

Written evidence from the One Parent Families Scotland CMS0015

Summary

- Children in single parent families are more likely to be living in poverty in the UK, at 49% compared to 30% of all children, and in Scotland at 39% compared to 25% of all children. This is the result of: barriers single parents face in employment because of their sole childcare responsibilities; living in a one-income household where in many cases there is little to no financial support from the child's other parent; and social security policies which impact disproportionately on single parent families.
- Many families are unable to establish family-based arrangements for child maintenance because of relationship breakdown and financial and emotional stresses. 60% of 'receiving parents' applying to the CMS are recorded as having experienced domestic abuse. Family-based arrangements are often neither possible nor safe for families where coercive control has been involved. This means the general approach of the CMS of encouraging family-based arrangements is not in keeping with the evidence on the circumstances of most families using the service.
- Single parents consistently report significant barriers to accessing support through CMS, including: the speed and effectiveness of the service; weak enforcement and inaccurate income levels provided by the 'paying parent'; poor and at times insensitive communication; a lack of consideration and understanding of domestic abuse; and the 4% charge for 'receiving parents' and 20% for 'paying parents' to use Collect-and-Pay.
- We recommend a root-and-branch review to address these systemic problems, including: abolition of charges for receiving parents; better customer service; an improved service for victims and survivors of domestic abuse; stronger systems and resources to challenge parents who attempt to avoid or minimise child maintenance; and developing transparent performance frameworks and gather information to better understand the experiences and circumstances of the families it serves.
- It is the policy of the UK Government that the CMS should encourage parents to begin on a Direct Pay arrangement, further incentivised by the fees for using Collect and Pay. However, a DWP survey found that only 58% of parents responding 13 months after their Direct Pay calculation were still on Direct Pay. we would recommend that at least in cases where the receiving parent discloses domestic abuse, an offer should be made of starting on a Collect-and-Pay arrangement from the outset.

- Research has found that in the UK, for children of single parents who are in poverty and not receiving maintenance, child maintenance payments being received would lift them out of poverty in around 60% of all cases. Given the demonstrable difficulty in collecting child maintenance from non-compliant ‘paying parents’, we believe it is the Government’s responsibility to ensure that financial support is given to children to prevent them from being pushed into poverty.
- We would recommend considering a guaranteed minimum maintenance payment to be made by the DWP where the full payment is not being made by other parent, looking to models used in other countries such as Finland as best practice.
- It is also important to recognise the impact of the wider social security system on families living in poverty. There are various social security policies which are known to impact particularly adversely on single parent families, including: the benefit cap, benefit sanctions, removing the £20 uplift in Universal Credit, and cutting the rate of benefits for young parents from the adult rate to the under 25s rate. It will not be possible to support children living in poverty in separated families while policies such as these push them into greater hardship.
- It is also important to understand and reflect in policy and practice that child poverty cannot be separated from poverty faced by parents. Within this, it also must be recognised that DWP statistics find that 93% of parents paying maintenance through the CMS are men. We also know that around 90% of single parents are women. Women’s poverty and children’s poverty go hand in hand, and so any work to address child poverty should also be viewed as part of a broader strategy to advance gender equality.

Introduction

The Work and Pensions Committee is continuing its work on children in poverty with an inquiry into the Child Maintenance Service (CMS) and the financial support arrangements for children and young people in separated families.

The inquiry will explore how the DWP might improve the CMS to better support children in poverty and examine the barriers parents face when trying to access CMS support as well as how the system interacts with wider social security, including Universal Credit.

Reforms in 2012 were aimed at encouraging families where one of the parents does not live with the child to create their own arrangements for the payment of support and reduce the use of the government service. While family-based arrangements have increased and use of

the CMS has fallen, the estimated proportion of separated families without any arrangements in place has risen from 25% in 2011/12 to 44% in 2019/20.

In March, the National Audit Office published a report on child maintenance calling on the DWP to do more to ensure families could easily use the CMS. In 2019, the Social Security Advisory Committee recommended that the Government publish a strategy for separated parents and their children in respect to the social security system.¹

One Parent Families Scotland's response to the questions asked in the evidence call are based on a large-scale consultation with single parents across Scotland.²

About One Parent Families Scotland

One Parent Families Scotland (OPFS) is the leading charity working with single parent families in Scotland. Building on over seventy years of advocacy and service-delivery expertise, OPFS provides expert information, advice, and family support for one parent families, along with training activities, employability programmes and flexible childcare. OPFS campaigns with parents to make their voices heard to change the systems, policies and attitudes that disadvantage single parent families.

Our vision is of a Scotland in which single parents and their children are valued and treated equally and fairly. Our mission is to work with and for single parent families, providing support services that enable them to achieve their potential and help create lasting solutions to the poverty and barriers they face.

As part of this we have a goal to campaign for an effective child maintenance system, so children are not financially disadvantaged by parents separating.

1. Approximately how many children in the UK live in separated families? What proportion of these children are living in poverty?

1.1 In 2021, it was estimated by the Department for Work and Pensions (DWP) that there were around 2.4 million separated families in the UK, with 3.6 million children

¹ UK Parliament, 2022. [Children in poverty and the Child Maintenance Service inquiry launched.](#)

² OPFS, 2022. [Does the UK Child Maintenance Service deliver value for money for children?](#)

living in these families³. We understand that, as of 2019/20 there were an estimated 4.3 million children overall living in poverty in the UK – that’s 30% of all children.⁴ In 2019/20, 49% of children in single parent families in the UK were living in poverty.⁵

1.2 In 2019, Labour Force Survey data showed there were an estimated 144,000 lone-parent families in Scotland, 25% of all families with dependent children. Nine out of 10 of them were headed by a lone mother.⁶ In 2016, there were just over 167,000 single parent families with dependent children claiming Tax Credits (this difference is likely to reflect differences in how single parents are counted).⁷ Based on a three-year average from 2016-19, the 39% of children in lone parent households in Scotland were in relative poverty compared with 24% of all children, and 34% in single parent households were in absolutely poverty, compared to 21% of all children. Out of around 230,000 children who were living in relative poverty in Scotland, 90,000 were in lone parent families (headed predominantly by women).⁸

1.3 Currently, while we await the findings of the latest Scotland wide Census (2022), OPFS does not have up to date statistics specific to the proportion of those Scottish children living in separated families who are living in poverty. However, as a charity that supports low-income single parent families, we are acutely aware that there are unacceptable numbers of children, living in these households, who are experiencing entrenched deprivation. The success of the ambition to eradicate child poverty is therefore of vital importance to the many children in one parent families who live in poverty.

2. What are the impacts on children and parents living in poverty in separated families? Are any groups particularly affected?

³ House of Commons Library. 2021. Child maintenance: Calculations, variations and income (UK)

⁴ End Child Poverty Coalition and Centre for Social Research in Social Policy at Loughborough University. 2020. [Local child poverty data 2014/15 – 2019/20.](#)

⁵ Department for Work and Pensions. 2021. [Households Below Average Income, Statistics on the number and percentage of people living in low-income households for financial years 1994/95 to 2019/20.](#)

⁶ ONS – Labour Force Survey. 2019. [Families and households in the UK: 2019.](#)

⁷ Public Health Scotland. 2020. [Child Poverty in Scotland: priority groups – lone-parent families.](#)

⁸ Scottish Government. 2020. [Tacking child poverty: second year progress report – annex C.](#)

2.1 OPFS sees daily the devastating impacts on children and single parents living in poverty, including those in separated families. To mention just some of the outcomes, these include:

- Having to make difficult choices between heating the home and putting food on the table and at times even having to miss out on both
- Parents often going without food and other personal comforts to provide the best for their children
- Limited job opportunities and income which are further constrained by caring responsibilities and lack of childcare
- Poor mental health and physical wellbeing
- Limited family support which leads to stress, anxiety, loneliness, and isolation
- Limited social activities due to insufficient financial resources
- Family stigma, judgemental attitudes and bullying of children at school.

2.2 By way of illustration, here is a snapshot of responses from single parents, supported by our local services:

2.3 I am unable to arrange activities for my son over the holidays as I have no spare money after paying basics. I can no longer afford to run the car, and this is going to mean I am even more isolated than usual as I cannot visit friends and family as much. I am already using food larders and have cheap recipes we eat regularly...My mental health isn't great but the stress I am feeling now is making it worse.

2.4 ...finding money for additional stuff like trips out or parties is difficult. I feel bad telling the girls we can't do the stuff their friends are doing and try to do cheap things instead like a movie night or a pamper session. It is even more frustrating when they go to their dad's, and he gets to do all the fun stuff because he can afford to. It is getting even harder now because electric and food has gone up in price so even doing the cheap stuff is hard. I am constantly worrying about making ends meet.

2.5 I am really struggling financially at the moment. I am constantly thinking about

when my next UC payment is and whether I will manage until then. I drive and even covering fuel for the school run is difficult never mind anything else. I tend not take the kids out as often as I did and am already thinking about what we can do over the summer that is cheap. I was lucky enough to get a voucher from a local charity which allowed me to buy summer clothes for the kids which I would otherwise have been unable to afford.

2.6 I have just recently separated from my husband and am finding it difficult to adjust to not having his wage coming in but to be honest

2.7 The biggest thing for me is feeling isolated. Being a lone dad is difficult as none of my friends really get it. My mental health is bad at times and obviously stress makes this worse. Bringing up a teenager is hard enough but doing it alone with so little money when they want the same stuff as their friends is tough. The cost of everything is rising and this means I don't always have money to allow him to go out with his friends...

2.8 Being both sole carer and breadwinner is a difficult balancing act because of the lack of flexible and affordable childcare and the lack of secure and family-friendly employment. The combination of balancing the responsibility for childcare and household earnings alone while social security has been cut means many single parent families have been pushed to the brink. Child maintenance payments are therefore vital for separated families and the well-being of children.

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2.10 There is emerging evidence that single parent families have been among some of the groups most adversely affected by loss of income during this pandemic. This has been exacerbated by the cost-of-living crisis with the spike in gas prices, energy, transport, and food costs. The crisis has meant more single parents and their children have experienced negative social and economic impacts that are beyond their control, placing further additional pressures on these families.⁹

3. What prevents parents from establishing family-based arrangements?

3.1 A family-based arrangement, by definition, means that the receiving parent and the paying parent will agree and arrange child maintenance payments without the involvement of the CMS. It is free, private, quicker, and easier to set up, and flexible to meet changing circumstances. It requires honesty from both parties, particularly on the part of the paying parent, respect, cooperation, and responsibility. However, it is not legally binding.

3.2 In our experience, separated families, by their nature, arise because of various causes, such as bereavement, poverty, breakdown in communication, illness, to name a few, which impact on the success or failure of child maintenance family-based arrangements. For example, refusal or failure of the paying parent to agree to a family-based arrangement or to sustain it once it is in progress. The lack of accountability means that the paying parent may not be fully honest with their earning status and how much they can afford to pay. By its nature a family-based arrangement has no enforcement powers as it depends on mutual respect and cooperation. This allows for inconsistent practices. It can lead to additional and unacceptable financial and emotional burden on the receiving parent having to chase up payments.

⁹ Public Health Scotland, 2020. [Covid-19 and lone parents with dependent children \(healthscotland.scot\)](https://www.healthscotland.scot)

- 3.3 Single parents who have fled violent or coercive relationships are at a particular disadvantage in receiving child maintenance through a family-based arrangement. Withheld money is yet another way of the paying parent using manipulation and abuse of power to continue the cycle of control and abuse of the receiving parent with nobody to advocate on their behalf.
- 3.4 Clearly, the cost-of-living crisis and the uncertain nature of employment for single parents means that both the paying and receiving parent can struggle to have adequate money to pay for the upkeep of their child. Through no fault of their own family-based arrangements can flounder even with the most willing participants: in-work poverty (lower skill occupations, lower paid, less secure, often short-term contracts¹⁰), benefit cuts, inconsistent employment opportunities and/or the impact of poor mental health and wellbeing all play a part in their lives.
- 3.5 Single parents and their children are more at risk of poverty than coupled parents. As a society, we need to promote the rights of the child when poverty impedes the smooth operation of child maintenance, regardless of whether that be during family-based arrangements or through CMS intervention. We believe governments have a duty to uphold the rights of the child and step in through social welfare support when such problems in payments arise.

4. Some parents aren't using CMS or a family-based arrangement – how are they organising financial support for their children?

4.1 We sought the views of a small group of single parents living in Dundee to understand their lived experiences in relation to this question:

4.2 *I have nothing in place as my ex was on benefits when we first broke up and so, I didn't approach the CMS as I didn't think it was worth it. We have a very difficult relationship and have never spoken about him contributing*

¹⁰ UK ONS 2019. [Persistent poverty in the UK and EU: 2017.](#)

financially. I know he is now working, and I have thought about applying to CMS, but I worry about his response, and I know my pride is getting in the way as I don't want him to feel I am reliant on him for anything.

4.3 I had a very difficult break up with the father of my children and he continued to control my life in whatever way he could. I did not want to give him any other way of being involved in our lives so was reluctant to apply to CMS for a long time as I was scared to rock the boat as I knew he would retaliate in some way by making my life difficult. It is only now that I am struggling so much due to the rising cost of living, I feel I have no choice. I have support now that I didn't before so am a bit less concerned about what he might do in retaliation.

4.4 There is no way I would ask my ex for financial help. She is on benefits, and it is not worth the bother for the little amount I might get. It took a long time to get where we are now, and I know if I did ask the CMS to assess her it would prompt her to feel entitled to come back into his life again. There is no way we are going through the stress of that again just for her to let him down.

4.5 Pride, difficult relationships, abuse of power, avoidance of a negative influence in the child's life, and acknowledgement of the paying parent's own financial struggles are reasons parents have put forward for not seeking child maintenance from their partner.

Undoubtedly, this puts further pressure on the meagre income they have from other sources, such as social security benefits, leading to poorer outcomes for the family who cannot provide even the basics for their children.

5. What barriers are there for parents when trying to access support from CMS?

5.1 At the end of 2021, OPFS carried out an online survey with single parents claiming child

¹¹ OPFS, 2022. [Does the UK Child Maintenance Service deliver value for money for children?](#)

maintenance¹¹. The survey explored their experiences of the CMS and the barriers they faced. In total there were 60 respondents. These comprised of parents who were the main carer and either in receipt of child maintenance or who had previously used the service. Our findings catalogued a range of barriers that the receiving parent faced when trying to access support from CMS.

5.2 Overall, our 2021 report highlighted that:

- 78% of respondents were dissatisfied or highly dissatisfied by the quality and speed of service provided by CMS.
- 83% indicated that the level of child maintenance was inadequate.
- We asked single parents to tell us about their experiences with a range of different aspects of the CMS. 75% of respondents told us about experiences around payment, collection, and enforcement, while 54% told us about their experiences with the speed or quality of customer service that they received.

5.3 These issues clearly indicate the lack of confidence that people had in the service meeting their needs as experiences were predominately negative:

5.4 Effectiveness

Not very pleased with it. The paying parent is constantly late with his payments, can skip some, changes agreed payment dates, etc. I don't think the enforcement of pay is working at all. Also, the ongoing assessments are confusing. I know my ex can be dodgy and hide his actual pay (does a lot of cash in hand jobs), and don't feel the calculations made are reliable.

5.5 Enforcement

Had a claim for four years never received a penny, enforcement rules are not upheld and seems to just have been ignored and put aside by CMS.

5.6 Communication/customer service

I would improve the customer service; those working with communicating with parents using the service can be so insensitive when discussing personal situations and lacking in knowledge about the services provided.

5.7 Changing financial circumstances

My ex is self-employed, but occasionally claims Universal Credit, a month here and a month there my son receives under £7 per week. This has gone on for years and even at such a low amount, he won't pay, only has it taken off any UC he claims. I don't believe we will ever see the amount due. I used the service previously for my other son, and never was the "amount due" paid. Much more needs to be done so that estranged/absent parent provides financially for their child, as I thought they legally had to.

5.8 Problems with Arrears payments

I tried to claim CM and received a few erratic payments. It had to be collected through earnings arrestment. Every time the dad moved job, payments stopped and wouldn't re-start for months. CM said they couldn't find him, and they were not allowed to search for him. He accrued lots of arrears. When the system changed over, I was told I should write him a letter that would be passed into him. I didn't/couldn't...so I didn't make a new claim.

5.9 In addition, we noted other barriers, most notably, the COVID-19 pandemic, domestic and financial abuse amongst other concerns.

5.10 Over the last two years, the Covid-19 pandemic and lockdown restrictions have hindered access to CMS. Like many other organisations, CMS workers were working from home. This led to problems such as longer waiting times and file access issues, which in turn delayed appeals/enforcement. At times, single parents experienced non-compassionate care by team members when calling to discuss their case.

6. How effectively is CMS at supporting children in poverty who live apart from one of their parents?

6.1 See also our response to question 5.

6.2 Research has found that in the UK, for children of single parents who are in poverty and not receiving maintenance, child maintenance payments being received would lift them out of poverty in around 60% of all cases.¹²

6.3 DWP statistics find that the lowest income households are least likely have any type of child maintenance arrangement. 2 in 5 separated parents who were either not working or were economically inactive had no child maintenance arrangements in place, compared with only 1 in 5 of those who were working.¹³

6.4 Two themes emerged from our 2021 consultation with parents regarding how the UK Government could make receiving child maintenance payments easier and more reliable:

- For the service to be more child centred
- Stronger enforcement powers

6.5 Regarding the former, our findings suggest that the CMS needs to review the extent to which it enables a child centred and children's rights approach when supporting children in poverty who live apart from their parents.

6.6 Parents are legally obligated to provide financially for the maintenance and upbringing of their child. It is expected that children in poverty will benefit from the child maintenance payments from a separated parent. However, we know that single

¹² Mia Hakovirta, Christine Skinner, Heikki Hiilamo, Merita Jokela. 2019. ['Child Poverty, Child Maintenance and Interactions with Social Assistance Benefits Among Lone Parent Families: a Comparative Analysis'](#).

¹³ National Audit Office, March 2022. ['Child Maintenance. The Department of Work and Pensions'](#).

parents are disproportionately disadvantaged financially when compared with coupled families and that child poverty is present to a far greater degree in these households. In these circumstances, it is perhaps not surprising that single parents with limited means are less able to demand and enforce child maintenance payments from their partner. Also, we have noted elsewhere that single parents who have suffered domestic abuse at the hands of the paying parent may not feel safe to seek or chase up payments.

6.7 CMS only becomes involved when the separated parties require a third party to resolve failing or absent payment arrangements.

6.8 This approach places the duty of care with the parents and holding them solely responsible, but the feedback we receive from single parents indicates that the parent often lacks the means to fulfil their obligations. We maintain that the child should not be disadvantaged when the parent does not/cannot fulfil their obligations to meet the child's basic needs. The welfare system must ensure that the child's basic needs are met. Enforcement is crucial, but as our respondents noted, often ineffectual. Ultimately, we believe that child maintenance contributions are only one necessary element of a wider social system of welfare and should be seen in the context of a broader social policy.

6.9 The feedback from our 2021 consultation with single parents confirms that the CMS is not always providing meaningful support to families. Their comments suggest a lack of follow up when families experience unpaid payments from ex-partners, limited enforcement, poor communication by the helpline and email services along with additional charges for the receiving parent. Low-income single parents and their children are consistently being let down by a system which is intended to protect and aid them financially to meet their basic needs.

6.10 Furthermore, The CMS charges the receiving parent a £20 initial fee and 4% deductions from maintenance paid, as well as charging the paying parent 20%.

6.11 These deductions mean that parents are financially worse off using this service than Direct Pay. In effect, this penalises children whose parents have experienced

relationship breakdown to such a degree that a Direct Pay arrangement isn't possible. This leaves children who are already dealing with difficult family circumstances with less financial support. This policy cannot be seen to align with a child-centred, children's rights approach.

7. How effective are the Direct Pay arrangements?

- 7.1 According to analysis by the National Audit Office (2022)¹⁴, ninety per cent of separated families using CMS start with Direct Pay. It is the policy of the UK Government that the CMS should encourage parents to begin on a Direct Pay arrangement, and this is further incentivised by the fees for using the Collect and Pay Service. However, a DWP survey found that only 58% of parents responding 13 months after their Direct Pay calculation were on Direct Pay. 16% were on or moving to Collect and Pay, and 19% had left the CMS and had maintenance arrangement in place. 16% of those still on Direct Pay said they do not receive the full amount and 20% said their payment is not usually on time.
- 7.2 Evidence suggests that Direct Pay is not appropriate for many families, who have commonly reached out to the CMS because they have been unable to arrive at an informal arrangement. 3 in 5 parent's new applicants to the CMS are recognised as being survivors of domestic abuse¹⁵ – this information has been recorded since 2018 when the service began to routinely ask parents this question.
- 7.3 This means that, in a majority of cases, a Direct Pay arrangement is unlikely to be suitable and could place victim-survivors at risk of continued financial abuse and harassment. Furthermore, the point of separation is a time when victims and survivors are at increased risk. A survey by Gingerbread found that around half (48%) of single parents had experienced some form of economic abuse by a former partner. Considering these circumstances, affecting a majority of CMS cases, it is

¹⁴ National Audit Office, March 2022. ['Child Maintenance. The Department of Work and Pensions'](#).

¹⁵ Department for Work and Pensions, 2022. [Child Maintenance Service statistics: data to December 2021 \(experimental\)](#)

perhaps unsurprising that so many Direct Pay arrangements quickly fall apart.

7.4 For this reason, we would recommend that at least in cases where the receiving parent discloses domestic abuse, an offer should be made of starting on a Collect-and-Pay arrangement from the outset.

7.5 In our consultation with single parents on the CMS in 2021, parents using Direct Pay told us:

7.6 *My daughter is almost 7 years old, and the case has been opened for 6 and a half years. The payments have been on and off (mostly off) for the whole duration. It was constantly me chasing up CMS to get them to chase payments through the paying parent and through their employer. He reported last November he wasn't working. He works in the same small town that I live in and so see him on a weekly basis. I first saw him in December, reported this to CMS at the start of Feb 2021 and the case was due to be closed by March. It is now almost August; he is still working for the same company, and I still haven't received a single payment since November last year.*

7.7 *Sons' father earns far much more than he declares, he's an electrician and has his own company, drives flashy cars. But claims he only earns £400 per week max. Unfortunately, there is nothing I can do about this but to accept payment. He takes no part in sons' lives at all financially, physically or emotionally (apart from child maintenance payments). Been a single mum for 8 years or so. It seems so unfair.*

7.8 *It took over a year and multiple complaints to have a special variation for travel expenses removed from the claim after I notified CMS that my ex was no longer travelling to contact.*

8. How effective is the Collect & Pay system at collecting and enforcing child maintenance agreements?

8.1 The National Audit Office identified that less than half (49%) of paying parents with Collect & Pay arrangements had paid more than 90% of ongoing maintenance

due in September 2021.¹⁶

- 8.2 As stated above, 75% of respondents identified payment, collection, and enforcement in general as an issue for them in our recent survey.¹⁷
- 8.3 Single parents we support, and those who took part in our consultation, have told us that the Collect and Pay service is not functioning as it should be, with some 'receiving' parents still being asked to communicate with the other parent and provide evidence of the paying parents' income. For those where domestic abuse is involved (as stated above, a majority of all cases), this could place the receiving parent and their children at risk and cause distress.
- 8.4 Some respondents commented on their experiences with Collect and Pay, for example:
- 8.5 *Although I am on collect and pay the paying 'parent' is still getting away with non-payment and nothing is being done about payment of the arrears. Then they have the audacity to charge me 4% even though none of this is the child's fault and it's the child who is being deprived of what she is owed.*
- 8.6 *Collect and pay worked for a few months but it's hardly worth the £7 a week I'm entitled to. A £1 a day to look after a child is ridiculous. My daughter's dad has re-started worked a few months ago and payments were due to go up. However, the CMS are not able to collect and pay. They sent a letter asking me to get in touch with him. However, I was in a domestic abuse relationship, and I do not want to make any contact whatsoever for our safety and advice from the police. The CMS know this also. They know he's working but they don't know where, he's not answering their calls and is able to work full time and not pay any maintenance. My opinion of the CMS is what's the point? The whole idea of collect and pay was for them to collect it*

¹⁶ National Audit Office, March 2022. '[Child Maintenance. The Department of Work and Pensions](#)'.

¹⁷ OPFS, 2022. Does the UK Child Maintenance Service deliver value for money for children? Available online at: <https://opfs.org.uk/policy-and-campaigns/policy-research/cms-research-2022/>

from his wages.

8.7 *They made calculations, set up payments but took months to actually get it. Kept it going 6 months then informed ex he would have to pay for payments. Ex refused to pay anymore & basically harassed me until payments through them were cancelled (he made direct payments to me, not full amount, but because he was making "payments" they wouldn't enforce their payments & cancelled our account).*

8.8 *CMS did not do enough to enforce payments or arrears when absent father jumped through loopholes to avoid paying child maintenance over many years. They expected me the parent with care to provide evidence to show that the absent father was in work and refused to do anything apart from telephone the absent father upon my request to find out if he was in work.*

8.9 *Worst experience ever. I had to fight to obtain arrestment of earnings order, which took a year. Then I've had to fight for payments monthly because they don't chase the employer or use enforcement or fining powers to make them pay. Having to wait 4 weeks to get a payment is ridiculous especially when they charge fees, it's crazy.*

9. How quickly does the CMS respond to queries and request from parents? Is there any data on this?

9.1 As noted by the National Audit Office, it is difficult to assess questions around the quality of the service objectively because the DWP has not “identified suite of performance measures, management information and benchmarks that it needs to assess whether it is providing a reasonable level of service”.¹⁸

9.2 We recommend that the DWP begin gathering and sharing this kind of data, as this would greatly support efforts to improve the service.

9.3 Based on our own consultation of single parents, the speed of customer service within the CMS was one of the key problems raised, even by those who were otherwise satisfied

¹⁸ National Audit Office, March 2022. [‘Child Maintenance. The Department of Work and Pensions’](#).

with the service. This reflects what we regularly hear through our local support services and national helpline.

9.4 Some comments from parents which summarise these issues include:

9.5 The speed of the customer service is ridiculously slow; you're always on hold and queries are dealt with over long periods of time. I also find that those working on the customer service end sometimes have less information about how maintenance is calculated... While the customer service side can really do with improvement, the actual type of service is good.

9.6 CMS have been fantastic with my case most of the time, my only complaint is the communication. You are only allowed to message online and sometimes it takes over a week to get a reply, they also don't inform you of payments are stopping they just put on your statement, no payments scheduled without any explanation.

9.7 Every time I call customer services, I am on hold for a minimum of 45 minutes. Then when I usually do get through, I'm only speaking to someone for 2-3 minutes. If I forget something, it's another 45-minute wait to talk to someone again. I've used the online portal to report missed payments - this was before collect and pay. It took them 5/6 months before they responded or changed it to collect and pay.

9.8 I've had to wait more than a year for a response on more than one occasion (despite chasing) which is completely unacceptable. Upon phoning, any random person becomes your case worker and as my case is complex this is soul destroying... The actual running total has had technical issues twice, so I don't know how much is owed etc and it's taken MONTHS to sort out. If you don't chase nothing is actioned. The portal can be like a black hole - you message and get zero response.

10. How can the CMS ensure self-employed parents are contributing fairly to child-raising costs?

- 10.1 Under-estimation of earnings by self-employed paying parents is an issue which has been frequently raised by single parents accessing our services and in our recent consultation.
- 10.2 This can be a particular issue where parents are self-employed as they can choose to declare a lower income and pay themselves on top of this from dividends. Receiving parents can raise this with CMS and request an income variation but, as with many aspects of the system, this places the onus on the receiving parent to investigate and report discrepancies themselves.
- 10.3 Many receiving parents will not put themselves through this process either because they are unaware of it, because they are unable to devote the time to following it up, or because they have a lack of belief that this process will work based on past experiences with the service.
- 10.4 Additionally, parents have raised concerns with us about the risk to their safety where domestic abuse is involved, as the CMS can and will alert the paying parent that an income variation or mandatory reconsideration has been requested by the other parent. This not only poses a risk if parents go ahead with this process, but also acts as a deterrent. This ultimately benefits non-compliant paying parents who can exert control over the receiving parent.
- 10.5 One parent who took part in our consultation said:
- 10.6 *Process doesn't work when the paying parent owns their own company or is self-employed. There are too many loopholes and most people in these circumstances end up paying based upon min wage. It seems that no matter how strong the evidence is given in variation forms, diversion of income requests is just automatically rejected. In addition, CMS response times are very long, messages and letters get entirely ignored and staff refuse to provide information about how annual review calculations have been calculated.*
- 10.7 Another parent, who has had an open case with the CMS since 2014, reached out to us through our national helpline in 2022 and agreed to share her story:

10.8 *I got separated from my husband in relation to domestic abuse. He was convicted for an incident when we separated. When I received the annual review this year it said he was earning £80 odd per week, but I knew he was working full time, so I contacted them and said that can't be true. They suggested that I report him for tax evasion and benefit fraud, and give them details of those, which I did, because I thought it was done anonymously. They didn't tell me that the next steps would be that they were going to write to him and tell him that I, specifically, had raised a mandatory reconsideration. My ex was obviously really annoyed when he found out and tried to contact me, but because I've blocked him because the abuse is constant, he then reached out to me through our daughter who's only 10. She was then getting distressed and saying he was going to get angry if I didn't respond. I still don't know what the repercussions are going to be because if he does end up having to pay me more, he's going to be really angry. At no point did they [the CMS] ask me whether I'd been subject to domestic abuse or anything like that. If they're going to use my data in that way, it should be for them to say "are you okay for us to do this? And is it safe for us to do this?", and at least give me the option. If this is their process, I'm certainly not going to challenge his income again, so he could be saying anything to them.*

10.9 We recommend that the CMS:

- Take dividends into account in their assessment wherever possible.
- Require a higher standard of evidence from the paying parent, particularly those who are self-employed, both at the initial point of assessment and at any point where the paying parent declares a change in income.
- Review CMS policies on information provided to the paying parent when contacting them regarding any form of re-assessment to ensure that the safety of receiving parents and their children is protected.
- At the very least, ensure that receiving parents are enabled to give informed consent before paying parents are told that they have raised concerns, which would include asking if this might impact on their safety.

11. What role does the CMS have in dispute resolution for families?

- 11.1 We asked a group of single parents for their feedback on this question, and the responses all focused on the need for stronger enforcement when paying parents refuse to pay. For example:
- 11.2 *I think it is the role of the CMS to ensure that a payment plan is kept to, and they have the power to enforce this if necessary.*
- 11.3 *I would only expect the CMS to be involved if there was a financial dispute and this should be to let the absent parent know that the amount identified in the assessment is not negotiable and should be paid on the agreed date or action will be taken to have these payments taken directly from their employer.*
- 11.4 *While I have found them understanding I am not sure how far they can go to help. Maybe being able to do regular checks on the circumstances of the absent parent as now the onus is on me to inform the CMS if I find out my ex has gone back to work.*
- 11.5 In our experience, the current practice of the CMS is that it is not involved in dispute resolution and instead provides the function of reviewing evidence, making calculations, and arranging payments.
- 11.6 Where appropriate it might be beneficial for the CMS to signpost parents to wider support services such as mediation or family support services. This could help inform families of the range of support and advice that might be useful to them outside of the specific child maintenance issue.
- 11.7 However, we would not want to see this used as a means of discouraging parents from continuing with their case with the CMS and note that Child Maintenance Options already informs parents of the range of ways of making maintenance arrangements without involvement of the CMS.
- 11.8 Keeping in mind again the high proportion of domestic abuse victim-survivors among parents with care applying to the CMS, this means that 'dispute resolution' as such is unlikely to be possible or appropriate in the majority of cases.

11.9 Given the sensitive nature of the circumstances involved in many cases which the CMS handles, we would want to see any form of dispute resolution delivered by those with significant training and expertise in those issues.

11.10 Evidence from our consultation, services and research from Surviving Economic Abuse¹⁹ suggests that CMS staff currently lack sufficient training in domestic abuse and trauma-informed service delivery. Therefore, in our view, developing any form of resolution dispute function for the CMS would require significant investment, at a time when investment is already needed to resolve the issues with the service it already provides.

11.11 Some steps which we would recommend the DWP take are:

- Ensure strong partnership working and signposting by the CMS to domestic abuse and family support services.
- Substantial specialist training in domestic abuse for CMS staff, by organisations leading in this field.
- Clear and transparent policies for CMS staff on how to respond to disclosures of domestic abuse.
- Publish the findings of the Independent Review into the ways the Child Maintenance Service supports survivors of domestic abuse.

12. How does CMS interact with the wider social security system, including Universal Credit?

12.1 The National Audit Office finds that “enforcement has not been properly built into the Universal Credit system”, although 44% of parents with Collect & Pay arrangements are on Universal Credit.²⁰ The NAO states:

12.2 *The Department has legislative authority to deduct a full £7 flat rate of child maintenance (plus the 20% charge) from a paying parent’s Universal Credit award. An*

¹⁹ Surviving Economic Abuse, 2020. [The Cost of Covid-19: Economic abuse throughout the pandemic Briefing two – Child maintenance.](#)

²⁰ National Audit Office, March 2022. [‘Child Maintenance. The Department of Work and Pensions’.](#)

unintended consequence of the supporting legislation, however, is that the Department cannot process partial deductions of child maintenance payments (as they are less than the full flat rate amount). This causes problems in its interaction with the deductions cap. The Department has also not yet automated deductions from Universal Credit where the paying parent has earnings.

12.3 Single parents have told us that the amount they are receiving in support when the other parent is on Universal Credit is insufficient to make any meaningful contribution towards the costs of caring for their child. For example, one parent said:

12.4 *£1 a day is nothing. By the time they take the fee for collecting the maintenance it's less than this anyways. It's a joke. Now that I'm receiving nothing and getting letters to say what I should be receiving is like a kick in the teeth too.*

12.5 That so many single parents are in a situation where they are receiving so little, or nothing at all, in child maintenance payments whilst living in poverty makes a strong case for introducing a minimum maintenance payment, paid by the DWP (see question 16).

12.6 This would be particularly beneficial in those situations where the paying parent is out of work or on a very low-income. The purpose of the CMS should not be to shift poverty around from one family to another, especially where the paying parent also has other children.

12.7 Maintenance should be set at a level which is reasonably payable by the paying parent, in order to reduce the likelihood of non-payment and arrears.

13. How can DWP improve the CMS to better support children living in poverty?

13.1 The DWP could improve the CMS in a few ways which would benefit children living in poverty:

13.2 Abolition of charges for using the CMS Collect and Pay service.

Charges unfairly penalises children and the parent with care and can act as a disincentive for paying parents to make payments. Overall, this takes away money which could otherwise be used to support the child. In situations where families are struggling financially, charging parents to access much needed support for their children is counterproductive.

13.3 An improved service for victims and survivors of domestic abuse.

This would not only support and safeguard the parent who has been subject to abuse, but their children, who will also have been/continue to be impacted by the abuse. The CMS can take steps (such as those outlined in this submission) to better protect the safety and wellbeing of children where domestic abuse is involved.

13.4 Stronger systems and resources to challenging parents who attempt to avoid or minimise child maintenance, and those who do not pay what has been agreed.

Ensuring that children in poverty receive the financial support which they are due is a clear way to either lift them out of poverty or to lessen it.

13.5 Better customer service for parents and improved case management by the CMS.

Many parents tell us they have simply given up on the CMS as a result of the unhelpful experiences they have had in trying to use the service. Any improvement to the process and the support offered to parents is likely to increase the numbers of parents who continue using the service and ultimately receive the support their child is owed.

13.6 Develop transparent performance frameworks and gather information to better understand the experiences and circumstances of the families it serves.

It is also important to understand and reflect in policy and practice those efforts to reduce

child poverty cannot be separated from efforts to reduce the poverty faced by parents. Within this, it also must be recognised that DWP statistics find that 93% of parents paying maintenance through the CMS are men²¹. This aligns closely with the statistic that around 90% of single parents are women²². Women's poverty and children's poverty go hand in hand, and one can't be viewed in isolation from the other.

14. More widely, how can the DWP best support children with separated parents?

14.1 We asked a group of parents to share their response to this question. Their comments included:

14.2 Could DWP pay the amount the CMS assess and then if the absent parent doesn't pay DWP it would be the DWP they owe rather than the other parent? This would allow the parent in receipt of maintenance to plan and budget better knowing they could rely on that money each month rather than wait and see what they get.

14.3 I would like to see the return of the £20 uplift we received during the pandemic. I also think the DWP need to revisit the amount they take in deductions as these can be high and impact hugely on already struggling families.

14.4 In cases where families are not receiving financial support from the absent parent then more should be done to ensure their benefit is enough. Maybe reinstating the UC uplift for families like this would be a start.

14.5 The double-edged sword facing many single parents and their children is that, on the one hand, the CMS is failing in many cases to collect the maintenance payments that they are owed, and on the other, they are being penalised by the social security system in several ways. Both responsibilities lie with the DWP.

²¹ DWP, 2021. Child Maintenance Service statistics: data to September 2021 (experimental). <https://www.gov.uk/government/statistics/child-maintenance-service-statistics-data-to-september-2021-experimental>

²² ONS, 2019. [Families and households](#). Table 1.

14.6 In February 2020, 72% (56,000) of households affected by the benefit cap were single parent families. 64% of these had at least at least one child aged under 5 years, including 23% with a child aged under 2²³. This means that young children in single parent families are receiving less financial support than they otherwise might because of a cap which disproportionately affects parents who evidently face significant barriers to entering work due to their sole childcaring responsibilities.

14.7 DWP policy does not require single parents with children under three to look for work, in recognition of how difficult it would be to do so, meaning that the 13,000 households in this position affected by the cap face a particularly unfair situation.

14.8 There are a number of other reductions in social security which have a disproportionate impact on single parents. For example, prior to the introduction of Universal Credit in 2013, parents under 25 were paid the adult rate of benefits. This was changed so that all those under 25 are now paid a lower rate of benefits. Analysis from the Resolution Foundation finds that this particularly affects younger single parents, with two in three (67 per cent) experiencing a fall in income when moving from legacy benefits to Universal Credit.²⁴ Our Welfare Rights team calculates the difference at £66.13 per month.

14.9 The removal of the Universal Credit uplift also impacts particularly adversely on single parent families, as it leaves single claimants over 25 20% worse off and single claimants under 25 24% worse off, compared to 17% and 14% for joint claimants under and over 25, respectively²⁵.

14.10 Analysis by Gingerbread has found that single parents have also been at particular risk of unfair sanctions: around one in five single parents were referred for a sanction, and one in seven had sanctions imposed at its peak, but single parents were more likely to have their sanctions overturned, with 62% of successful challenges.²⁶

14.11 In light of the systemic problems with CMS, and what we know about the huge volume of unpaid child maintenance, it makes it even more vital that the DWP address

²³ Department for Work and Pensions, 2020. [Benefit Cap Data to February 2020](#).

²⁴ Resolution Foundation, 2019. [A fraying net: The role of a state safety net in supporting young people develop and transition to an independent, healthy future](#).

²⁵ Citizens Advice Scotland, 2021. [Making the £20 Universal Credit Uplift Permanent. An Analysis of UC rates over time](#).

²⁶ Gingerbread, 2017. [On The Rise. Single Parent sanctions in numbers](#).

these issues with the social security system. Leaving single parents, who are in many cases supporting their children without contribution from the other parent, with access to less support through social security is demonstrably pushing children into poverty.

15. Is the Child Maintenance Service operating better than the previous Child Support Agency? Are children better supported now than they were then?

15.1 The NAO has found that “there has been no clear change in the number of effective arrangements overall” since the CMS replaced the CSA. They estimate that around half of separated families in the UK have an arrangement where at least some maintenance is received, which is broadly unchanged since 2011-12.

15.2 It is estimated that the proportion of separated families without any arrangement increased from 25% in 2011-12 to 44% in 2019-20, while the proportion using the statutory service dropped from 46% to 33%.

15.3 It has been a stated aim of the Government to reduce reliance on support from the state for child maintenance arrangements. However, when the evidence suggests an increase in families with no arrangement in place at all, this should be concerning and cause for further investigation into the reasons behind this.

15.4 It is important that families who feel unable to make a family-based arrangement are not discouraged or faced with off-putting barriers to using the CMS, lest children be left without any financial support from their other parent at all.

16. Are there any international examples of best practice on supporting children and separated families that the Department should learn from?

16.1 There are several countries which operate guaranteed child maintenance schemes, including Austria, Belgium, Denmark, Finland, France, Germany, Norway, and Sweden. Guaranteed maintenance payments are disregarded for social assistance benefits in some countries, but not in others.

16.2 Finland is a particularly effective example, with a higher rate of recovery from paying parents than in other countries with guaranteed maintenance.²⁷

16.3 The Social Insurance Institution of Finland, a department of the Finnish Government, provides child support up to a guaranteed amount if payments are not received from paying parents. The allowance can also be paid to a child over the age of 15 directly. This can be paid up to the full amount if no payment is being made by the paying parent, or if a partial payment is being made by the paying parent, the difference is made up by the government.²⁸

16.4 Research suggests²⁹ that this system is more effective in reducing child poverty rates than the UK system. A 2019 academic paper notes that:

16.5 In Finland, the proportion of children living in poverty decreased by 29 per cent after maintenance was paid, compared to just 11 per cent in Germany and 7 per cent in the UK.

16.6 Another research report³⁰ found that 77.5% of single mother households were receiving child maintenance payments either from the child's father or the government, compared to 36.8% in the UK. This suggests that this system is also more effective in ensuring that more children receive the financial support they need. This report showed a drop in poverty in single parent households of 7.9% in Finland compared to 1.6% in the UK.

16.7 The research also indicates a slightly lower rate of paying fathers in poverty after child maintenance payments in Finland as compared with the UK, although in both cases the increase in poverty is very low. The decrease in poverty among single mother families was found to be significantly larger than the increase for paying fathers.

²⁷ Christine Skinner, Jonathon Bradshaw. 2007. [Child support policy: An international perspective.](#)

²⁸ Nordic Co-operation. [Child Support and Child Maintenance in Finland.](#)

²⁹ Mia Hakovirta, Christine Skinner, Heikki Hiilamo, Merita Jokela. 2019. '[Child Poverty, Child Maintenance and Interactions with Social Assistance Benefits Among Lone Parent Families: a Comparative Analysis](#)'.

³⁰ Mia Hakovirta, Christine Skinner, Daniel R Meter. 2019. '[Does child support impoverish fathers in the United States, Finland, and the United Kingdom?](#)'

16.8 The report also notes that in terms of pre-child support poverty, lower figures in Finland are likely impacted by the higher levels of income support, as well as substantial welfare support for families with children.

16.9 We would recommend that the UK Government consider the approach of providing guaranteed child maintenance payments where these payments aren't being paid, or paid in full, by paying parents.

16.10 We also recommend that this be viewed as part of a wider landscape of social security to ensure the best possible outcomes for reducing child poverty across the board.

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