



Arrears Recovery - Receiving Parent Estate

When a receiving parent dies and there are arrears of child maintenance owed to the deceased receiving parent's estate, only the receiving parent's executor can request collection of any arrears that are due up to the date of the receiving parent's death.

Arrears due to the deceased receiving parent's estate will be written-off if the receiving parent's executor does not want the arrears collected.

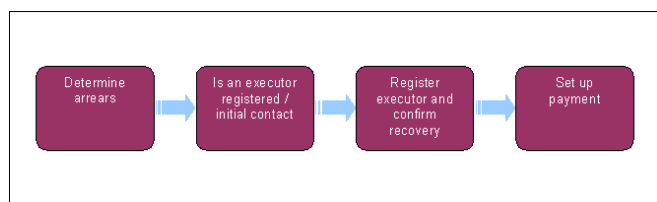
This action is taken by the maintenance service, or by enforcement where they already have case ownership.

The aim of this process is to determine if the executor of the estate wishes to pursue arrears owing to a receiving parent from the paying parent in the event of the receiving parent's death, this will be done by a maintenance service caseworker.

This process will involve the caseworker contacting the next of kin/executor of the estate, ensuring that they are sensitive at all times throughout the process as this will be a very difficult period, it may also lead to setting a new method of payment to (MOPT) for the executor.

Any ongoing child maintenance payments for the qualifying child/ren are dealt with in a separate process as they need to be re-applied for by a receiving parent.

For more information refer to the Policy, Law and Decision Making Guidance 



 When speaking to clients always use the new terminology. For more information refer to [Terminology Changes](#).

 This procedure uses the terms receiving parent and paying parent.

The receiving parent is the parent who receives or who is expected to receive child maintenance, known as the parent with care (PWC) or person with care (PeWC) on the system and in legislation. The paying parent is the parent who pays or who is expected to pay child maintenance, known as the non resident parent (NRP) on the system and in legislation.

Determine arrears

1. Create a new service request (RP) if one has not automatically generated as part of the case closure process and from the drop down lists select:


- **Process = Arrears**
- **Area = Arrears Management**
- **Sub Area = Authorise Recovery PWC Death**

2. Set the SR **Status** to **In Progress**. An activity plan will be generated.

3. Select the SR in the **More Info** applet to view the paying parent arrears information and the receiving parent arrears information, this will show you how much is owed to each receiving parent on the case.

Is an executor registered/initial contact

4. Select **Go to Contact** to view the **Contact Summary**, then **Contact** and **Client Representative**, which will show if there is an executor active on the system.

5.  If a receiving parent executor is registered on the system, contact them by phone if a contact number is available, ensure all calls are treated sensitively as this will be a very difficult period for them.


- Update the SR **Sub Status** to **Contact PWC Estate** to generate an additional activity plan
 - Select **Call - Outbound** to contact the executor to establish if they wish to pursue the arrears and to validate bank details
6. If no executor is held on the system it is possible to have a search for an executor carried out by the Department for Work and Pensions (DWP)
- Send an email to the CSA Offsetting and Estate Recovery Team, OFFSETTING.ANDESTATESRECOVERYTEAM@DWP.GSI.GOV.UK, including details of the deceased. Provide RP name, nino, SCIN & verified date of death. RP'S date of birth and address. They will forward the request to the DWP for an executor trace.
 - The CSA Offsetting and Estate Recovery Team must allow a period of up to two years for a response to be received. Set an initial **Wait** period of six months before contacting the CSA Offsetting and Estate Recovery Team for an update.



For Northern Ireland cases you should email the details to the NI offsetting and estates recovery team who in turn pass the details to the NI Debt Centre for them to action.

7.  Where direct contact has not been made by phone, or there are no telephone numbers on the contact details, send letter CMSL6011 - Identify executor to determine whether they are the executor of the estate.

- Select **Letter – Outbound** activity to generate a letter from the system
- Set the SR **Status** as **Wait**
- Set **Sub Status** as **Pending Inbound Correspondence**

8.  If there are no executors registered on the system and the trace action in **Step 6** has been unsuccessful , update the SR **Sub Status** to **Establish PWC Executor**, an activity plan is created to send letter CMSL6011 - Establish receiving parent estate executor, to the receiving parent home address to establish the executor and if they wish to pursue arrears.

- Select **Letter – Outbound** activity to generate a letter from the system
- Set the SR **Status** as **Wait**
- Set **Sub Status** as **Pending Inbound Correspondence**

The Next of Kin/Executor of the estate will have the option to reply by phone if they wish.



The wait time for an inbound correspondence is set at 14 days. If there has been no reply after this period, the system will issue another letter CMSL6011 - Establish receiving parent estate executor, again inviting representation. After a further 14 days without a reply, the caseworker will send the case to the write off process.

9. Check if there has been any inbound correspondence received from the executor.
- Select **My Activities** view, then **Letter – Inbound** to view any returned correspondence.
 - View the **SR** field on the **Activity Form** applet to identify which work item the activity relates to.
 - Select the **Go to SR** button to navigate to the **SR more info** view.

Register executor

10. Select **Contact** then **Client Representative** and input the details of the executor if they are not already on the system.
11. Create a child SR to register the executor of the estate as the representative.

Go to **SR** and **More Info** view.

- From the list select **Add Client Representative** then **Go**.
- **Process** = **CofC**
- **Area** = **Manage Client Rep**
- **Sub Area** = **Activate Client Rep.**
- When the child SR is complete, the executor of the estate is now registered.

Confirm recovery with executor

12. Update the SR **Sub Status** to **Confirm Recovery - PWC Estate**, an activity plan is generated by the system.
13. Record the outcome of whether the executor wishes to pursue the arrears in the **Notes** tab using the inbound letter from the executor, or phone as appropriate in the activity **Outcome** field.

14. Update the Research activity plan to **Recovery Wanted** where the executor has confirmed that they want to pursue the arrears and go to **step 17**.
15. If the executor has decided not to pursue the arrears, update the **Research** activity plan outcome to **Recovery Not Wanted**. Complete the remaining steps in the activity plan and close the **Authorise Recovery PWC Death SR**.
16. Write off the arrears. For more information refer to [Arrears - Write Off](#).

Set up payment

17. Confirm with the executor whether the current bank details on the system are valid, or if they need to be changed, the executor may not have a shared bank account with the deceased receiving parent.
18. Update the activity **Outcome** field to **Valid** if there are no changes to be made to the current bank details. If the details are to be changed, update the activity **Outcome** field to **Not Valid** and generate a new SR to create the relevant method of payment to with the executors details.

Referrals for the NI Debt Centre, send to email **CMS NI Offsetting and Estates Recovery Team** shared inbox

CMSL6011 Establish receiving parent estate executor

Establish receiving parent estate executor

All fields in this letter are system generated, no manual intervention is required

[Arrears Recovery - Paying Parent Estate](#)

[Arrears - Write Off](#)

[Death - Receiving Parent](#)

[Terminology Changes](#)

[When a receiving parent dies and there are arrears of child maintenance owed, can these be collected?](#)

Yes, only the receiving parent's executor can request collection of any arrears that are due up to the date of the receiving parent's death. Arrears due to the deceased receiving parent's estate will be written-off if the receiving parent's executor does not want the arrears collected.