

Issue 22
Child Maintenance
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### Introduction

OPFS regularly collects the experiences of single parents across Scotland. Through our six local services, national advice and information services and online support we capture key areas of concern for single parent families.

Our bi-monthly monitoring reports uses this data to describe the impact of the cost-of-living crisis including rising energy costs and food bills.

There are five elements to our impact tracking model:

- Gathering knowledge: Parents' experiences are systematically collected and analysed.
- Monitoring emerging issues: Emerging issues are described and highlighted.
- OPFS response: Our services respond by working to meet the needs identified.
- Dissemination and communication: Emerging issues communicated to key influencers.
- Single Parent Proofing: Using single parent feedback to inform the development, implementation and evaluation of policy and practice so that they respond effectively to the needs of single parents.

This report is organised into five broad categories. These reflect the topics which single parents most frequently contact us about:

- 1. Health and wellbeing
- 2. Social security benefits
- 3. Money and family income
- 4. Separating/being a single parent
- 5. Children and childcare

## Main findings

Most single parents are trying their best to cope with what they have but face multiple barriers that create what often feels like a never-ending obstacle course. Lots of single parents have been contacting us about wanting to study to advance their employment prospects but are finding it difficult to navigate the impact on childcare and benefits.

The financial strain of the cost-of-living crisis is continuing to be a main area of concern for parents struggling to cope with rising costs of food and energy. Parents have also been contacting us to discuss concerns about the financial impact of loss of benefits and/or child-maintenance when their child leaves education.

### 1. Health & wellbeing

Our Advice and Information teams and local services report that May and June have been challenging for parents that feel lonely, disconnected, and lack of support. Stress and wellbeing have been impacted by: rising living costs, newly separated, change in employment, housing issues, contact issues and additional support needs of children without appropriate support.



My life in in crisis. I am experiencing Domestic Abuse and I am terrified even although I am separated now. I want to move to England to settle. Do I need to tell my ex-partner about this?



I live in a rural area and am feeling very isolated. I have health problems and my children have disabilities too. I work full time and wonder if reduce my hours what Universal Credit I can claim.



I feel lonely and upset and am looking to meet other single parents in my area. I separated a year ago from my husband and met a new partner recently. That relationship has now ended too, I am worried I am going to be lonely for a very long time. My son keeps crying asking for his Dad.

### 2. Social security benefits

#### **Employment benefits**

Our support staff guided parents through benefit enquiries related to changes in employment. Parents wanted information about how changes to the hours they worked would affect their benefits, and wanted to understand rules related to claiming Universal Credit and how many hours they have to work or be looking for work.



I have been made redundant and don't know where to start. What do I need to do to get help to pay rent, food on the table etc? I have always worked, and I don't know how to get help with any of this.



Things are difficult at home just now. If I reduced my working hours, how would this affect my topup benefits and household income?



I am on legacy benefits, but keen to get back into work. How can I start work without losing out?

#### Education and impact on benefits

We have had enquiries from parents who would like to return to education to further their earning potential and employment opportunities. However, they are unsure if they can afford to study or support their children when they leave education.



My ex says he is stopping maintenance payments when our daughter starts university.



I'm so worried about what we are going to live off when my son stops education.



Can I afford to go into full-time education?

#### Complaints

Our advice and information staff have received enquiries from parents wanting to complain about different departments related to benefits. Some parents feel they have been unfairly treated, or mistakes made, and they do not know how to resolve the issues.



I was working but receiving Carers Allowance, but my hours increased. I had an overpayment of Carers Allowance, but it does not reflect the extra hours I have worked. Where can I go to challenge this decision? I cannot afford to pay off the apparent overpayment.

### 3. Money and family income

Changes to circumstances, on top of the cost-of-living crisis, have resulted in an increase in parents contacting us for debt advice. They want to know about what debt they are liable for after separating, how to deal with debt and access to loans. We have also had enquiries from parents wanting to know

about how to deal with mortgage arrears and qualifying for Legal Aid. Other parents have been seeking information on Bereavement Support Payment, following the death of their partner.

The cost-of-living crisis, and parents' concerns on how they are going to cope financially and emotionally with rising costs, continues to be one of the main topics that parents have been contacting our services about during May and June.

Parents are desperate for support and want to find out about access to grants for food and energy costs. Concerns have been raised by both resident parents and contact parents regarding increasing financial strain.



I am really struggling financially and can't get a Scottish Welfare Fund crisis grant, I can't get Universal Credit advance, but I don't have enough money to pay for my fuel, what can I do?



I can't work just now because of mental health issues; I have a baby and I am on Universal Credit. I am really struggling financially.

### 4. Separating/being a single parent

A number of enquiries have been made to our advice and information team regarding what to do when newly separated, including from women who are pregnant and whose partner has said they will not stay with them to support the child. This is causing extreme financial and emotional stress to parents.



My partner has just left me, and our baby is due soon. I am so upset and don't know what I can claim. I am terrified of the future, being a single parent.



I am heavily pregnant, and already have a young child and my husband has suddenly walked out on us. I am devastated, how will I cope with a baby and a toddler on my own? What financial support can I apply for?

#### Housing

Throughout May and June, we have had numerous parents seeking support for housing related issues. Some are in the process of separating and wanted help navigating the process and legal issues. Several enquiries related to temporary housing, and housing issues including dampness.



We have just separated; how do we work out who can stay in the family home when both of our names are on the title deeds. I can't sleep because I am so worried about this and the future.



My ex threw my children and I out of the house. We are now in temporary accommodation. I can't get an advance of Universal Credit as it is a change of circumstances rather than a new claim. I can't get a Scottish Welfare Fund (SWF) crisis grant as I have had my quota. I don't have enough money to buy food.



My furniture is damaged by dampness in housing association flat, where can I get help to replace the furniture? It is causing health problems for my children and myself.

#### 5. Children and childcare

#### Childcare

Parents have been worried about how to afford childcare, find suitable childcare over the holidays and seeking employment that fits arounds school and childcare. This has been particularly problematic for parents moving in and out of employment due to the risk of losing their child's place and upfront costs.



I have been made redundant but don't want to give up my child's nursery place as I want to find another job – but I can't afford the £600 per month. Can I get help to pay for this?



I am worried about the Easter holidays coming up as I have no money at all for activities with the kids.



I need to start looking for work because of the age of my child. What if I cannot get a job that is within school and nursery hours?

The amount which low-earning parents on Universal Credit can claim for childcare costs has increased – parents can now claim up to £951 per month for one child or £1,630 for two or more children. Parents who are moving into work or increasing their hours are now entitled to receive up to 85% of

childcare costs before their next month's bills are due, meaning they should have money to pay one month in advance going forward.

However, the scope of these changes does not address the issues which will continue to be faced by parents receiving Universal Credit who are already in work and require formal childcare for the first time; those who are taking up training or education to support them into employment; or some of those taking on an increase in hours which is not regarded as a "significant increase" by their work coach.

#### Behaviour

Parents have been contacting our services regarding behavioural and emotional support needs of their children. For some this is affecting their ability to attend school, which is stressful for the parents. Parents are looking for support for both their children and themselves.



My son needs support, but no one is listening.



My teenage son is displaying difficult behaviour and I don't know how to deal with it. He has become very aggressive since his dad left.



I am really stressed because my teenager is feeling low and refusing to attend school. I am worried about him and his exams.

### Spotlight - Child Maintenance

Our advice and information services receive calls on a daily basis about child maintenance and over the last 12 months over 9.5k people have visited our child maintenance web pages.

Throughout May and June, we have continued to receive enquiries with parents having problems around child maintenance payments from their child's non - resident parent. Single parents report not receiving what they are entitled to, issues with what their ex-partner is declaring as their income, and complaints about how their case has been handled by the Child Maintenance Service (CMS).

In light of the ongoing impact of the high cost of living, single parents have also highlighted that a lack of child maintenance payments is making it even harder for them to cover the essentials for their family.

Child maintenance is one amongst several sources of support for children which is cut off at a certain age. Parents have told us this creates a sharp drop-off in their income and doesn't always reflect the reality of the financial support that they have to provide for their older children.



My ex has stopped paying child maintenance for my 20-year-old son who is in full time education. What are the rules for this? Can he set up a private arrangement to pay my son directly? I am struggling with the cost of living and have a younger child.

We've also heard from parents where the non-resident parent is repaying debt to the DWP, and as a result their child maintenance can't be deducted from Universal Credit – illustrating the impact which low-income and high living costs are having on both resident and non-resident parents.

Another recurring issue for single parents supported through the freephone helpline and our local services has been financial abuse by the child's non-resident parent, and the use of stopping and starting child maintenance payments as a means of continuing coercive control.



My ex-partner is asking for money back that he gave me recently for child maintenance. He is financially abusive and just pays me whenever he feels like it. It is difficult to know what he should be paying me because he is self-employed.

Below is a case study in the words of Grace, a single mum, about her experience accessing the Child Maintenance Service (CMS) as a parent who was subjected to domestic abuse by her ex-partner and child's father.

#### Aberdeenshire case study - Grace, a single mum with 2 daughters

"When we first separated, I didn't think too much about child maintenance money and just believed that her father would pay a fair amount to contribute and left it to him to decide how much to pay. We had an informal agreement between ourselves, and CMS was not involved.

I was struggling to pay the bills because his payments were so inconsistent and sometimes no payment at all. He was using this as another way to control me after leaving him because he was abusive. He thinks he shouldn't pay because there was a no contact order in place for the first two years as a result of domestic violence. I tried to support other methods of contact for him to see his daughter via friends and family but that stopped working because he was verbally abusive to them as well. The next step could have been via a contact centre, but he refuses to make use of this service.

I was really worried how he would react if I contacted CMS to arrange payments. I was scared he would come to my home and threaten me again. I felt I no longer had a choice as I was so stressed with all the bills piling up, food bills and gas and electricity are sky high. Then when other life expenses crept in, I was having to take out credit to buy essentials such as a bed big enough for my daughter to sleep in when she outgrew her cot bed. If I couldn't have got credit she would have had to sleep on a mattress on the floor – I never expected to have to make such life choices. I couldn't afford oat milk that my daughter needs due to intolerance to cow's milk.

Despite my fear, I decided to contact CMS about setting up Collect and Pay. The process online was quite simple, but it was a shock when they said it could take six months to action. I was also shocked that several call handlers told me not to expect CMS money, they told me "It's a bonus, you shouldn't rely on it".

So, while I need to clothe, feed, and take care of my children every day – which of course I want to do – there is no consequence or expectation for her father to contribute towards anything while I am struggling. Every month

I was having to beg him to pay. There is six months while CMS set up the first payment from the other parent and even if it's set up then it seems it's easy for the paying parent to continue to avoid payment. There is no investigation to check if the details provided by paying parent, especially when they are self-employed, is the correct amount.

In addition to my stress of how her father would react to Collect and Pay, while still dealing with trauma of domestic abuse and looking after my children this was made even worse by a CMS call handler. The CMS worker spoke to my abusive ex-partner, and then called me to tell me how furious he was that I had moved arrangement to Collect and Pay: "he is livid this is happening". I was so scared about what he was going to do. Right from the start I said to CMS there was domestic abuse and a related court case, but this call handler was not aware of this. There should be something on their system to flag things like this up and more training and awareness with their staff in how to speak to people, especially if they have been affected by domestic abuse.

Not long after this he avoided paying anything at all and sending a P45 to show he wasn't working – when he just moved to being self-employed. CMS just accepted this without any questions and moved it onto a nil payment.

The whole process is really stressful and not supportive to the parent that should be receiving maintenance money towards their child."

### Conclusion and policy recommendations

The Child Maintenance Service (CMS) plays an important role in providing financial support for single parent families, but the way the system is set up and managed, as well as a lack of wider support measures to assist separated families, is leaving far too many receiving parents (those that have day-to-day care for their children) struggling to cope financially and carrying the total financial responsibility for raising a child.

Children have a right to financial support from both parents, and in many cases this is not being fulfilled. The purpose of child maintenance is to support children, and the role of the Child Maintenance Service(CMS) in addressing child poverty is fundamental. Unfortunately parents tell us the CMS is failing to effectively collect child maintenance payments from non-resident parents.

There are a number of important changes to the Child Maintenance Service which OPFS would recommend in order to improve its effectiveness in supporting children and reducing poverty in single parent families:

- Improve monitoring and engagement with parents on Direct Pay (where
  parents arrange payments themselves) to improve the effectiveness of
  arrangements and increase the transparency of the service's performance.
- Remove charges on the Collect and Pay service (where the CMS collects
  the payments), which are deducted from child maintenance paid to
  receiving parents and added onto the amount paid by non-resident parents.
  In effect, this penalises children whose parents have experienced
  relationship breakdown to such a degree that a Direct Pay arrangement
  isn't possible. This is counterproductive to efforts to end child poverty.
- Enable more parents to start on Collect and Pay or move over with fewer barriers. The effectiveness and efficiency of ensuring child maintenance payments are made would be improved by enabling more parents to start on Collect-and-Pay, without having to build up significant arrears before doing so. The Work and Pensions Committee's recent report recommends triggering a move to Collect and Pay when child maintenance arrears reach

half of the current average arrears, which would be a welcome step forward.<sup>1</sup>

- Further action by the DWP to improve compliance through Collect & Pay, including monitoring and reporting the effectiveness of enforcement actions and coordinating more with family courts to access financial information where non-resident parents are actively seeking to avoid paying maintenance.
- Embed a trauma-informed and gender-sensitive understanding of domestic abuse within the service. Given the high numbers of CMS customers who have experienced domestic abuse, there needs to be greater focus on supporting these individuals. This should include traumainformed service delivery and specialist training on recognising and responding to domestic abuse, including economic abuse.
- Explore international examples of child maintenance systems which
  provide a guaranteed minimum maintenance payment in cases where the
  full payment is not made the non-resident parent, such as the system used
  in Finland. This could mean that child maintenance arrears would be
  recovered as a public debt, while children would not be left without
  financial support in the meantime.

At One Parent Families Scotland we are seeking to do more work to influence change in this area in light of the frequency with which we hear from single parents who have been let down by their experiences with the CMS.

We have recently been granted funding by Robertson Trust for a partnership project with IPPR Scotland, Fife Gingerbread, and Poverty Alliance to:

- make evidence-based recommendations to achieve systemic and transformational change to the UK child maintenance system;
- develop options where Scottish Government are devolved further powers to make the child maintenance delivery process more efficient and effective;
- and develop and test, within the existing status quo, new approaches to child maintenance locally working with families to enable an increase in the successful receipt of child maintenance for children.

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<sup>&</sup>lt;sup>1</sup> MPs call for reform of Child Maintenance Service to help tackle child poverty. – Work and Pensions Committee, 2023.

Single parents will be involved in each stage of our work on this project to ensure that the findings and recommendations made will reflect the needs of their families.



If you have any feedback about anything in this report, please contact us at:

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