Child Maintenance Service, could help you.



# What is domestic violence?

Domestic violence or abuse are terms used to describe a type of behaviour where one person harms or dominates another person while in an intimate or family relationship. It can include physical attacks, but also emotional, sexual, psychological and financial abuse.

If you've gone through domestic violence or abuse, you are not alone. More than one in four women (around 4.5 million) have done so at some point in their adult lives<sup>1</sup>. Men can also experience domestic violence. Talking about domestic violence can be difficult, but it's important to know where to go if you need some support. We've listed some helpful organisations on page 13.

**If you have any immediate worries about your safety or the safety of your children, phone the police.**



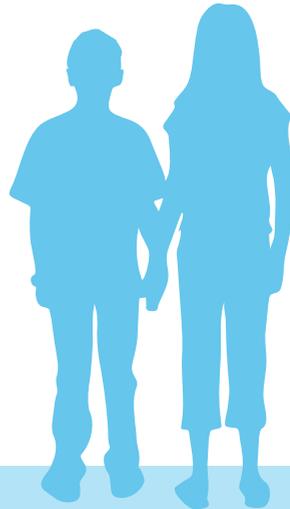
<sup>1</sup> Home Office statistics (2008/9)

# What is child maintenance?

Child maintenance is regular, reliable financial support that helps towards a child's everyday living costs. Usually the parent without the main day-to-day care of the child pays child maintenance to the parent with the main day-to-day care.

## Why is child maintenance important?

Having an effective child maintenance arrangement in place can make a real difference to a child's wellbeing. It can help the parent responsible for the main day-to-day care to manage the household budget, making sure children have the things they need. And as child maintenance is a long-term arrangement which supports children as they grow, it can also mean more choices and opportunities for them in the future.



# How can I arrange child maintenance?

All parents have the option of making a child maintenance arrangement between themselves, without using the courts or the statutory child maintenance services. However, if you're coming out of a violent or abusive relationship, you might not be able to contact the other parent, or to discuss things freely.

You may also be worried that your ex-partner could use an arrangement like this, which is not legally binding, as a form of control.

If this is the case, you may prefer to use the government's statutory child maintenance service, which the Child Maintenance Service provides.

There is a £20 fee for applying to the Child Maintenance Service. However, if you have suffered domestic violence and have

reported it to an 'appropriate person' you do not have to pay the fee. An 'appropriate person' includes people like the police, a medical professional, a court, social services, your local council – even your employer. You can see a more complete list online by going to **www.gov.uk**. A Child Maintenance Options agent will be able to talk to you about what your needs are and will help you to apply to the Child Maintenance Service if you need to.

The Child Maintenance Service will work out all payments on your behalf, based on a formula that takes into account your ex-partner's income and the number of children they support. If your child or children regularly stay overnight with their other parent, they also take that into account.

Child Support Agency and Child Maintenance Service arrangements are legally binding and can last until the child is 16, or their 20th birthday in certain circumstances (for example if they're in full-time education).

They will also:

- keep all information confidential
- allow you to avoid contact with the other parent
- trace the other parent if you don't know their address
- pass on your bank details to the other parent (with your permission) so they can pay you direct. This service is called Direct Pay, and there are no collection fees.

The Child Maintenance Service can also collect payments on your behalf, and enforce payments even if the other parent doesn't give them information. This service is called Collect and Pay. Both parents will pay a collection fee for all payments collected and passed on in this way. You can find out more about fees and charges in our leaflet *Information for parents with the day-to-day care*

*of their child or Information for parents living apart from their child.*

## Staying safe with Direct Pay

Either parent can choose to use Direct Pay for a Child Maintenance Service case, except when there is evidence that suggests the paying parent may be unlikely to pay. But you don't have to be in contact with your child's other parent to use Direct Pay. This means you can avoid collection fees and still stay safe.

The Child Maintenance Service can securely pass your bank account details to the paying parent so they can start paying direct.

If you don't want the paying parent to know where you live, you do have other options.

Many banks and building societies offer accounts that use a 'central' or 'national' sort code, instead of one linked to your local branch. This means that the account details won't give any clue about where you live.

It's possible your bank account already has one of these sort codes.

Your bank can help you find out what type of sort code you have and can help you set up a new account if you need one.

Or you could use a pre-paid card. Here, the paying parent 'loads' money onto the card for you to use. You can find out more about these online. Go to [www.moneyadvice.service.org.uk](http://www.moneyadvice.service.org.uk) and search for 'prepaid cards'.

No matter how many times you contact Child Maintenance Options, you'll never be forced into setting up an arrangement. You'll simply be able to get whatever support and information you need to make an informed decision for yourself and your child.

Call us on **0800 988 0988\*** or go to **[www.cmoptions.org](http://www.cmoptions.org)**

## Getting more help and information

Child Maintenance Options is a confidential service that can answer your questions about child maintenance, and can explain how to apply for a statutory arrangement. The information you provide, on the phone or online, will never be passed to any other person or organisation (unless you specifically ask for it to be). This includes the other parent and any other family members.

# Child maintenance and your safety

Keeping you and your child safe should always be the top priority when you are making decisions about parenting after separation. It's important for you to think about how the other parent might react to hearing from the statutory services. The Child Support Agency and the Child Maintenance Service will keep your personal details safe. But if you think that setting up a case could cause a problem, you may want to take steps to protect yourself and your family. Many parents include this as part of their 'safety plan', which

they use to make sure that they are always prepared for possibly dangerous situations. You can find out more about putting together a safety plan by speaking to any of the organisations that we've listed on the next page.

**If you or your children are in immediate danger you should call the police. You may also want to think about getting legal advice from a solicitor, as you may be able to get an injunction to protect you.**

## Organisations that can help

For women and children going through domestic violence:

### National Domestic Violence helpline

0808 2000 247

[www.nationaldomesticviolencehelpline.org.uk](http://www.nationaldomesticviolencehelpline.org.uk)

### Rights of Women family law advice line

0207 251 6577

[www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)

(includes a range of free legal guides to download)

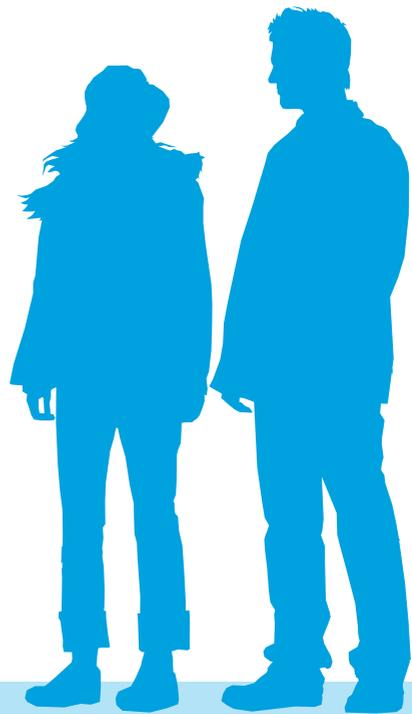
For men going through domestic violence:

### Mankind

01823 334 244

Helpline services for deaf people are provided through Text Relay. Go to [www.textrelay.org](http://www.textrelay.org) for details

[www.new.mankind.org.uk](http://www.new.mankind.org.uk)



For lesbian, gay, bisexual and transgender people experiencing domestic violence:

**National LGBT Domestic Abuse Helpline**

0800 999 5428

Email:

[help@galop.org.uk](mailto:help@galop.org.uk)

[www.galop.org.uk](http://www.galop.org.uk)

For child contact centres in Scotland:

**Relationships Scotland**

0345 119 2020

visit [www.relationships-scotland.org.uk](http://www.relationships-scotland.org.uk)

For anyone looking for information on housing and emergency accommodation:

**Shelter Housing Advice Helpline**

0808 800 4444

Typetalk calls to the helpline are welcome.

[www.shelter.org.uk](http://www.shelter.org.uk)

For people in England and Wales looking for a neutral place for children to meet a parent who no longer lives with them (with no need for parents to come into contact with each other):

**National Association of Child Contact Centres Infoline**

0845 4500 280

[www.naccc.org.uk](http://www.naccc.org.uk)



**Child Maintenance Options is a free service that provides information and support to help parents make decisions 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\***

### **\*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.



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