



A grandparents guide

To child maintenance



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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 advisors, 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.

Some separated parents decide that a private maintenance arrangement gives them the room for flexibility and cooperation that helps good relations between themselves and their children.

Others prefer to use the statutory maintenance service provided by the Child Support Agency (CSA). The CSA has made good progress in recent years and next year we will introduce its replacement, an entirely new child maintenance service.

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

Child Maintenance

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

Child Maintenance Options can help with private agreements or put parents in touch with the CSA.

If you want to talk through 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. The parent without the main day-to-day care of the child pays child maintenance to the other parent. This payment is usually based on the income of the parent without the main day-to-day care. Regular maintenance can make a big difference to a child's wellbeing and the quality of family relationships.

The parent without the main day-to-day care has a legally binding duty to pay maintenance if the other parent opens a case with the Child Support Agency (CSA). Private agreements between parents cannot be enforced in court, but if they don't work out then it's possible to get the CSA involved.

Individuals who are not the child's parent but provide the main day-to-day care, such as grandparents or guardians, can also make a private agreement with a parent who is living apart from the child (or with both parents). Alternatively they can apply to the CSA.

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 achieve financial security for your grandchildren, not to try and mend a broken relationship. Focus on securing 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, enabling you to offer your son or daughter practical help to point them in the right direction.

Arranging maintenance: The options

There are three main ways your son or daughter can arrange child maintenance:

- using a private agreement
- through the Child Support Agency (CSA)
- via the courts.

We describe each of these below.

A private agreement

Parents who make private agreements decide between themselves how much, and in what form, child maintenance should be given from one parent to the other, without involving a third party.

A private agreement is a good option if the parents feel they can trust each other to make the arrangement work. It can help keep things friendly and ensure both parents are actively involved in their children's lives. Private agreements also allow more flexibility if either parent's circumstances change.

Parents can also agree to payments being made 'in kind', such as paying for school uniforms, trips away or household bills.

To record the agreement, your son or daughter can fill in a private agreement 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 agreement in writing could help ensure both parents stick to their side of the agreement, but it is not legally binding.

Arrangement using the Child Support Agency

Sometimes it just isn't possible for parents to reach a private agreement, at least not when they first separate. There may still be bad feelings, or there may be a good reason for one not to trust the other and they would prefer a more secure arrangement.

If so, they may want to use the Child Support Agency (CSA). 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.

Using the CSA can be a good option in the short term until the parents have a better co-parenting relationship.

A consent order through the courts (England and Wales only)

A consent order is an official ruling as part of a divorce settlement, normally made by a court. To make a consent order, both parents need to agree how much child maintenance will be paid and how often. However, this option can be expensive if it is made outside legal divorce proceedings.

If you live in Scotland you can have a Minute of Agreement, which is similar to a consent order in England and Wales. Parents agree how much maintenance should be paid and an agreement is drafted. Once the agreement has been officially registered, a Sheriff Officer can take enforcement action if a parent fails to pay the agreed amount.

Getting help from Child Maintenance Options

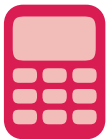
Child Maintenance Options is a free service giving unbiased information and support to parents, their family and friends, and anyone else with an interest in child maintenance. It helps them make informed choices about arranging child maintenance.

If your son or daughter contacts us, we can:

- explain the three main ways of arranging child maintenance
- give an estimate of how much child maintenance they should pay or receive if they choose to open a CSA case
- 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).



Your son or daughter can also get an estimate of how much maintenance they should receive or pay by using our online maintenance calculator at **www.cmoptions.org**

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 private agreement between themselves, without having to involve or inform 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 complete and sign a private agreement 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 agreement, 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 private agreement. 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 agreement, 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. Many separating couples don't want any contact with their ex-partners, for various reasons. 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.

What happens if my daughter's ex-partner stops paying through their private agreement?

Private agreements 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, which 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 continues to refuse paying and they can't find another solution, she can call Child Maintenance Options on freephone **0800 988 0988**. If she wishes, the Child Support Agency can put a 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. Individuals who are not the child's parent but provide the main day-to-day care, such as grandparents or guardians, can make a private agreement with a parent who is living apart from the child (or with both parents). Alternatively you can apply to the Child Support Agency.

How you can help

You can direct your son or daughter to the Child Maintenance Options service or contact us yourself.

Alternatively, download or request 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 the process of separation.

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

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 and
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

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 **0300 0300 363**
(Monday to Friday 6pm to 10pm) **www.fnf.org.uk**

Gingerbread

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

- Single Parent Helpline **0808 802 0925** (Monday to Friday 9am to 5pm, free on landlines; mobile rates vary) **www.gingerbread.org.uk**
- Single 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

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.parentingacross
scotland.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

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**

Legal advice

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

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**

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

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

BeGrand.net provides information, advice and a welcoming community for grandparents.

www.begrand.net

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 promoting the role of grandparents.

It's a membership organisation, open to all, and provides a range of information on its website and through a helpline.

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 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

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.

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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 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.

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