



Segment 5 - Compliance Opportunity

The purpose of the Segment 5 Compliance Opportunity procedure is to guide the owning caseworker through the necessary steps to complete the process at different stages of the case lifecycle, including applications, new case, maintenance and arrears.

Segment 5 Compliance Opportunity terminology should not be used when speaking to clients. Clients should be advised that they are being given a chance to show if they can pay by a non enforced method of payment for a trial period of time and to pay direct in the future.

Segment 5 cases are CSA enforced case groups which are part of the proactive case closure where an enforced method of payment is in place:

- Deduction from Earnings Order
- Deduction from Earnings Request
- Regular Deduction Order and/or
- Liability Orders, Lump Sum Deduction Orders, Freezing Orders, setting aside of Disposition Orders

The Segment 5 Compliance Opportunity is an incentive for the paying parent to comply with the Child Maintenance Group (CMG), break the cycle of enforced/non compliance and demonstrate compliant behaviour.

The Segment 5 Compliance Opportunity is offered during the Applications stage to clients whose case/s meet the following criteria:

- the CSA case must have a DEO/DER and/or In-Flight Enforcement action ongoing.
- an application must be made from a parent with care within the CSA casegroup to the CMS before the CSCS/CS2/CCD end liability date (T-Date).
- the paying parent requests a different service type from the receiving parent i.e. the paying parent requests direct pay and the receiving parent requests collect and pay

The Segment 5 Compliance Opportunity is only given at case level. If a paying parent has two receiving parents the eligibility will be determined separately on each case and therefore may not apply on both.

The Segment 5 Compliance Opportunity is not appropriate in the following circumstances:

- if the paying parent is in receipt of a benefit.
- if the paying parent is not in employment or has a nil assessment.
- Order For Sale/Committal/Disqualification CSA cases.

The offer can be accepted or rejected by the paying parent, if the offer is rejected the case will continue as Business as Usual (BAU). If the offer is accepted the paying parent is required to make payments by a non enforced method in full and on time to an agreed schedule for six months. The service type will be set to Collect and Pay with the collection fees and enforcement charges waived for the period of the Compliance Opportunity. Where the paying parent is:

- in employment during the application process on going maintenance will be split between a non enforced method of payment (e.g. Direct Debit) and is safeguarded (where possible) by an enforced method of payment (e.g. with a Deduction of Earnings Order) for the initial six months i.e. 50:50.
- in self employment during the application process all of the on going maintenance will be paid by a non enforced method of payment (e.g. Direct Debit preferred).

When the six month period ends the Segment 5 Compliance Opportunity Outcome service request (SR) will automatically generate for the caseworker to complete a Segment 5 Compliance Opportunity Check and a Segment 5 Compliance Opportunity Unlikely to Pay (CO UTP) Check, the paying parent can:

- pass the Segment 5 Compliance Opportunity UTP check and the service type will change to direct pay.
- fail the Segment 5 Compliance Opportunity UTP check and the service type will remain as Collect and Pay, the collection fees and enforcement charges will be reinstated.

Collection fees are not applied retrospectively if the paying parent fails to comply. If the Segment 5 Compliance Opportunity is ended early the collection fees will be applied from the date the change is accepted.

If the DEO enforced amount has not been paid it is possible for the paying parent to pass the Segment 5 Compliance Opportunity and the unlikely to pay check as this may be out of the paying parent's control.

The Segment 5 Compliance Opportunity can be ended early if the:

- receiving parent requests to change the service type to direct pay.
- paying parent starts receiving a benefit.
- paying parent has a change to income and is nil assessed.
- notification has been received that the paying parent is now in prison.
- paying parent misses a payment.

The caseworker will need to investigate each circumstance and make a discretionary decision including making a Welfare of the Child Decision to whether the Segment 5 Compliance Opportunity Check and Segment 5 Compliance Opportunity UTP Check will be passed or failed.

If the paying parent moves to receiving a benefit during the Compliance Opportunity, the compliance opportunity unlikely to pay check is based on the available information and client behaviour during the completed period of the Segment 5 Compliance Opportunity.

In exceptional circumstances the Segment 5 Compliance Opportunity can be extended, if the:

- paying parent has a change of circumstances, for example a change in employer or change to method of payment from (MOPF).
- paying parent has a missed payment or a partial payment and there is an acceptable reason.
- paying parent is temporarily admitted to hospital.

This list is not exhaustive and advice may need to be sought from Advice and Guidance (A&G).

The Segment 5 Compliance Opportunity Outcome service request (SR) can be system or manually generated and is dealt with by a caseworker in the segment that has case ownership.

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


 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.

Where:

- The case is pre-provisional calculation at application stage an eligibility check is required, go to **Check Eligibility for Compliance Opportunity**.
- The case is pre-provisional calculation/post eligibility check and a paying parent application which is identified as eligible for a Compliance Opportunity offer, go to **Paying Parent Application – Compliance Opportunity Offer**.

 For more information on the segment five compliance opportunity refer in Policy, Law and Decision Making Guidance 

 When creating a new schedule and the following conditions apply, contact AAC to consider whether manual allocation may be appropriate:


- There is at least one case in a master case which is undergoing a compliance opportunity, and;
- There is at least one case in a master case which is not undergoing a compliance opportunity and for this case;
- A separate application is made against PP after legacy end liability date, and before transition of legacy arrears;
- CSA arrears exist;
- 2012 arrears exist (including 2012 OGM that has already posted);
- CSA arrears balance has transitioned and is being rescheduled

Check Eligibility for Segment 5 Compliance Opportunity

Check Eligibility for Segment 5 Compliance Opportunity



Receiving Parent Application

1. Where the receiving parent makes an application to CMS prior to the end of liability date and requests service type as collect and pay, determine whether the Segment 5 Compliance Opportunity is appropriate.
2. Navigate to the **Compliance Opportunity** tab at case level to determine whether the paying parent is likely to be eligible for a Segment 5 Compliance Opportunity offer. Review the **Case Compliance Details** applet and check the **PP Eligibility** field.
 - If the field is populated with **Likely to be Segment 5**, the paying parent may be eligible for the Segment 5 Compliance Opportunity, go to **Step 3**
 - If the field is populated with **Not Likely to be Segment 5**, the paying parent will not be eligible for the Segment 5 Compliance Opportunity, go to **Step 5**

 In CSCS cases where a DEO/DER method of collection is not in place and in all CCD cases, the CMS system will generate a **Manual Handling** SR to check CSA method of collection and active CSA Enforcement action. The **Case Compliance** applet fields within the **Compliance Opportunity** tab must be updated manually, where necessary, as a result of the outcome of the manual look-up. Refer to **Procedural Exception, 1993/2003 Scheme Look Up**.


3. Advise the receiving parent that the paying parent's responsibility to pay will start from T date + 1 day.
4. If the paying parent is likely to be eligible for the Segment 5 Compliance Opportunity, refer to the **Segment 5 Compliance Opportunity Call Guidance** and **Lines to Take** to explain the Segment 5 Compliance Opportunity offer and answer any questions the receiving parent may have. Where the receiving parent provides any indication whether a DEO was enforced or voluntary this should be recorded in case

level **Notes** to support any information provided by the paying parent later in the process. Return to [Application - Receiving Parent Process Enquiry](#).

 The provisional calculation letter and welcome pack will contain information about the Segment 5 Compliance Opportunity and what this may mean for both clients if the offer is accepted. For more information refer to Segment 5 Compliance Opportunity in Policy, Law and Decision Making Guidance 

5. If the paying parent is not eligible for the Segment 5 Compliance Opportunity and where the receiving parent is aware of the trial, advise the receiving parent of the Segment 5 Compliance Opportunity offer and that the case does not meet the necessary criteria. Return to [Application - Receiving Parent Process Enquiry](#).


Paying Parent Application

 The determine eligibility process is the same for both a receiving parent and a paying parent application therefore the steps above should be completed for a paying parent application prior to the following action.

6. Inform the paying parent contact will be made with the receiving parent to gather information and confirm details. Once this is completed we will call the paying parent to confirm their eligibility for the Segment 5 Compliance Opportunity offer. Return to [Application - Paying Parent Process Enquiry](#) to continue gathering information and contact the receiving parent.


Paying Parent Application Contact

1. If the paying parent is likely to be eligible for the Segment 5 Compliance Opportunity, refer to the [Segment 5 Compliance Opportunity Call Guidance](#) and [Lines to Take](#) to explain the Segment 5 Compliance Opportunity offer to the receiving parent and answer any questions they may have. Go to [Paying Parent Application - Segment 5 Compliance Opportunity Offer](#).

 The receiving parent preferred Service Type (gathered as part of BAU) is the last piece of information required to determine whether the offer should be made to the paying parent.

Paying Parent Application – Segment 5 Compliance Opportunity Offer

Paying Parent Application - Segment 5 Compliance Opportunity Offer

 There must be a conflict in service types i.e. receiving parent chooses collect and pay and paying parent chooses DP. Otherwise the compliance opportunity offer will not be appropriate.

1. If the paying parent is eligible for the Segment 5 Compliance Opportunity offer and the receiving parent service type is selected/updated onto the application as collect and pay, the CMS system will automatically create the **Offer Compliance Opportunity** service request (SR) with the below values:


- **Process = Applications**
- **Area = Compliance Opportunity**
- **Sub Area = Offer Compliance Opportunity**


The **Source** will populate as **Legacy Look Ups**.


 In cases where active Enforcement action is identified in the **Compliance Opportunity View** a check should be made to establish if Order for Sale, Committal or Disqualification from driving action is ongoing. Contact the [CSA Legal SPOC](#) to confirm, if this action is confirmed the paying parent is not eligible for the Segment 5 Compliance Opportunity. Go to **step 14**.

2. If the **Offer Compliance Opportunity** SR has not automatically generated, the paying parent is not eligible for the Segment 5 Compliance Opportunity. Navigate to the **Compliance Opportunity** tab at case level to check the fields have been populated:
 - If the **PP Eligibility** field is populated with **Not Likely to be Segment 5** the paying parent does not meet the criteria for the Segment 5 Compliance Opportunity offer.
 - If the **Employment/Benefit** field is populated with **Benefit** the paying parent is not eligible for the Segment 5 Compliance Opportunity offer.
 - Check the **PWC service type** field in the **Case Summary Details** top applet, if the receiving parent has selected **Direct Pay** as the service type the Segment 5 Compliance Opportunity offer is not applicable.

Return to [Application - Paying Parent Process Enquiry](#).





3. Update the **Status** to **In Progress**.
4. If the paying parent has advised that they have nil income or are now receiving a benefit the Segment 5 Compliance Opportunity offer is not appropriate. Go to **step 14**.
5.  Call the paying parent and inform that the case qualifies for the Segment 5 Compliance Opportunity and ask whether they want to accept or decline the offer. Refer to the Segment 5 Compliance Opportunity [Call Guidance](#) and [Lines to Take](#) to explain the Segment 5 Compliance Opportunity offer and answer any questions the paying parent may have.

 Ensure the paying parent understands the collection fees and enforcement charges will be waived for the period of the Segment 5 Compliance Opportunity six month period if all payments made by a non enforced method are made in full and on time. If the paying parent


is unable to successfully meet a payment or if there will be a delay, ensure the paying parent understands they must contact CMS to inform. For more information refer to Segment 5 - Compliance Opportunity in Policy, Law and Decision Making Guidance 

6. If the paying parent is unable to be contacted to make a decision about the Segment 5 Compliance Opportunity offer, return to contact paying parent - [Application - Paying Parent](#)
7. If the paying parent:
 - accepts the Segment 5 Compliance Opportunity offer, go to **step 9**
 - declines the Segment 5 Compliance Opportunity offer, go to **step 14**
 - is unable to be contacted by phone, go to **step 14** to record the offer as not appropriate. The Segment 5 Compliance Opportunity is automatically withdrawn by the CMS system.
8. If during discussion with the paying parent they advise that the current CSA DEO was voluntary the case notes should be checked for any information provided by the receiving parent regarding the CSA DEO. In cases where the receiving parent has provided conflicting information the CSA scheme should be checked to identify the nature of the DEO. If the current CSA DEO was voluntary the Segment 5 Compliance Opportunity is not appropriate.
 - Navigate to the **Compliance Opportunity** tab, **Case Compliance** applet update the **PP Eligibility** field to **No**.
 - Refer to **Compliance Opportunity Declined/No Response/Not Appropriate step 14** to record the **Offer Compliance Opportunity** SR as no longer appropriate. Return to [Application - Paying Parent](#).

Segment 5 Compliance Opportunity Accepted

9. Record the date the offer was made in the SR **Notes**.
 -  After the Initial Calculation the CMS system sets the start date in the **Compliance Opportunity** tab aligned to the 1st payment collection date of non enforced method of payment and the end date is set automatically adding a 6 month period to the start date.
 -  There may be instances where the paying parent accepts the Segment 5 Compliance Opportunity but then has a change of circumstance, e.g. makes a claim to a benefit prior to the Initial calculation. The paying parent will no longer qualify for the Segment 5 Compliance Opportunity, refer to **Segment 5 Compliance Opportunity Declined/No Response/Not Appropriate step 14**.
10.  Issue letters **CMSL0138** to the receiving parent and **CMSL0139** to the paying parent to notify of the Segment 5 Compliance Opportunity outcome.
11. Update the **Resolution Code** to **Compliance Accepted**.
12. Update the **Status** of the Offer Compliance Opportunity SR to **Closed** and the **Sub Status** to **Complete**. Return to [Application - Paying Parent](#) Process Enquiry.
13. Collect the paying parent's method of payment from (MOPF) information and set up the MOPF as follows:
 - Where the paying parent is employed, set up the MOPF as 50% deduction of earnings order (DEO) and 50% direct debit (DD). Refer to [Self Selected DEO Set up](#) procedures. Ensure that when selecting DEO/DER type from the drop down that **Mandatory** is selected and the **Mandatory DEO** tick box is checked. Where a DEO is applied, the desire flag must set. Refer to [MOPF Set up - Multiple](#) and Calculate Maximum NDR (Normal Deduction Rate).
 -  When completing the **Perform Calculation SR**, the system will automatically calculate the NDR and complete the promise to pay schedule. However if the DEO payment is over 40% of the paying parent's salary, the calculation SR will exception out with the reason **Determine NDR**. See [Promise to Pay Exceptions](#) for more information on how to resolve this.
 - Where the paying parent is unable to set up a DD, set the MOPF as 100% Standing Order (SO). Refer to [Standing Order - Set Up](#). Setting up the MOPF as Standing Order should be by exception only
 - Where the paying parent is Self Employed the MOPF should be set up as 100% DD. Refer to [Direct Debit - Set Up](#)

Segment 5 Compliance Opportunity Declined/No Response/Not Appropriate

14. If the paying parent declines the offer, does not respond or the offer is no longer appropriate (e.g. nil income, a change of circumstances, etc.), record this date within the **Compliance Offer Date** field.
 -  Ensure the paying parent understands the twelve month consecutive payments rule (as per the current 2012 Compliance Opportunity), and that after this time they can contact us again to request to move to a non enforced MOPF.
15. Update the SR **Notes** with the reason for the offer outcome.
16. Update the **Resolution Code** to either:
 - **No Response Received**
 - **Compliance Rejected**
17. Update the **Status** of the Offer Compliance Opportunity SR to **Closed** and the **Sub Status** to **Complete**. Return to [Application - Paying Parent](#) Process Enquiry.
18. Collect the paying parent's method of payment from (MOPF) information and set up the MOPF as follows:
 - Where the paying parent is employed and the employer is known, set up the MOPF as self selected DEO. Where a DEO is applied the desire flag must be set. Refer to [DEO - Self Selected - Set Up](#)

- Where the paying parent has no employer set up the MOPF as weekly Default Standing Order (DSO) dependant on the whether the paying parent's employer is known. Refer to [Standing Order - Set Up](#)
- Where the paying parent is Self Employed set up the MOPF as weekly Default Standing Order (DSO). Refer to [Standing Order - Set Up](#)

Receiving Parent Application - Segment 5 Compliance Opportunity Offer

Receiving Parent Application - Segment 5 Compliance Opportunity Offer

Where the paying parent has been considered likely to be eligible for the Segment 5 Compliance Opportunity, within the Application process, the provisional calculation letter issued will contain information about the Segment 5 Compliance Opportunity and what this may mean for both clients if the offer is accepted. The paying parent will be given 14 days from the issue of the provisional calculation letter to respond. An **Offer Compliance Opportunity** service request (SR) will be generated.

For more information refer to Segment 5 - Compliance Opportunity in Policy, Law and Decision Making Guidance 

1. If the paying parent is eligible for the Segment 5 Compliance Opportunity and the receiving parent has selected collect and pay service type, CMS will automatically create the **Offer Compliance Opportunity** SR with the following values:


- **Process = Applications**
- **Area = Compliance Opportunity**
- **Sub Area = Offer Compliance Opportunity**

The **Source** will populate as **Legacy Look Ups**.

2. If the **Offer Compliance Opportunity** SR has not automatically generated, the paying parent is not eligible for the Segment 5 Compliance Opportunity.
3. Update the SR **Status** to **In Progress**.
4. Navigate to the Compliance Opportunity view to check the fields have been populated:
 - If the **PP Eligibility** field is populated with **Y** or **Yes**, the paying parent has met the criteria for the Segment 5 Compliance Opportunity Offer. Go to **Step 5**
 - If the **PP Eligibility** field is populated with **No**, **RP requested Direct Pay** or **On Benefit** the paying parent does not meet the criteria for the Segment 5 Compliance Opportunity Offer. Go to **Step 17**


 Where the paying parent is not on benefit but has failed the eligibility criteria anyway, the PP Eligibility field will still populate as No or On Benefit.

Check for CSA Legal Action Exclusions: Order for Sale, Committal, Sisted and Driving Disqualification


 A case list of clients whose CSA liability has ended and are subject to Committal, Sisted, Disqualification or Order for Sale action is made available to CSA Legal SPOCs on the day the CSA liability ends. CSA Legal SPOC will establish whether an application has been made to CMS prior to end liability and date. The Legal SPOCs will contact New Case teams by telephone to inform them the CSA case is subject to these specific legal actions and therefore the Segment 5 Compliance Opportunity Offer should not be made.

5. If none of the actions in this step are in progress, i.e. no contact made to New Case by CSA Enforcement Case Manager, go to **Step 6**. Where CSA Legal SPOCs advise the CSA case has Order for Sale, Committal, Sisted or Driving Disqualification action on going, the Segment 5 Compliance Opportunity will not be offered and the following actions should be taken:
 - Update the **Resolution Code** to **Compliance Rejected**
 - Record in the SR **Notes**, **Segment 5 Compliance Opportunity not appropriate due to type of enforcement action in CSA**
 - Update the SR **Status** to **Closed** and the **Sub Status** to **Complete**
 - Collect the paying parent's method of payment from (MOPF) information and set up as follows:
 - Where the paying parent is employed and the employer is known, set up the MOPF as self-selected DEO. Where a DEO is applied, the desire flag must be set. Refer to [DEO - Enforced](#) for more information on setting the desire flag.
 - Where the paying parent does not have an employer, set up the MOPF as weekly Default Standing Order (DSO). Refer to [Standing Order - Set Up](#).
 - Where the paying parent is self employed, set the MOPF as weekly Default Standing Order (DSO). Refer to [Standing Order - Set Up](#).
 - Negotiation Failed cases refer to [Arrears - Consider Action](#) section **Initiate LO arrears action**.
 - Return to [Gather paying Parent Information, Process Enquiry](#).

Confirm Paying Parent service type


6.  As part of business as usual Gather Paying Parent Information process, contact the paying parent to confirm their preferred service type:
 - Where the paying parent service type is Direct Pay, refer to the information point below before proceeding to **Step 7**

- Where the paying parent service type is Collect & Pay:
 - Update the **Resolution Code** to **Compliance Rejected**
 - In the **Offer Compliance Opportunity SR Notes** record the reason for compliance rejected as **Paying parent preferred service type is Collect & Pay**
 - Update the SR **Status** to **Closed** and the **Sub Status** to **Complete**
- Return to [Gather paying Parent Information, Process Enquiry](#).

 If CMS prompts an Unlikely to Pay Check, select **NRP Unlikely to Pay** from the **Rejection reason** drop down. Make a record in **Notes** that an Unlikely to Pay check was conducted, e.g. As Segment 5 Compliance Opportunity is applicable and paying parent initially requested direct pay, an UTPC has been completed to ensure opportunity applied.

Where Segment 5 Compliance Opportunity is applicable, Calculation & Collect must be selected as the overarching case service type to ensure opportunity is applied.



Voluntary CSA DEO


 In some CSA Clerical Case Database cases the method of payment may be a Deduction of Earnings Order (DEO), however the paying parent did not choose a voluntary DEO nor was it put in place due to non-compliance.


7. If the paying parent advises that the current CSA DEO was voluntary and there is no evidence to suggest otherwise, the compliance opportunity is not appropriate:
 - Check case notes to determine if receiving parent has provided evidence suggesting CSA DEO was enforced. If this information was recorded at the Application stage the following note will be in the case notes: **RP dissatisfied with potential direct pay due to CSA non-compliance**. If this note is held, CSA systems will need to be checked to confirm whether DEO was voluntary or not. If there isn't a note, no further checks are required and the paying parent statement regarding DEO should be accepted.
 - Where voluntary DEO is confirmed, refer to **Step 17** to record that the **Offer Compliance Opportunity** SR is no longer appropriate.
 - Where enforced DEO is confirmed go to **Step 8**

Criteria met - Make offer

8. Advise the paying parent that the criteria has been met for Segment 5 Compliance Opportunity and ask if they want to accept the offer. Refer to the Segment 5 Compliance Opportunity [Call Guidance](#) and [Lines to Take](#) to explain the Segment 5 Compliance Opportunity Offer and answer any questions the paying parent may have.
9. Within the **Offer Date** field in the **Offer Compliance SR**, record the date of the first attempted contact with the paying parent to make the offer.

 Ensure the paying parent understands the collection fees and enforcement charges will be waived for the period of the Segment 5 Compliance Opportunity if all payments by the non-enforced method are made in full and by agreed schedule. If the paying parent is unable to successfully meet a payment or if there is a delay, ensure they understand that they must inform CMS in advance of the payment due date. For more information refer to Segment 5 - Compliance Opportunity in Policy, Law and Decision Making Guidance 

 Allow 14 days from the date the provisional calculation letter issue date to receive a response for either accepting or rejecting the Segment 5 Compliance Opportunity Offer.

 Where no contact made with the paying parent and no decision on the offer noted, CMS will automatically populate the **Compliance Opportunity Accepted** field in the **Compliance Opportunity** view with **No** on day 15 following the date recorded in the **Compliance Offer** date field. This action will automatically close the **Offer Compliance Opportunity** SR.

Paying Parent decision



10. If the paying parent:
 - accepts the Segment 5 Compliance Opportunity Offer, go to **Step 11** to record the offer as **Compliance Accepted**.
 - declines the Segment 5 Compliance Opportunity offer, go to **Step 17** to record the offer as **Compliance Rejected**.
 - is unable to be contacted by phone during the 14 day period, the Segment 5 Compliance Opportunity will be withdrawn at day 15. At the last unsuccessful call attempt within the 14 day period go to **Step 17** to record the offer as **No response**.

 Where paying parent contact is unsuccessful, action must be taken to record **No response** in the **PP Eligible** field within the **Compliance Opportunity** view before the **Offer Compliance Opportunity** SR closes on day 15.

 - If the provisional calculation letter is returned DLO and the paying parent has not advised us of their new address, the Segment 5 Compliance Opportunity is no longer appropriate, this is regarded as non-compliant. Go to **Step 17** to record the offer as **No response**.

Segment 5 Compliance Opportunity Accepted

11. Update the **Resolution Code** to **Compliance Accepted**.

12.  Call the receiving parent to advise them that the paying parent is eligible for the Segment 5 Compliance Opportunity and has accepted the offer.
13.  Issue letters **CMSL0138** to the receiving parent and **CMSL0139** to the paying parent to notify them of the Segment 5 Compliance Opportunity Offer decision.
14. Update the **Status** of the **Offer Compliance Opportunity** SR to **Closed** and the **Sub Status** to **Complete**.
15. Collect the paying parent's method of payment from (MOPF) information and set up as follows:

- Where the paying parent is employed, set up the MOPF as 50% Deduction from Earnings Order (DEO) and 50% Direct Debit (DD) - follow **Self Selected DEO Set up** procedures. Although the DEO is Self Selected, ensure that when selecting DEO/DER type from the drop down that **Mandatory** is recorded and the **Mandatory DEO** tick box is checked. Where a DEO is applied, the desire flag must set. Refer to **MOPF Set up - Multiple** and Calculate Maximum Normal Deduction Rate.



When completing the **Perform Calculation SR**, the system will automatically calculate the NDR and complete the promise to pay schedule. However if the DEO payment is over 40% of the paying parent's salary, the calculation SR will exception out with the reason **Determine NDR**. See [Promise to Pay Exceptions](#) for more information on how to resolve this

- Where the paying parent is self employed the MOPF should be set up as 100% Direct Debit. Refer to **Direct Debit - Set Up**.
- Where the paying parent is unable to set up a Direct Debit, set the MOPF as 100% Standing Order (SO). Refer to **Standing Order - Set Up**.



The CMS system sets the start date in the **Compliance Opportunity** view to align with the first payment collection date of the non-enforced MOPF (first payment date set at Initial Calculation stage). The end date is set automatically by adding 187 days to the start date.



There may be instances where the paying parent accepts the Segment 5 Compliance Opportunity but then has a change of circumstance, e.g. is on benefit prior to the Segment 5 Compliance Opportunity start date. The paying parent will no longer qualify for the Segment 5 Compliance Opportunity, refer to **Step 16**.

16. Return to [Gather paying Parent Information, Process Enquiry](#).

Segment 5 Compliance Opportunity Declined/No Response/Not Appropriate

17. If the paying parent declines, does not respond or the offer is no longer appropriate (e.g. a change of circumstances) update the SR **Notes** with the reason for the offer outcome, e.g. where a voluntary DEO is in place record: Segment 5 Compliance Opportunity Offer not made as CSA DEO was voluntary.
18. Update the Resolution Code to either:
 - **Compliance Rejected**
 - Or
 - **No Response Received**
19. In the **More Info** tab at case level, record the outcome as **NRP Unlikely to Pay** in the **Unlikely to Pay Status** field.
20. In the **Compliance Opportunity** tab at case level, record the outcome of the Segment 5 Compliance Opportunity in the **Compliance Opportunity** drop down within the **Case Compliance Details** applet.
21. Update the **Offer Compliance Opportunity** SR **Status** to **Closed** and the **Sub Status** to **Complete**.
22. Collect the paying parent's method of payment from (MOPF) information and set up as follows:

- Where the paying parent is employed and the employer is known, set up the MOPF as self selected DEO. Where a DEO is applied, the desire flag must be set. Refer to **DEO - Self Selected** and Calculate Maximum Normal Deduction Rate.



No response and rejected are deemed as Wilful Refusal therefore DEO charge will be applied.

- Where the paying parent has no employer, set up the MOPF as Weekly Default Standing Order (DSO). Refer to **Standing Order - Set Up**.
- Where the paying parent is Self Employed, set up the MOPF as Weekly Default Standing Order (DSO). Refer to **Standing Order - Set Up**.

Ensure the paying parent understands the 2012 Compliance Opportunity may be appropriate in the future.

23. Return to [Gather paying Parent Information, Process Enquiry](#).

Scheduled End of the segment 5 Compliance Opportunity

Scheduled End of the Segment 5 Compliance Opportunity



Where the following SR is received, completion must be treated as a priority in order to prevent any delay in applying collection charges and the potential move to Direct Pay.

1. The system will automatically create the **Compliance Opportunity** service request (SR) at the end of the Segment 5 Compliance Opportunity period with the following values:

- **Process = CofC**
- **Area = Seg 5 Compliance Opportunity**
- **Sub Area = Compliance Opportunity Outcome**

The **Source** will populate as **Internal/System**.

2. In the **CoC More Info** tab, populate the **Subject Details** with the paying parent information.
3. Select **End of Seg 5** from the **Action** field.
4. Set the **SR Status** to **In Progress** and the **Sub Status** to **End of Seg 5**.

Review Payment History

5. To determine whether the paying parent has passed or failed the Segment 5 Compliance Opportunity, review the Payment History.



For more information refer to Segment 5 - Compliance Opportunity in Policy, Law and Decision Making Guidance 

6. Review the Promise to Pay (P2P) schedule for payments made via the non enforced MOPF, navigate to the paying parents **Financial Accounts** view and select the **Payment Schedule** tab. Once the amounts and dates are known, check the **Online Statement** to confirm that the payments were made on time, in full and by the agreed MOPF. Go to **Step 7** to record the outcome of the check.

Segment 5 Compliance Opportunity Outcome



When completing a **Compliance Opportunity Outcome** SR the Segment 5 Compliance Opportunity UTP Check outcome and resolution code must be updated on the same date where possible, reducing any delays to collection fees and enforcement charges being applied. Where a fail decision is recorded, collection fees and enforcement charges will be payable from the date the Segment 5 Compliance Opportunity UTP Check outcome is recorded.

Segment 5 Compliance Opportunity Outcome

7. In the **Seg 5 Compliance Opportunity Details** applet, record the outcome of the paying parent check:

- Update the **Compliance Action** to:
 - **Pass**, or
 - **Fail**
- In the **Compliance Reason** field record the reason as
 - **All Payments Received** or
 - **Payment Default**



No attempt to contact the paying parent to request any payments must be made until the **Compliance Action** and the **Compliance Reason** fields have been updated. Contact should be made when providing Confirmation of the Segment 5 Compliance Opportunity - **Pass**, see **Step 21**. Or when Confirmation of Segment 5 Compliance Opportunity Outcome and Unlikely to Pay Check - **Fail**, see **Step 35**.

8. Go to **Step 9** to carry out the Segment 5 Unlikely to Pay (UTP) Check.



The paying parent can pass the Segment 5 Compliance Opportunity Outcome and pass the Unlikely to Pay Check, however they can also pass the Segment 5 Compliance Opportunity Outcome and fail the Unlikely to Pay Check.

Perform Unlikely to Pay Check

9. Decide whether the paying parent is likely to pay if their case is moved to direct pay.
10. Check whether the paying parent has made all of the payments during the Segment 5 Compliance Opportunity period by the agreed non enforced method and schedule.
11. Consider if there is any reason why the paying parent would be unlikely to pay (e.g. Wilful Refusal), if required seek team leader advice before making a final decision. For more information see [Wilful Refusal/ Culpable Neglect](#).

Where there is no reason, the paying parent will pass the unlikely to pay check.

Where the paying parent passes the Segment 5 Compliance Opportunity UTP Check, go to **Step 12**.

Where the paying fails the Segment 5 Compliance Opportunity UTP Check, go to **Step 23**.

Unlikely to Pay Check - Pass

12. In the **Seg 5 Compliance Opportunity Details** applet, record the outcome of the Unlikely to Pay Check:

- Update the **Unlikely to Pay Status** field to **Not Applicable**.

13. Within **SR Details**, record the outcome of the Segment 5 Compliance Opportunity UTP Check was completed in the **Effective Date** field.
14. Record the outcome of the Segment 5 Compliance Opportunity and the Segment 5 Compliance Opportunity UTP Check in the **SR Notes** including the reason for the decision and all information used to make the discretionary decision including making a Welfare of the Child

Decision. For more information on discretionary decisions including a verbatim statement, refer to Policy Law and Decision Making Guidance



15. Select the **Create Service Type** button to change the service type from collect and pay to direct pay. The system will automatically generate, close and complete a **Change to Service Type** child SR.



If the case is a Transitional Legal case involving Bailiff activity, Enforcement Case Manager (ECM) will need to contact the Bailiffs to recall the case. CMS will automatically generate a **Clear Artefact** SR and when the case is returned from the Bailiffs, the ECM can perform the cancellation process to end all MOPFs.

As the paying parent has now passed the UTP Check and Segment 5 Compliance Opportunity is complete, the case can be transferred from Enforcement back to Maintenance.

16. To cancel the paying parent's method of payment from (MOPF), manually create a **Payments** child SR for each active MOPF with the following values:

- **Process = Payments**
- **Area = MOPF**
- **Sub Area = Amend Existing MOPF**



Access the relevant Cancel MOPF procedure to end all MOPFs.

17. Cancel the receiving parent's method of payment to (MOPT). For more information refer to **Direct Payment - Cancel** procedures.
18. Update the **Resolution Code** to **CofC Accepted**.
19. The system will automatically generate a **Perform Calculation** child SR; within this SR issue the relevant calculation letters. For more information refer to **Calculation - Post Initial**.
20. Update the **Status** of the **Perform Calculation** SR to **Closed** and the **Sub Status** to **Complete**. Go to **Step 21**.



Any arrears to be collected are scheduled on the new P2P schedule (and for the collection by the next Annual Review Date), this will also include any CSA Scheme arrears held on the 2012 System and owed to the receiving parent. If a negotiation of arrears is required, refer to **Arrears and Negotiation and Missed Payments**. Arrears owed to the Secretary of State may be suspended. For more information refer to **Suspend/Unsuspend Liabilities**.

Confirmation of Segment 5 Compliance Opportunity Outcome and Unlikely to Pay Check - Pass

21.   Call receiving parent and paying parent to explain the outcome of the Segment 5 Compliance opportunity fully, to manage the expectations of both clients including the change of service type to direct pay. For further information see **Change - Service Type - To Direct Pay**.

Discuss the **Change to Service Type SR** outcome and if necessary refer to **Transfer Data Between Clients** which provides information on how client contact is facilitated.

Issue letters **CMSL0136** to the paying parent and **CMSL0137** to the receiving parent to notify of the Segment 5 Compliance Opportunity outcome.



Where 50% of the method of payment from is DEO (under the Segment 5 Compliance Opportunity), potential future collections will have been requested but not yet received. Call the paying parent to advise that we may have to refund the amounts once received from their employer also advising them about rescheduling into direct pay arrangement. For more information refer to **Payment - Non Standard**.

22. In the **CoC More Info** view, update the **Compliance opportunity Outcome SR Status** to **Closed** and the **Sub Status** to **Complete**.

Unlikely to Pay Check - Fail

23. In the Seg 5 Compliance Opportunity Details applet, record the outcome of the Segment 5 Compliance Opportunity UTP Check as failed:

- Update the **Unlikely to Pay Status** field with **NRP Unlikely to Pay**.
- In the **DP Rejected Reason** field, record the decision for the unsuccessful outcome.

24. Within **SR Details** record the date the Segment 5 Compliance Opportunity UTP Check was completed in the **Effective Date** field.

25. Record the outcome of the Segment 5 Compliance Opportunity and the Segment 5 Compliance Opportunity UTP Check in the SR **Notes** including the reason for the decision and all information used to make the discretionary decision including making a Welfare of the Child Decision. For more information on discretionary decisions including a verbatim statement, refer to Policy Law and Decision Making Guidance



26. The case will remain as collect and pay service type with collection fees and enforcement charges payable from the date the Segment 5 Compliance Opportunity UTP Check is completed. Team leader approval is required to reapply these charges.

Update the SR **Status** to **Pending Approval** and **Sub Status** to **Pending Approval - TL**.

Team Leader Action



When team leader approval is required, this must be treated as a priority to prevent any delay in applying collection charges.

27. Review the SR and consider the requests to apply collection fees and enforcement charges. Update the **TL Approved** and the **Comments** box with reasons for the decision. Select either:

- Approved
- Rejected


Caseworker Action

28. If the request has been rejected, update the SR appropriately and resubmit for team leader approval.
29. If the request has been accepted, manually create a Payments child SR with the below values to end the paying parent's non enforced MOPF, leaving the DEO MOPF in place:


- Process = Payments
- Area = MOPF
- Sub Area = Amend Existing MOPF

Access the relevant Cancel MOPF procedure to end the MOPF.


30. If the paying parent does not have an enforced MOPF, amend the existing MOPF to Default Standing Order (DSO) and set the **DEO Desire** flag.
31. Apply the DEO enforcement charge by selecting the **Charges** view within **more tabs** and then refer to [Enforcement Charge - Apply](#) procedure. Once actioned, return to complete the **Compliance Opportunity Outcome** SR process.

 If the case is being managed by the Enforcement Case Manager (ECM) and Segment 5 Compliance Opportunity UTP Check is a fail, normal enforcement processes will follow and ECM will review and decide next appropriate action to take.



32. Update the **Resolution Code** to **CofC Accepted**.
33. The system will automatically generate a **Perform Calculation** child SR; within this SR issue the relevant calculation letters. For more information refer to [Calculation - Post Initial](#).

 If the MOPF remains as enforced DEO the Maximum Normal Deduction Rate Amount must be manually input, refer to [Promise to Pay Exceptions](#).

34. Update the **Status** of the **Perform Calculation** SR to **Closed** and the **Sub Status** to **Complete**.

 As collection charges have now been applied, the previously negotiated schedule has been ended and any non OGM balance has been scheduled up to the next annual review. Where this scheduling is not sustainable or negotiation is requested, refer to [Arrears Negotiation and Missed Payments](#).

Confirmation of Segment 5 Compliance Opportunity Outcome and Unlikely to Pay Check - Fail

35.   Call receiving parent and paying parent to explain the outcome of the Segment 5 Compliance opportunity fully, to manage the expectations of both clients. Issue letters **CMSL0136** to the paying parent and **CMSL0137** to the receiving parent to notify of the Segment 5 Compliance Opportunity outcome.

 Ensure they paying parent is aware of the 2012 Compliance Opportunity and that this may be appropriate in future.

36. In the **CoC More Info** view, update the **Compliance Opportunity Outcome** SR **Status** to **Closed** and the **Sub Status** to **Complete**.

Early End of Segment 5 Compliance Opportunity

Early End of Segment 5 Compliance Opportunity

1. In the Seg 5 Compliance Opportunity Details applet, record the outcome of the Segment 5 Compliance Opportunity UTP Check as failed:

- the paying parent is now receiving a benefit - a notification will be received via CIS and will automatically generate a **Change of Circumstance** SR. The **Compliance Opportunity Outcome** SR will generate automatically.
- the paying parent is recorded as in prison, a **Change of Address** SR will be created automatically and the **Compliance Opportunity Outcome** child SR will need to be manually created.
- the paying parent is nil assessed, a **Change Income** SR will be created manually and the **Compliance Opportunity Outcome** child SR will need to be manually created.
- case closure action has been initiated, a **Change of Circumstance** SR will be created manually and the **Compliance Opportunity Outcome** SR will need to be manually created.
- the receiving parent requests a change of service type to direct pay - **Change Service Type** SR will be the parent SR and the **Compliance Opportunity Outcome** SR will need to be manually created. **Change Service Type** SR will be created with the **NRP** as the **Source**. Within **Notes**, record that the receiving parent requested the change. Do not set the SR **Status** of the **Change Service Type** SR to **In Progress**.
- the paying parent continually pays using a non agreed/non enforced MOPF (i.e. pays by debit/credit card where direct debit was agreed non enforced MOPF), the **Compliance Opportunity Outcome** SR will need to be manually created.
- the paying parent misses a payment.



Where the following SR is received, completion must be treated as a priority in order to prevent any delay in applying collection charges.

2. Where the Compliance Opportunity Outcome SR is required to be generated manually, create a child SR using the following values. The child SR can be generated as a child of a previous Arrears SR:
 - **Process = CofC**
 - **Area = Seg 5 Compliance Opportunity**
 - **Sub Area = Compliance Opportunity Outcome**
3. In the **CoC More Info** view populate the **Subject Details** with the paying parent information.
4. Select **Early End of Seg 5** from the **Action** field dropdown and update the **Status** to **In Progress**.
5. Update the **Sub Status** to **Early End of Seg 5**.
6. From the **Early End reason** dropdown select the appropriate value:
 - **Change to Direct Pay**
 - **Case Closed**
 - **Paying Parent Nil Assessed**
 - **Change of Circumstance**
 - **On-benefit change**
 - **Missed Payment/s**

Review Payment History

7. To determine whether the paying parent has passed or failed the Segment 5 Compliance Opportunity review the Payment History.
 -  For more information refer to Segment 5 - Compliance Opportunity in the Policy, Law and Decision Making Guidance 
8. Review the Promise to Pay (P2P) schedule for payments made via the non enforced MOPF, navigate to the paying parents **Financial Accounts** view and select the **Payment Schedule** tab. Once the amounts and dates are known, check the Online Statement to confirm that the payments were made on time, in full and by the agreed MOPF.
9. In the **Seg 5 Compliance Opportunity Details** applet, record the outcome of the paying parent check:

Update the Compliance Action to:

 - Ended Early or
 - Fail

In the Compliance Reason field record:

 - All Payments Received or
 - Payment Default

This should be based on the following scenarios:

 - the receiving parent has requested to change service type to direct pay - Early End outcome will be **Early End/All Payments Received**
 - the paying parent has a missed payment and there is no valid reason for the Segment 5 Compliance Opportunity to be extended - Early End outcome will be **Fail/Payment Default**
 - the paying parent is now receiving a benefit or is nil assessed, check if all expected payments have been successfully made for the full case history if less than 6 months old:
 - if all expected payments by a non enforced method have been successfully made, the Early End Outcome will be - **Early End/All Payments Received**
 - if all expected payments by a non enforced method have not been received, the Early End Outcome will be - **Fail/Payment Default**



When completing a **Compliance Opportunity Outcome** SR, the Compliance Opportunity UTP Check outcome and resolution code must be updated on the same date where possible, reducing any delays to the collection fees and enforcement charges being applied.

Perform Unlikely to Pay Check

10. Decide whether the paying parent is likely to pay if their case is moved to direct pay.
11. Check whether the paying parent has made all of the payments during the Segment 5 Compliance Opportunity period by the agreed non enforced method and schedule.
12. Consider if there is any reason why the paying parent would be unlikely to pay (e.g. Wilful Refusal), if required seek team leader advice before making a final decision. For more information see [Wilful Refusal/ Culpable Neglect](#).
13. Where the paying parent passes the Segment 5 Compliance Opportunity UTP Check, go to **Step 16**.

14. Where the paying fails the Segment 5 Compliance Opportunity UTP Check, go to **Step 25**.


15. Where the receiving parent requests direct pay, go to **Step 16**.

Segment 5 Compliance Opportunity UTP Check - Pass


16. Where the paying parent passes the Segment 5 Compliance Opportunity UTP Check, record the outcome within the Segment 5 Compliance Opportunity Details applet:

- Update the **Unlikely to Pay Status** field to **Not Applicable**

17. Within the SR **Details** applet record the date the Segment 5 Compliance Opportunity UTP Check as completed in the **Effective Date** field.

18. Record the outcome of the Segment 5 Compliance Opportunity Outcome and the Segment 5 Compliance Opportunity UTP Check in the SR Notes including the reason for the decision and the information used to make the discretionary decision, this includes making a Welfare of the Child Decision. For more information on discretionary decision including a verbatim statement, refer to Policy, Law and Decision Making Guidance 

19. Select the **Create Service Type** button, within the **Compliance Opportunity Outcome** SR to change the service type from collect and pay to direct pay. The system will automatically generate, close and complete a **Change to Service Type** child SR.

 If the case is a Transitional Legal case involving Bailiff activity, Enforcement Case Manager (ECM) will need to contact the Bailiffs to recall the case. CMS will automatically generate a **Clear Artefact** SR and when the case is returned from the Bailiffs, the ECM can perform the cancellation process to end all MOPFs. As the paying parent has now passed the UTP Check and Segment 5 Compliance Opportunity is complete, the case can be transferred from Enforcement back to Maintenance.

 Where the paying parent is in receipt of benefit, **Step 23** MUST be completed prior to **Step 20**.

20. To cancel the paying parent's method of payment from (MOPF), manually create a **Payment** child SR for each active MOPF with the following values:

- Process = Payments
- Area = MOPF
- Sub Area = Amend Existing MOPF

Access the relevant Cancel MOPF procedure to end all MOPFs.



 Team leader approval required on DEO cancellation action.


21. To cancel the receiving parent's method of payment to (MOPT), follow and complete the **Direct Payment Cancel** procedures and then return to this procedure.


 Input the appropriate resolution code in order to generate the Perform calc SR

 The system will automatically generate a **Perform Calculation** child SR; within this SR issue the relevant calculation letters. For more information refer to [Calculation - Post Initial](#).

22. Update the **Status** of the **Perform Calculation** SR to **Closed** and the **Sub Status** to Complete.

23.   Call receiving parent and paying parent to explain the outcome of the Segment 5 Compliance opportunity fully, to manage the expectations of both clients. Issue letters **CMSL0136** to the paying parent and **CMSL0137** to the receiving parent to notify of the Segment 5 Compliance Opportunity outcome.

 Where 50% of the method of payment from is DEO (under the Segment 5 Compliance Opportunity), potential future collections will have been requested but not yet received. Call the paying parent to advise that we may have to refund the amounts once received from their employer also advising them about rescheduling into direct pay arrangement. For more information refer to [Payment - Non Standard](#).

 Explain how direct pay works including what happens if the paying parent misses a payment. Ensure that the receiving parent understands this before implementing the change and inform them that they need to supply their payment details to the paying parent. If the receiving parent reports that they currently have no contact with the paying parent, inform them that it is possible for CMS to pass on contact details (including bank details), with their permission, to allow the direct pay arrangement to be set up. Complete the **Change to Service Type** SR and refer to [Transfer Data Between Clients](#) which provides information on how client contact is facilitated.


24. In the **CoC More Info** view, update the **Compliance Opportunity SR Status** to **Closed** and the **Sub Status** to **Complete**.

Segment 5 Compliance Opportunity UTP Check - Fail

25. In the **Seg 5 Compliance Opportunity Details** applet, record the outcome of the Segment 5 Compliance Opportunity UTP Check as failed:

- Update the **Unlikely to Pay Status** field with **NRP Unlikely to Pay**
- In the **DP Rejected Reason** field, record the decision for the unsuccessful outcome.

26. Within SR **Details** record the date the Segment 5 Compliance Opportunity UTP Check was completed in the **Effective Date** field.

27. Record the outcome of the Segment 5 Compliance Opportunity and the Segment 5 Compliance Opportunity UTP Check in the SR **Notes** including the reason for the decision and all information used to make the discretionary decision including making a Welfare of the Child Decision. For more information on discretionary decisions including a verbatim statement, refer to Policy Law and Decision Making Guidance 

28. The case will remain as collect and pay service type with collection fees and enforcement charges payable from the date the Segment 5 Compliance Opportunity UTP Check is completed. Team leader approval is required to reapply these charges.

Update the SR **Status** to **Pending Approval** and **Sub Status** to **Pending Approval - TL**.

Team Leader Action

29. Review the SR and consider the requests to apply collection fees and enforcement charges. Update the **TL Approved** and the **Comments** box with reasons for the decision. Select either:

- **Approved**
- **Rejected**

Caseworker Action

30. If the request has been rejected update the SR appropriately and resubmit for team leader approval.

31. If the request has been accepted, manually create a **Payments** child SR with the below values to end the paying parent's non enforced MOPF, leaving the DEO MOPF in place:

- **Process = Payments**
- **Area = MOPF**
- **Sub Area = Amend Existing MOPF**

Access the relevant Cancel MOPF procedure to end the MOPF.


32. If the paying parent does not have an enforced MOPF, amend the existing MOPF to Default Standing Order (DSO).

33. Apply the DEO enforcement charge by selecting the **Charges** view within **more tabs** and then refer to [Enforcement Charge - Apply](#) procedure. Once actioned, return to complete the **Compliance Opportunity Outcome** SR process.


 If the case is being managed by the Enforcement Case Manager (ECM) and UTP Check is a fail, normal enforcement processes will follow and ECM to review and decide next appropriate action to take.



34. Update the **Resolution Code** to **Cof C Accepted**.

35. The system will automatically generate a **Perform Calculation** child SR; within this SR issue the relevant calculation letters. For more information refer to [Calculation - Post Initial](#).

 If the MOPF remains as enforced DEO the Maximum Normal Deduction Rate Amount must be manually input, refer to [Promise to Pay Exceptions](#).

36. Update the **Status** of the **Perform Calculation** SR to **Closed** and the **Sub Status** to **Complete**.

 As collection charges have now been applied, the previously negotiated schedule has been ended and any non OGM balance has been scheduled up to the next annual review. Where this scheduling is not sustainable or negotiation is requested, refer to [Arrears Negotiation and Missed Payments](#).

37.   Call receiving parent and paying parent to explain the outcome of the Segment 5 Compliance opportunity fully, to manage the expectations of both clients. Issue letters **CMSL0136** to the paying parent and **CMSL0137** to the receiving parent to notify of the Segment 5 Compliance Opportunity outcome.

38. In the **CoC More Info** view, update the **Compliance Opportunity Outcome** SR **Status** to **Closed** and the **Sub Status** to **Complete**.

Seg 5 Lines To Take


Lines To Take


Extension of Segment 5 Compliance Opportunity


Extension of Segment 5 Compliance Opportunity

1. If the reason to extend the Segment 5 Compliance Opportunity is:

- a paying parent has reported a change of circumstance which will disrupt payment/s. Gather the relevant details to consider if there is an acceptable reason for the delay and make a discretionary decision whether to extend the Segment 5 Compliance Opportunity.
- a limited circumstance where a paying parent has missed a payment for a reason beyond their control.

 There may be circumstances where a payment has been missed for a reason beyond the paying parent's control. For example, this may be due to a change of employer, change to a method of payment from (MOPF) or hospitalisation. Use discretion when deciding if this is applicable. For more information refer to Segment 5 - Compliance Opportunity in Policy, Law and Decision Making Guidance 


 Where a missed payment is identified there must be no attempt to contact the paying parent to request any payments. Where a payment hasn't been made and a valid reason has not been provided, go to **Early End of Segment 5 Compliance Opportunity**.

 If the client provides a reason for a missed/potential missed payment and additional decision guidance is required, raise an incident with Advice and Guidance (A&G), refer to [Advice and Guidance - Create Request](#).

2. If the decision is:

- to extend the Segment 5 Compliance Opportunity and allow the paying parent to continue showing compliance, go to **Step 3**
- to reject an extension to the Segment 5 Compliance Opportunity, go to **Early End of Compliance Opportunity**

 The **Compliance Opportunity Outcome** SR is to be created as a child SR with the reason for the early end e.g. **Change of Circumstance** (CofC) SR, **Payment** SR or **Arrears Review** SR where appropriate. Alternatively, the **Compliance Opportunity Outcome** SR should be created as a parent SR.

 Where a **Segment 5 Compliance Opportunity** SR is received, completion must be treated as a priority in order to prevent any delay in creating new schedules and further missed payments.

3. When a Segment 5 Compliance Opportunity needs to be extended, manually create the **Compliance Opportunity Outcome** SR with the following values:

- **Process = CofC**
- **Area = Seg 5 Compliance Opportunity**
- **Sub Area = Compliance Opportunity Outcome**

4. Update the **Source** as **NRP**

5. In the **CoC More Info** view enter the details of the paying parent in the **Subject Details** field.


6. Select **Extension of Seg 5** from the **Action** field dropdown, select the appropriate **Reason** and the **Proposed Revised** date, then update the **Status** to **In Progress**.

7. Update the **Sub Status** to **Extension of Seg 5**.


8. In the **Seg 5 Compliance Opportunity Details** applet, record the reason why the Segment 5 Compliance Opportunity period needs to be extended:

- **Change to Employer**
- **Change to Method of Payment From**
- **Missed Payment/s**
- **Change of Circumstance**

9. In the **Seg 5 Compliance Opportunity Details** applet, record the extension date in the **Proposed Revised Date** field. The date should be extended by full calendar month(s).

 The duration of the extension is to be agreed as a reasonable timescale dependent on the reason for the delayed or missed payment by the non enforced method. The period must be suitable to allow the paying parent to show compliance.

 Under no circumstances should the revised extension go past the Annual Review date.

10. Record the extension period and reason for this in the SR Notes including all information used to make the discretionary decision, this includes making Welfare of the Child Decision. For more information on discretionary decisions including a verbatim statement refer to Policy, Law and Decision Making Guidance 

11. Team leader approval is required to extend the Segment 5 Compliance Opportunity period. Update the **Status** of the SR to **Pending Approval** and **Sub Status** to **Pending Approval - TL**.

Team Leader Action

12. Review the SR and the request to extend the Segment 5 Compliance Opportunity period. Check that the extension period is appropriate, and that the date and notes are recorded correctly. Update the **TL Approved** and the **Comments** box with reasons for the decision. Select either:

- Approved
- Rejected

Caseworker Action


13. If the request has been rejected update the SR appropriately and resubmit for team leader approval.

14. If the request is approved, update the **Resolution Code** to **CofC Accepted**.

15. If the approval request has been rejected by the team leader, change the **Resolution Code** to **CofC Rejected**.

16. In the **CoC More Info** view, update the **Compliance Opportunity Outcome** SR **Status** to **Closed** and the **Sub Status** to **Complete**.

17. If the request to extend the Segment 5 Compliance Opportunity period has been rejected, consider if **Early End** is appropriate. If it isn't the case will remain on the Segment 5 Compliance Opportunity until the 6 month period has expired.

18.  Call receiving parent and paying parent to explain the outcome of the Segment 5 Compliance opportunity fully to manage their expectations and advise them about rescheduling if a payment has been missed.

[1993/2003 Scheme Look up](#)

Check for CSA Enforcement Action

Where a Manual Handling SR is generated at the Application stage, the following actions must be taken to determine if the application is being made by a CSA Segment 5 client and if the paying parent in the CMS application is eligible for the Segment 5 Compliance Opportunity.

1. Check the CSA Segment 5 Legal case list to establish if the paying parent national insurance number is held on it. If it is, this indicates on-going CSA Legal action.
2. If a paying parent national insurance number in the the new application is held on the list, update the **Active Legacy Enforcement Actions** field with **Y**.

CSCS - Check for Enforcement/DEO/DER/RDO

1. Navigate to screen **IIAO** to view and access the current recorded method of collection on the case.
2. Check screen **IICM** to identify if a DEO/DER was in place at the time the case was selected for transition (i.e. date CMS 2012 application was made). Check notepad to confirm whether the DEO/DER was voluntary or enforced, if a note is not recorded, assume it was enforced. View the notes within **IICM** to confirm any on going civil enforcement action or liability orders.
3. Where an enforced DEO/DER/RDO is identified, update the **Legacy MOC** field within the **Case Compliance Details** applet of the **Compliance Opportunity** view.

CS2 - Check for Enforcement/DEO/DER/RDO

4. Launch **Enquire on Case or Person** to identify the current method of collection recorded on the case.
5. Access **Freetext** if a DEO/DER was in place at the time the case was selected for transition (i.e. date CMS 2012 application was made) and whether the DEO/DER was voluntary or enforced, if there is no note assume it was enforced.
6. Access **Freetext** to confirm any on going civil enforcement action or liability orders.
7. Where an enforced DEO/DER/RDO is identified, update the **Legacy MOC** field within the **Case Compliance Details** applet of the **Compliance Opportunity** view.

CCD - Check for Enforcement/DEO/DER/RDO

8. Navigate to **Create/Edit Case/PWC/NRP/Assessment** to identify the method of collection at the time of selection for transition (i.e. date application was made to CMS 2012).
9. Access **Read/Update NRP** and select the **Employer** tab to identify if the checkbox for DEO/DER is ticked.
10. Where Deduction from Benefit is shown, access **Create/Edit Case/PWC/NRP/Assessment** and select the **Notes** tab to determine the correct method of collection.
11. Check to see if a DEO/DER was in place by accessing the **Notes** screen and confirm whether the DEO/DER was voluntary or enforced, if there is no note assume it was enforced.
12. Access the **Notes** within **Create/Edit Case/PWC/NRP/Assessment** identify any on going civil enforcement action or liability orders.
13. Where an enforced DEO/DER/RDO is identified, update the **Legacy MOC** field within the **Case Compliance Details** applet of the **Compliance Opportunity** view.

Return to **Check Eligibility for Compliance Opportunity, Step 2** of the procedures.

[CMSL0136 The Way You Pay Your Child Maintenance Is Changing](#)

Letter to the paying parent to advise of the outcome of the Compliance Opportunity and what it means for them.

Select the relevant optional paragraph to confirm whether the service type is changing to direct pay or remaining collect and pay.

[CMSL0137 The Way You Get Your Child Maintenance Is Changing](#)

Letter to the receiving parent to advise of the outcome of the Compliance Opportunity and what it means for them.

Select the relevant optional paragraph to confirm whether the service type is changing to direct pay or remaining collect and pay.

[CMSL0138 A Chance To Avoid Collection Fees And Enforcement Charges](#)

Letter to the receiving parent to inform that the paying parent has accepted the Compliance Opportunity offer and to advise what it means for them.

[CMSL0139 A Chance To Avoid Collection Fees And Enforcement Charges](#)

Letter to the paying parent to confirm the Compliance Opportunity offer has been accepted and to advise what it means for them.

[Advice and Guidance - Create Request](#)

Application - Paying Parent

Application - Receiving Parent

Calculation – Post Initial

DEO - Cancel

DEO - Enforced

DEO - Self Selected - Set Up

DER - Cancel

DER - Self Selected - Set Up

Direct Debit - Cancel

Direct Debit - Set Up

Enforcement Charge - Apply

Gather Paying Parent Information

Lines To Take

Payment - Non Standard

Standing Order - Cancel

Standing Order - Set Up

Wilful Refusal/Culpable Neglect

Lines To Take

Lines To Take

What happens when there is a DEO missed payment?

If there is a missed DEO payment, the system will automatically create an Action Missed Payment service request (SR) to the Employer Support Team (EST). The Employer Support Team will follow the Business As Usual procedure to contact the employer to investigate the reason why the payment has been missed. If three DEO payments are missed or the full amount has not been collected an Arrears Review SR will generate to the Arrears segment for further investigation.

What do I do if there is a missed voluntary payment but it is not recognised until the end of the full six month Compliance Opportunity period?

If there is a missed payment recognised at the end of the full 6 month period and a Compliance Opportunity Outcome SR has automatically generated it is possible there has been an error in identifying the case was within the Segment 5 Compliance Opportunity period. Review the case to determine the reason for a missed voluntary payment; navigate to the Promise to Pay (P2P) schedule for voluntary payment history within the last full six months and navigate to Notes tab within the paying parent (PP) Contact Summary to review all documented notes for the last six months to determine the reason for a missed payment. Also check any Arrears Review SR's within the last six months to check the details held and all SR notes.

Consider if there is an acceptable reason provided by the paying parent for the missed voluntary payment and make a discretionary decision to consider whether to pass or fail the Compliance Opportunity. If decision guidance is needed raise an advice request to Advice and Guidance (A&G), refer to [Advice and Guidance - Create Request](#)

How many months can the Segment 5 Compliance Opportunity be extended by?

The duration of the extension must be agreed as a reasonable timescale, this is dependant on the reason for the voluntary payment delay or missed voluntary payment. The period must be suitable to allow the paying parent to show compliance, however the revised date of the extension must not go past the Annual Review date. Extending the Compliance Opportunity period is a discretionary decision, this includes making a Welfare of the Child Decision, if decision guidance is needed raise an advice request to Advice and Guidance (A&G), refer to [Advice and Guidance - Create Request](#)