

## READERS' QUESTIONS – CHILD MAINTENANCE

### How to apply for child maintenance in England?

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**Polish community Legal Director for Mary Monson Solicitors, Polski Adwokat Department**

- If both the person who asks for maintenance and the debtor are in England and Wales, the parent or person with care of the child applies to the **Child Support Agency**. Child support maintenance is paid by parents who live apart from their children via the Child Support Agency – a Government agency which determines maintenance through an administrative rather than a judicial process - if the child is under 16, or is under 19 in full-time education which is not advanced education (at school or an equivalent educational establishment). It is paid to the parent or person with care. The parent or person with care of the child applies to the Child Support Agency. The weekly payment is made by the non-resident parent. The non-resident parent can apply to pay maintenance. A divorced spouse can pay maintenance to the other spouse.

To apply for child support maintenance you can telephone the **Child Support National Helpline on 08457 133 133 or +44 151 227 2274**. An application for child support maintenance can be made over the telephone or you can request an application form. You must provide information about the children for whom maintenance is needed, existing maintenance arrangements and details of any arrangements for sharing the care of the child. The other parent will then be contacted and asked to provide the information needed by the Child Support Agency to make the maintenance calculation. The maintenance liability are provided free of charge by the Child Support Agency. For child support maintenance, anyone such as a friend, relative or a legal adviser (e.g. a solicitor in England and Wales) can make an application on behalf of a parent or person with care of a child. The parent or person with care will need to authorise the person making the application to do so, unless they already have authority. For applicants in England and Wales, applications can be made to either the local magistrates'.

For recovery of maintenance, legal representation is not usually required. Where legal representation is required legal help and assistance is available, but is subject to a means and merits test in some cases. For the recovery of maintenance, the court can grant an order for child maintenance, spousal maintenance, or child/spousal maintenance. The court can make an order for periodical payments, lump sum, settlement payments, and secured periodical payments. Account will be taken of all the circumstances of the individual case in assessing the amounts. The Child Support Agency provides a calculation service and a collection service. It will collect child support maintenance if the person with care is on Income Support or income-based Jobseeker's Allowance, or if either parent asks it to do so. If non-resident parents are late with payments, the Child Support Agency will try to make sure that they pay all the child maintenance they owe. For the recovery of maintenance, the court can order payment to be made directly to the court; the court can order a particular method of payment; the court can make an attachment of earnings order; the court can impose a period of imprisonment.

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### Contact the Team to:

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## HAVE YOUR SAY

**Crewe residents and organisations are being encouraged to have their say on how the town may be governed in the future.**

Lindsey Parton, Elections and Registration Team Manager within democratic services department explains that the council is running consultations in the Crewe area throughout December and early January: "We are now seeking views of members of the Migrant Workers Association and other migrant workers being residents in Crewe."

You can view the Draft Recommendation and submit your views, please visit the Crewe Governance Pages at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk). Alternatively, comments can be submitted in writing to The Elections and Registration Team Manager, Cheshire East Council, Westfields, Sandbach, Cheshire, CW11 1HZ.