



A grandparent's guide

To child maintenance



© Crown copyright 2010

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 March 2010. 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.

EMA-CL0016 - (04/2012)

ISBN 978-1-84947-955-4

Contents

Welcome from Janet Paraskeva	2–3
What is child maintenance?	4
How can grandparents help with child maintenance?	5
Arranging maintenance: setting up a family-based arrangement	6–7
Getting help from Child Maintenance Options	8
Tony and Gwen – the grandparents' story	9–10
Your questions	11–12
How you can help	13
Useful organisations to contact	14–19
How to order our other leaflets	20

Welcome from Janet Paraskeva



As grandparents we all want the best for those who are closest to us. When a family breaks up, a whirlwind of practical and emotional issues arises. Some of us have faced this in our own lives and have experiences to share. Whatever happens, it is vital that children continue to receive financial support from the parent who no longer lives with them.

Far too many children in separated families are still not benefiting from regular maintenance. Sorting things out early on in the separation

can make the difference between a child being properly supported, and a child going without. The issue is too important for taking sides.

As the body in charge of Britain's child maintenance system, we know that when parents separate they often turn to family and friends for advice. Our research tells us that grandparents are more likely to be consulted about separation than professional advisers, including solicitors.

So we have prepared this simple guide to help you give useful and well-informed support to your children. This is particularly important because much has changed in the last few years. For example, parents are now free to make the maintenance arrangement that best suits their circumstances.

Many separated parents benefit from a child maintenance arrangement that they agree between themselves. It gives them the room for flexibility and co-operation, and helps to keep good relations going between themselves and their children.

Parents who aren't in a position to make this kind of family-based arrangement can still use the statutory maintenance service provided by the Child Support Agency (CSA).

“ Grandparents are more likely to be consulted about separation issues than professional advisers. ”

Child Maintenance

Options is a free, unbiased and confidential public service that is here to help parents – and grandparents – make sure that children are properly provided for after a separation. This guide is part of that service.

Child Maintenance Options can help everyone to find out more about child maintenance, and help your family to set up an arrangement and make it work. If you want to talk about the situation your family is facing, you are welcome to call us on

0800 988 0988

or visit us online at

www.cmoptions.org

Janet Paraskeva
Chair, Child Maintenance
and Enforcement
Commission

What is child maintenance?

Child maintenance is regular, reliable financial support that helps towards a child's everyday living costs. But it doesn't only have to be about money. The parent who does not have the main day-to-day care of their child gives child maintenance to the parent or person (such as a grandparent or guardian) who does.

Child maintenance can make a real difference to children as it can help pay for things like clothing, food and other essentials. It could also help keep both parents involved with their children's lives.

Many people choose to sort out child maintenance between themselves. This can happen without involving anyone else or with the help of a professional mediator. It doesn't always have to be about money either - it can include other kinds of support, for example, providing school uniforms.

Someone who is not the child's parent but provides the main day-to-day care, such as a grandparent or guardian, can also make this type of family-based or family arrangement with a parent (or with both parents) who is living apart from the child.

You can find out more about how to set up an arrangement on page 6.

Some families might not be able to set up an arrangement themselves. In these kinds of cases, or if there is a risk of domestic violence, a parent or carer can apply to the Child Support Agency (CSA). Then the parent without the main day-to-day care will have a legally binding duty to pay.

How can grandparents help with child maintenance?

As a grandparent, you want to do everything you can to help when your son or daughter's relationship breaks down, and your instinct will be to protect their wellbeing. You may already be offering help with childcare – research shows that one in four families get help with childcare from grandparents. Most families also often benefit from financial support from grandparents.

After a separation, one of the most important things you can do in helping your children sort out child maintenance is to stay unbiased, no matter how hard this may be. Child maintenance is a sensitive subject and it's important not to take sides.

The sole aim of any help and support you give should be to bring about financial security for your grandchildren, not to try and mend a broken relationship. Focus on getting maintenance for your grandchildren above all else. And however upsetting the situation may get, do your best to stay calm and balanced.

This guide gives you useful information, allowing you to offer your son or daughter practical help to point them in the right direction.

Arranging maintenance: Setting up a family- based arrangement

The quickest and easiest way to arrange child maintenance is for parents to set up an arrangement themselves. More than half a million children in the UK now benefit from this kind of family-based arrangement.

Family-based or family arrangements

Many parents choose to sort out child maintenance by making a family arrangement that they agree themselves.

To set up an arrangement, the parents or carers simply need to agree who will provide what for a child. It can include both money and other kinds of support, for example, buying school uniforms.

To record the arrangement, your son or daughter can fill in a family-based arrangement form. You can get a form by downloading it from **www.cmoptions.org** or by calling Child Maintenance Options on **0800 988 0988**.

Having the arrangement in writing could help make sure that both parents stick to their side of it, but it is not legally binding.

Some parents find it helpful to keep a record of payments paid and received.

A family arrangement is a good option for many parents. It's especially suitable if the parents feel they can trust each other to make the arrangement work, if they are in contact, and if there is no domestic abuse or violence involved.

If parents can't make a family arrangement or there is a risk of domestic violence or abuse, they may want to use the Child Support Agency (CSA).

They can either use Maintenance Direct, where the CSA work out how much and how often the payments should be, but the parents set up and manage the payments themselves.

Or they can use the full service, where the CSA will calculate the amount of maintenance according to a fixed formula and collect it on behalf of the parent with the main day-to-day care.

The CSA can also try and track down parents. If a parent refuses to pay, the CSA can and will take enforcement action against them.

It's also possible to make an arrangement through the courts but this can be expensive and complicated. Child Maintenance Options can give you more information about this.

There are lots of benefits in having a family arrangement:

- It's quick and easy to set up, so you can get payments flowing straight away.
- No-one else needs to be involved.
- People tend to respect their own promises. When both parents agree things together, payments are more likely to be made.
- It can help to keep things friendly between you and the other parent.
- You can make an arrangement even if the other parent lives or moves abroad.
- There are no set rules so you can be more flexible.
- There's little paperwork to do
- It can include things other than money

Getting help from Child Maintenance Options

Child Maintenance Options is a free service giving unbiased information and support to parents, their family and friends, and anyone else with an interest in child maintenance.

If your son or daughter contacts us, we can:

- explain how to make a child maintenance arrangement
- help to set up a family arrangement
- give an estimate of how much child maintenance they might expect to pay or receive and explain 'payments in kind' (you can also do this online at **www.cmoptions.org**)
- refer them to organisations that can provide information and support on other related issues.

If you wish, you can call Child Maintenance Options on your son or daughter's behalf to get information that may help them. Our service is free, confidential and unbiased.

To find out about child maintenance go to **www.cmoptions.org** or call the freephone helpline on **0800 988 0988** (open Monday to Friday 8am–8pm, and Saturday 9am–4pm).

Tony and Gwen – the grandparents' story

When Tony and Gwen's son David separated from his partner Melanie, he told his parents he wanted to financially support his son, Connor, who was going to live with Melanie. Melanie suggested an amount David should pay her each month and, although it seemed reasonable, David wanted to check it out. He also wanted an arrangement where he could see how the money for Connor was being spent.

Gwen saw a TV advert for Child Maintenance Options. *"I saw it a couple of days after they split up,"* says Gwen. *"I was worried about David and thought this service might help."*

David phoned the Options service and found them very helpful. He liked the idea of sorting out maintenance privately. The Options service sent him an agreement form that he and Melanie could sign to make it more official.

Tony said, *"David asked me what I thought of him sorting out child maintenance directly with Melanie. I thought it was a great idea. They had also been so grown-up about the break-up, I knew they'd make it work."*

David and Melanie got both their dads to watch them filling in the agreement form and also to sign it. Gwen was happy they did this. *"I wanted David to have something in writing so there'd be no argument about what we'd agreed."*

David puts £80 a month on a pre-paid card, which works like a debit card. David uses it to spend that amount on Connor each month and says it works better than just having the money sitting in his account, as he would probably spend it on other things. Every week he also asks Melanie if Connor needs anything and if he does, David buys it using the card.

This way David can easily see how the money benefits his son.

Tony and Gwen say they were glad to help. *“Gwen and I have six children and nine grandchildren, so there’s always one of them going through a hard time and needing some support or advice. We’re always there, in the background, ready to help them all.”*

My daughter and her ex-partner don't want to use the Child Support Agency. Can they arrange maintenance without involving them?

Yes, your daughter and her ex-partner are free to make a family arrangement between themselves, without having to involve or tell anyone else.

If they want a more formal agreement that records all the relevant points but they don't want to go to court, they can fill in and sign a family-based arrangement form. They can print one off from the Child Maintenance Options website or call the Options service to ask for a form. Having the agreement in writing could help ensure both parents stick to their side of the arrangement, but it is not legally binding.

In the past, if a parent with the main day-to-day care was claiming benefit, they had to tell Jobcentre Plus how much child maintenance they received through a family arrangement. However, from

12 April 2010, any maintenance they receive will be ignored when calculating their benefit.

My son and his ex-partner aren't speaking at the moment; can I contact Child Maintenance Options and find out the information they will need when they do start talking?

Yes. Family members and friends of separating couples are welcome to call Child Maintenance Options on their behalf and pass on the information they receive.

You can also download our 'Getting Started' guide from the website www.cmoptions.org/en/toolbox/leaflets.asp or phone **0800 988 0988**. It gives information on all aspects of child maintenance.

If your son and his ex-partner continue not to talk and are unlikely to reach a family arrangement, they can ask the CSA to put an arrangement in place for them.

Our daughter doesn't want to have any contact with her former partner, but she needs child maintenance. How can she get it?

Your daughter is not alone. There are other separating couples who don't want any contact with their ex-partners, for various reasons.

Sometimes people don't want contact with the other parent because there is conflict or they are worried about seeing them. In this situation, parents might want to get help from family and friends or a professional mediator. If there's no way that she can get in contact, she can ask the Child Support Agency to put a child maintenance arrangement in place, without her having to contact her ex-partner. The Child Support Agency can arrange everything with her and her ex-partner separately. If your daughter doesn't know where her ex-partner is, the Child Support Agency may even be able to trace him.

What happens if my daughter's ex-partner stops paying through their family arrangement?

Family arrangements cannot usually be enforced in court. If your daughter's ex-partner stops paying child maintenance, she could visit

our website for some handy tips on negotiating. These may help her sort things out with her ex-partner so that he starts paying again.

The information is at **www.cmoptions.org/en/toolbox/negotiations.asp**

If he still doesn't pay and they can't find another solution, she can call Child Maintenance Options on freephone **0800 988 0988**. If things still don't work the Child Support Agency can put a legally binding child maintenance arrangement in place for her and her ex-partner. They can collect payments on her behalf and they can legally enforce payments if her ex-partner refuses to pay, or stops paying again in the future.

I am the main carer for my grandchildren – can I claim child maintenance?

Yes, you can. Someone who is not the child's parent but who provides the main day-to-day care, such as a grandparent or guardian, can make a family arrangement with a parent who is living apart from the child. Or they can make an arrangement with both parents. If you can't make a family arrangement work, you can apply to the Child Support Agency.

How you can help

You can tell your son or daughter about the Child Maintenance Options service or contact us yourself.

Or, download or ask for the 'Getting Started' guide from Child Maintenance Options. We also have a range of other leaflets that may help your son or daughter as they go through separation.

Useful organisations to contact

Child maintenance

Child Support Agency
 Phone **08457 133 133** (8am to 8pm, Monday to Friday and 9am to 5pm Saturday)
 Textphone **08457 138 924**
www.direct.gov.uk

Domestic violence and abuse

National Domestic Violence Helpline
 Freephone helpline giving information, help with safety planning, translation services and access to emergency refuge accommodation.
 Phone **0808 2000 247** (freephone 24 hours, 7 days a week)
www.refuge.org.uk
www.womensaid.org.uk

Scottish Domestic Violence Helpline
 Freephone helpline giving information, help with safety planning, translation services

and access to emergency refuge accommodation.
 Phone **0800 027 1234** (freephone 24 hours, 7 days a week)
www.scottishwomensaid.org.uk

Wales Domestic Abuse Helpline
 Confidential support and information service for anyone experiencing domestic abuse or wanting more information on available support services.
 Phone **0808 80 10 800** (freephone 24 hours).
www.welshwomensaid.org

ManKind Initiative
 Confidential helpline for men suffering domestic abuse or violence. (Monday to Friday 10am to 4pm and 7pm to 9pm).
 Phone **01823 334244**
www.mankind.org.uk

Abused Men in Scotland
 Phone **01383 62 44 11**
www.abusedmeninscotland.org

Dyn Wales Helpline

Confidential helpline offering support to men who are experiencing domestic abuse from a partner.

www.dynwales.org

Employment and financial support

Jobcentre Plus

Phone **0800 055 6688** (8am to 6pm, Monday to Friday)

Textphone **0800 023 4888**

www.jobseekers.direct.gov.uk

Jobseeker Direct

Search and apply for jobs by phone.

Phone **0845 606 0234** (8am to 6pm, Monday to Friday and 9am to 1pm Saturday)

Textphone **0845 605 5255**

www.jobseekers.direct.gov.uk

Connexions Direct

An information service for people aged 13 to 19 (or people aged 25 and under with learning difficulties or disabilities) who are living in England and looking for work.

Phone **0808 001 3219**

www.direct.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

present job.

Phone **0845 850 2502**

www.careers-scotland.org.uk

Careers Wales

Free, bilingual, impartial careers information, advice and guidance for all ages.

Phone **0800 100 900**

www.careerswales.com

HM Revenue & Customs

Information about tax credits and who can get them.

Phone **0845 300 3900** (8am to 8pm Monday to Friday and 8am to 4pm Saturday)

Textphone **0845 300 3909**

www.hmrc.gov.uk/taxcredits/

National Debtline

Specialist advisers offering free confidential advice and support on dealing with personal debt.

Phone **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)

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.adviceguide.org.uk

NHS Direct

(England and Wales)

Information and advice about health, illness and health services.

Phone **0845 4647** (24 hours, 7 days a week)

www.nhsdirect.nhs.uk

NHS 24 (Scotland)

Health information and self-care advice.

Phone **08454 242424** (24 hours, 7 days a week)

www.nhs24.com

Housing

Shelter

Free advice and information for anyone with a housing problem.

Phone **0808 800 4444** (8am to 8pm, Monday to Friday, 8am to 5pm Saturday and Sunday)

www.shelter.org.uk

In Wales

Shelter Cymru

Housing advice and support services in Wales

Phone **0845 075 5005**

www.sheltercymru.org.uk

Local authority housing and emergency housing assistance

Information on local authority housing and emergency housing assistance can also be found on

www.direct.gov.uk

In Wales

Community Housing Cymru

www.chcymru.org.uk

Information for parents who live apart

Centre for Separated Families

Advice and support to parents and other people affected by family separation.

www.separatedfamilies.info

Families Need Fathers

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

Phone **0300 0300 363** (Open 24 hours a day)

www.fnf.org.uk

Gingerbread

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

Phone **0808 802 0925**
 (Monday to Friday, 9am to 5pm, free from landlines; mobile rates vary)
www.gingerbread.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.

Phone **0808 8010 323**
 (Monday to Friday, 9.30am to 4.30pm) **www.opfs.org.uk**

Parenting across Scotland
 Provides advice for parents and the 'Ok to Ask' service, giving parents the chance to ask questions of expert advisers and other parents.
www.parentingacrossscotland.org

Family Lives
 Advice and support for anyone in a parenting role, including step-parents and grandparents.
 Phone **0808 8002 222**
 (free and confidential 24 hours, 7 days a week)
www.familylives.org.uk

Parentline Scotland
 Free and confidential advice and support for anyone in a parenting role, including step-parents and grandparents. The service is run by Children 1st,

one of Scotland's leading child welfare charities.
 Phone **0800 028 2233**
 (Monday and Friday 9am to 5pm, Wednesday, Thursday and Friday 9am to 10pm, Saturday to Sunday 12 noon to 8pm)
www.children1st.org.uk

Legal advice

Community Legal Advice
 A Government-funded service offering free and confidential legal advice in England and Wales. It can also help you find out if you will be able to get legal aid.
 Phone **0845 345 4345**
 (Monday to Friday, 9am to 6.30pm. Calls from 4p a minute)
 For legal aid advice **www.direct.gov.uk/en/governmentcitizensandrights.org.uk**

For Community legal advice **www.direct.gov.uk/en/governmentcitizensandrights/divorceseparationandrelationshipbreakdown**

Scottish Legal Aid Board
 Explains more about legal aid in Scotland. Also helps you find a legal aid solicitor.
 Phone **0845 122 8686**
 (7am to 11pm, 7 days a week)
www.slabb.org.uk

Children and Family Court Advisory and Support Service (Cafcass)

Cafcass works with families referred by the courts 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. Phone **0844 353 3350**
www.cafcass.gov.uk

Resolution

Family lawyers helping with the constructive resolution of family disputes. Phone **01689 820272** (9am to 5.30pm, Monday to Friday)
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. These offer help to couples, married or unmarried, who are going through separation or divorce. Phone **0300 4000 636** (Monday to Friday, 9am to 5pm)
www.nfm.org.uk

Family Mediation Helpline

Provides information on family mediation and how it works, as well as advice on whether your case may be suitable for mediation. Also gives contact details for mediation services in your local area. Phone **0845 60 26 627**
www.familymediationhelpline.co.uk

Relationships Scotland

Helps parents who are separating or divorcing to make their own arrangements and plans for the future. Phone **0845 119 2020**
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. Phone **0300 100 1234**
www.relate.org.uk and
www.relateforparents.org.uk

In Wales

Relate Cymru

www.relatecymru.org.uk

Grandparents Plus

is the national charity that champions the vital role of grandparents and the wider family in children's lives – especially when they take on the caring role in difficult family circumstances.

www.grandparentsplus.org.uk

Grandparents' Association

is a national charity which supports all grandparents and their families.

www.grandparents-association.org.uk

helpline: **0845 434 9585**.

Parentline Plus is a national charity available to every parent or carer, from mums and dads to grandparents and step-parents. It provides free, flexible services over the phone, internet and face to face.

Parentline: **0808 800 2222**

Textphone: **0800 783 6783**

Email support:

[parentsupport@](mailto:parentsupport@parentlineplus.org.uk)

parentlineplus.org.uk

www.parentlineplus.org.uk

Grannynet is a one-stop shop full of information for grannies who like to be in the know.

www.grannynet.co.uk

How to order our other leaflets

You can order our free leaflets by phoning **0800 958 0988**. Under each leaflet there is a short description of what to ask for when you call. They can also be downloaded from our website www.cmoptions.org

Help with making choices about child maintenance:



Child Maintenance - Getting started



Family-based arrangement form

About the Child Maintenance Options service:



How to complain about us



How we handle your information

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



Your legal rights and responsibilities



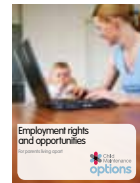
Your and your child's wellbeing



Housing rights and options



Money and finances



Employment rights and opportunities

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

Contact us

Freephone* **0800 988 0988**

8am to 8pm, Monday to Friday

9am to 4pm Saturday

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 a 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 a 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 a minute, so check the cost of calls with your service provider.