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### [Overview](#)

[2014/612](#) *The Child Support Fees Regulations 2014*

[2008/6](#) *Section 6 of the Child Maintenance and Other Payments Act 2008*

The introduction of fees has been confined to three key areas which the Government believes are points at which either clients need to be incentivised to stop and review their child maintenance requirements or that the Government feels that it is justifiable and right that a proportion of costs incurred is met by the client.

#### Application Fee

A one off fee, payable by the applicant, in order to allow an application to be progressed.

#### Collection Fees

An ongoing percentage based fee deducted for any collections and payments handled via the statutory scheme

#### Enforcement Fees

A fee levied against the non-resident parent when the Child Maintenance Group is obliged to take certain specific enforcement actions.

#### **Authority**

In 2006 the independently commissioned report from Sir David Henshaw returned a number of recommendations about the future management and direction of the Child Support Agency. Amongst Henshaw's recommendations was that the Agency should seek to introduce a system of charging for its services. This, Henshaw believed, was essential in order to break the historic cycle of dependency on state management of child support and foster co-operation between parents in the best interests of their children.

Section 6 of the Child Maintenance and Other Payments Act 2008 gave the Child Maintenance Group the ability to charge fees in connection with the exercise of its

functions. The Government is now seeking to use these powers as part of the continuing reform of the Child Maintenance System.

## **Rationale**

The introduction of fees is intended to incentivise and engender co-operation between separated parents in the long term interests of their children. Research has shown that being brought up in a co-operative environment is advantageous for children. By introducing an array of fees for various Child Maintenance services the Government intends to end the historic perception of the Child Maintenance Service being the default option for separating parents and encourage greater use of Family Based Arrangements and Direct Pay to allow clients to manage their own affairs outwith the statutory scheme.

Charging fees will also allow the Child Maintenance Group to recoup a small percentage of its outlay and therefore provide the taxpayer with greater value for money however this is not the primary reason behind the introduction of fees.

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## **[Application Fee: Decision Making Guidance](#)**

### **Rationale**

The Government has made the decision that any person applying for Child Maintenance to the 2012 Child Maintenance Scheme will be obliged to pay a fee before this application will be processed. The Government believes that introducing this fee will act to make applicants consider, at the point of entry into the scheme, whether the statutory scheme is really their only option or whether they could make an alternative arrangement with the other party and thus avoid this fee.

### **Enactment**

[2014/612](#) *Regulation 1 (3) of the Child Support Fees Regulations 2014*

An application fee will be payable from, the day on which Section 137 of the Welfare Reform Act 2012 comes into force. No application fee will be levied for applications made before this date even if the application has not yet been recorded on the system.

No application fee will be applied for any Reactive Transition case where the applicant makes an application prior to the introduction of Section 137 but the calculation is not made until after this date due to awaiting the Transition of the linked case.

Who is liable to pay?

[2014/612](#) *Regulation 3 (1) of the Child Support Fees Regulations 2014*

The application fee is payable at the point an application is made and will be paid by the party that applies unless that party is subject to the exceptions detailed in the [Exceptions](#) section.

The Government anticipates that the vast majority of applicants will be parents with care however in the event of an application by the non-resident parent the application fee must be met by them.

The Government believes that it is right that the party making the application should be the one to bear this fee in full as it would be unfair to impose a fee for this service against a party who has made no approach to the statutory scheme.

How much is charged?

[2014/612](#) *Regulation 3 (1) of the Child Support Fees Regulations 2014*

The application fee is set at a nominal rate of £20. This is applied at a case-based level therefore if an applicant wishes to open multiple cases this fee must be paid for each individual case to ensure parity for all applications.

This fee must be paid in full prior to any case being progressed unless the applicant is subject to the exceptions set out in the [Exceptions](#) section. Where an applicant wishes to pay an application fee by instalments this can be accommodated but the application will not progress until the full fee has been paid.

How is it paid?

Payment of the application fee can be made by credit or debit card or via a manual cheque. Where the payment is made using a credit or debit card the payment is deemed as being made as soon as the payment is approved by the system allowing the application to progress. Where an applicant chooses to pay via cheque the application is held and cannot be progressed until the cheque has cleared.

Obligations

[2014/612](#) *Regulation 3 (1) of the Child Support Fees Regulations 2014*

The Government made clear that the payment of an application fee by the applicant is in order to access the statutory scheme. There is no responsibility incumbent upon the Government to ensure that a maintenance calculation is successful once an application fee has been paid and no refund will be given where a calculation is not possible.

[Exceptions](#)

[2014/612](#) *Regulation 4 (2) & (3) of the Child Support Fees Regulations 2014*

The Government is aware of the sensitive nature of many of our cases and has acted to ensure provision is made for vulnerable clients. No application fee will be levied against an applicant who is under the age of 19, at the time the application is made, or who has declared they are a victim of domestic violence or abuse and reported this to an approved body. Please see below for the definition of domestic violence.

### **Domestic violence and abuse exemption**

The definition of domestic violence and abuse and the list of bodies to which this must have been reported to is not laid down in regulations, but set out in two sets of guidance to which the regulations refer:

- guidance on how the Secretary of State will determine if a person is a victim of domestic violence or abuse is available on the gov.uk website [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/261879/child-support-fees-domestic-violence-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/261879/child-support-fees-domestic-violence-guidance.pdf). The definition is based on the Home Office definition of domestic violence.
- guidance on the list of persons to whom an applicant must have reported domestic violence or abuse was published by the Secretary of State in December 2013 and is available [here](#).

For child maintenance purposes the domestic violence or abuse exemption will be managed by a light touch self-declaration approach. If an applicant declares they are a victim of domestic violence or abuse and confirms that they have previously reported this to an approved body this is to be accepted and the application fee waived, there is no requirement to obtain written evidence.

The domestic violence or abuse exemption is not limited to incidents involving the applicant's former partner. The application fee is to be waived if the applicant states that any instance of domestic violence or abuse (falling within the definition given in the above guidance) has been reported to an appropriate body or person (as defined in the above guidance). This exemption should remove what could otherwise be a practical barrier for parents fleeing a violent situation, such as having lost access to a joint bank account or otherwise finding themselves in particularly stressful financial circumstances.

### **Determining whether an applicant is a victim of domestic violence or abuse**

In order to qualify for an application fee waiver as a victim of domestic violence or abuse three criteria must be satisfied:

- the applicant must be considered a victim of domestic violence or abuse in the opinion of the Secretary of State;

- the applicant must declare themselves to be a victim of domestic violence or abuse to the Secretary of State at the time of making their application;
- the applicant must confirm that this has been reported to an approved body

Whilst caseworkers are not required to ask an applicant explicitly whether or not they are a victim of domestic violence or abuse they must use their judgement to control the conversation and allow a declaration to be made if applicable. It is not sufficient to assume that all applicants are aware of the exemption and where evidence is supplied that suggests that an incident of domestic violence or abuse has occurred caseworkers should make every effort to facilitate this declaration being made. Caseworkers must not, by their actions, knowingly allow a potential victim of domestic violence or abuse to continue to pay an application fee without being confident that sufficient opportunity has been given for this declaration to be made.

### **Declaration made post-application**

In order to qualify for an exemption from an application fee the applicant must declare themselves to be a victim of domestic violence or abuse at the time of making their application. If an applicant declares themselves a victim of domestic violence or abuse at a later date and requests a refund of their application fee this must be referred to Advice and Guidance who will make a decision as to whether or not this is appropriate.

### **Reporting domestic violence from a third party**

Any client may request that a third party representative be allowed to communicate with the Child Maintenance Service on their behalf to discuss their case. Such a representative cannot, however, declare an instance of domestic violence on behalf of the applicant. An application fee may be waived only where the applicant themselves has declared that they are a victim of domestic violence or abuse to the Secretary of State and have reported this to an appropriate body. The only exception to this is where a representative is acting with a power of attorney which entitles them to make this decision on behalf of the applicant.

Caseworkers must verify that any power of attorney which exists entitles the representative to make this decision and it is valid before waiving the application fee. For guidance on determining the validity and scope of a power of attorney please see the [gov.uk website](https://www.gov.uk).

Even where a representative has a power of attorney which entitles them to make this decision the instance of domestic violence or abuse must still have been reported to an approved body before the fee can be waived.

### **Example**

A legal representative has contacted the Child Maintenance Service in order to progress an application for their client. This representative declares that their client has been a victim of domestic violence and they are acting with power of attorney to declare this. The caseworker requests confirmation of this power of attorney. The power of attorney is received and shows that the representative has power of attorney only to deal with the parent with care's financial affairs. The caseworker contacts the representative and confirms that the power of attorney does not contain the power to make this declaration on behalf of the parent with care as they are only legally entitled to manage financial affairs. The parent with care must declare the instance of domestic violence themselves in order to qualify for the application fee exemption.

### **Northern Ireland exemption**

The power to levy fees is a devolved responsibility; the Northern Ireland Executive has declared that they do not wish for an application fee to be levied against any client within their jurisdiction. No application fee will be applied for any Child Maintenance application made by a resident of Northern Ireland.

Any applicant who is a resident of Northern Ireland must have their initial application processed within Northern Ireland, no applications from Northern Ireland residents will be accepted if made to Great Britain offices.

### **Refunds**

#### [2014/612 Regulation 5 of the Child Support Fees Regulations 2014](#)

A refund of the application fee to the applicant must be made by the Secretary of State in circumstances where a qualifying child dies following the payment of the application fee but before a maintenance calculation is made if, as a result of this, no maintenance calculation is made.

#### **Regulation 5(8) of the Child Support (Ending Liability In Existing Cases and Transition To New Calculation Rules) Regulations 2014**

Any application fee paid by the applicant must be reimbursed in the circumstances where the Secretary of State withdraws a case closure notice (de-selection). The circumstances when a case closure notice can be withdrawn are explained in the [Case Closure](#) guidance.

If caseworkers believe a fee should be repaid / refunded in any other circumstances they should discuss this with their Team Leader and refer to A & G.

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## Rationale

The Government has decided that in order to act as a continuing incentive towards collaboration a collection fee will be applied to any case that uses the Calculation and Collect service. This fee will be applied on a percentage basis and will be payable by both parties. It is believed that this fee will act as a continuing tangible financial incentive to both parties to consider making a Direct Pay agreement in order to avoid these charges.

## Enactment

[2014/612](#) *Regulation 1 (4) of the Child Support Fees Regulations 2014*

Collection fees will become payable six weeks after the date that Section 137 of the Welfare Reform Act 2012 comes into force. No collection fees will be levied during the initial six week cutover period following Section 137 coming into force. This is to allow all existing customers to have the opportunity to select Direct Pay as a means of collection and avoid fees prior to collection fees coming into force.

Who is liable to pay?

[2014/612](#) *Regulation 7 (1) of the Child Support Fees Regulations 2014*

The collection fee is applied against any client who chooses to use the Calculation and Collect service provided by the statutory scheme. The amount of this fee and how it is calculated will differ depending upon the client's primary role.

How much is charged?

[2014/612](#) *Regulation 7 (2) & (3) of the Child Support Fees Regulations 2014*

The amount that is charged as a fee for using the Calculation and Collect service will differ depending upon whether the client has a primary role of non-resident parent or parent with care (or person with care or child in Scotland).

The fee for a non-resident parent will normally be set at 20% of the assessed daily maintenance liability whereas the person with care will be charged a fee of 4% of received maintenance to which they would be entitled.

How is the non-resident parent collection fee calculated?

[2014/612](#) *Regulation 7 (2) of the Child Support Fees Regulations 2014*

In calculating the non-resident parent collection fee a surcharge of 20% of any assessed daily maintenance liability will be added to the amount that the non-resident parent is obliged to pay.



This fee is levied only against the amount of ongoing child maintenance liability it is not based on the net amount a non-resident parent is obliged to pay i.e. the 20% applies only to liability not to arrears amounts that may be scheduled alongside this.

Collection fees are levied as a percentage of the daily rate for each case individually; this is to ensure that collection fees are levied only against those liabilities within the non-resident parent's case group which are being collected via the statutory scheme and excludes any maintenance amounts being paid via Direct Pay.

### **Example**

The non-resident parent has a maintenance liability of £20 per week; this equates to a daily rate of £2.86. A surcharge of 20% (£0.57) is applied on top of this meaning that the NRP is obliged to pay a weekly rate of £20 maintenance plus a weekly collection fee of £3.99 (£0.57 x 7).

How is the person with care collection fee calculated?

[2014/612](#) *Regulation 7 (3) of the Child Support Fees Regulations 2014*

The parent with care collection fee is calculated by retaining 4% of all ongoing maintenance received.

This means that the CMS can deduct 4% of any amount that is due to be paid to the parent with care, either for regular child maintenance or arrears of child maintenance accrued after the date that collection fees became effective.

### **Example**

A parent with care is entitled to £100 per week in child maintenance. The non-resident parent makes a payment of £100 for child maintenance plus their 20% collection fee. The collection fee is assigned to the Secretary of State along with 4% of the £100 to which the parent with care would have been entitled. The daily rate is calculated as £14.29, 4% of this amount is £0.57 meaning that a weekly fee of £3.99 is due. This means that of the maintenance payment of £100 received the parent with care is paid £96.01 in child maintenance.

Fractions of a penny

[2014/612](#) *Regulation 7 (5) of the Child Support Fees Regulations 2014*

Where a calculation is made to determine the amount charged as a collection fee and the amount includes a fraction of one penny, i.e. is not in whole pence, the amount charged will be rounded to the nearest whole penny

How Are These Collection Fees Paid?

[2014/612](#) *Regulation 7 (2) & (3) of the Child Support Fees Regulations 2014*



## 2014/612 Regulation 8 of the Child Support Fees Regulations 2014

All collection fees are automatically deducted at source by the Secretary of State.

The non-resident parent collection fee of 20% is automatically deducted on receipt of payment. Where a non-resident parent fails to pay the full amount the amount received will be split proportionately between fees and child maintenance.

### **Example**

A non-resident parent is assessed to pay £100 per week in child maintenance plus a £20.02 per week collection fee via a Deduction from Earnings Order. Due to Protected Income regulations the non-resident parent's employer is only able to deduct £50.

In this circumstance the £120.02 that the non-resident parent should have paid is treated as 100% of the obliged total of which the £20.02 collection fee accounts for 16.68% of this and the £100 liability payment equates to 83.32%.

These percentages are then applied to the amount that has been received therefore of the £50 that has been paid 16.68% (£8.34) is retained as a collection fee leaving £11.68 of the scheduled collection fee of £20.02 unpaid which becomes arrears owed to the Secretary of State.

### Parent with care collection fee deduction

The parent with care collection fee is deducted automatically from any amounts that are assigned to the parent with care for which a collection charge has previously been associated i.e. amounts charged since the introduction of collection fees. The fee will be deducted as a flat rate of 4% of the net balance of all amounts assigned to the parent with care which meet this criteria.

### **Example 1**

A non-resident parent is assessed to pay £30 per week in child maintenance and also makes payments of £20 per week towards a balance of arrears accrued after the introduction of collection fees.

This net payment of £50 is assigned to the parent with care and 4% is deducted automatically. The parent with care receives £48 and the remaining £2.00 is retained as the collection fee.

### **Example 2**

A non-resident parent is assessed to pay £10 per week in child maintenance and £30 per week towards a balance of arrears accumulated before collection fees were introduced.

This net payment of £40 is allocated to the non-resident parent however only the £10 regular maintenance liability has an associated collection charge (having been accrued after the introduction of collection fees).

A collection fee of 4% is deducted from the liability amount meaning that the parent with care receives £9.60 in regular child maintenance plus the full £30 arrears payment as this is due for charges that do not have an associated fee (having been accrued prior to the introduction of collection fees). The collection fee deducted is £0.40.

### **Example 3**

A non-resident parent is assessed to pay £30 per week in child maintenance and also makes a lump sum payment of £500 to clear their full arrears balance which comprises amounts accumulated before and after the introduction of the collection fees.

The receipt for £530 is assigned to the non-resident parent and the £30 regular maintenance liability is satisfied first.

Because the regular maintenance has accumulated after the introduction of collection fees 4% of this payment will be retained as a collection charge.

The remaining £500 is used to satisfy all outstanding arrears charges. The system will automatically determine which of these arrears charges have an associated fee i.e. were charged after the introduction of collection fees.

It is determined that of the £500 that has been paid £300 is for arrears accrued prior to the introduction of collection fees, this means that a collection fee is appropriate for the remaining £200.

The parent with care will be paid the full £300 due for their arrears accumulated prior to the introduction collection fees, the remaining £230 is liable for collection charges and therefore 4% of this balance will be deducted for fees. In total the parent with care receives £520.80 of the received £530, the remaining £9.20 is retained as the collection fee.

### **Exceptions**

The Legislation is clear that there are no exemptions from collection fees; any client using the Collect and Pay service will be obliged to pay a collection fee.

Vulnerable clients, including those who have declared themselves victims of domestic abuse, will be helped to set up non-geographical bank accounts. This will offer sufficient protection that all clients can feel confident to make Direct Pay arrangements without being obliged to have contact with the other party or disclose their location.

## Exclusions

Collection fees are applied only under specific circumstances. There are certain restrictions on the collection and enforcement of collection fees that must be adhered to in line with the following guidance.

### **Retrospective liability**

[2014/612](#) *Regulation 6 of the Child Support Fees Regulations 2014*

[2014/612](#) *Regulation 1(4) of the Child Support Fees Regulations 2014*

Collection fees are applicable only for the collection and payment of child maintenance accrued on or after the date six weeks after Section 137 of the Welfare Reform Act 2012 comes into force. No fee will be levied for the collection or payment of maintenance accrued before this date.

### **Child Support Agency debt**

[2014/612](#) *Regulation 6 of the Child Support Fees Regulations 2014*

Collection fees are applicable only for the collection and payment of child maintenance accrued under the 2012 Child Maintenance Scheme. No collection fee will be applied for Child Maintenance accrued under 1993 Scheme or 2003 Scheme legislation.

### **Enforcement of collection fees**

[2014/612](#) *Regulation 13 (2) of the Child Support Fees Regulations 2014*

The powers to commit a non-resident parent to prison or disqualify a non-resident parent from driving in the course of enforcement action cannot be used when the enforcement action being undertaken is solely for the collection of unpaid collection fees.

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## [Enforcement Fees: Decision Making Guidance](#)

### Rationale

Enforcement action is only taken where we believe the non-resident parent has chosen to avoid payment. The Government's decision to introduce a charge for undertaking specific enforcement actions is, therefore, not designed to encourage collaboration but rather to provide an incentive to non-resident parents to pay their maintenance in full and on time. Taking enforcement action is expensive and it is only right that the non-resident parent contributes to these costs.

Enactment

[2014/612](#) *Regulation 1 (3) of the Child Support Fees Regulations 2014*

The provisions enabling the charging of enforcement fees come into effect on the day that Section 137 of the Welfare Reform Act 2012 comes into force. Fees can only be levied on the specified enforcement actions taken on or after this date. Enforcement fees cannot be applied retrospectively to actions taken prior to this date.

Who Is Liable To Pay?

[2014/612](#) *Regulation 10 of the Child Support Fees Regulations 2014*

Enforcement fees are payable by a non-resident parent where non-compliance results in certain specific enforcement actions being undertaken in order to establish compliance.

What Actions Attract An Enforcement Fee?

[2014/612](#) *Regulations 9 & 10 of the Child Support Fees Regulations 2014*

An enforcement fee will be payable if the Secretary of State takes any of the following four actions:

- make a Deduction from Earnings Order (This includes Deduction from Earnings Request);
- make a Regular Deduction Order;
- make a Lump Sum Deduction Order;
- make an application for a Liability Order.

**Why have these specific actions been chosen?**

Government research has shown that charging for enforcement actions is most likely to be effective at the early stages of enforcement action when debt is generally lower and non-compliant behaviour is less entrenched. It has been decided that these four actions when combined with a reasonable enforcement fee are most likely to have an effect on altering client behaviour towards compliance

How Much Will The Charge Be?

[2014/612](#) *Regulation 10 of the Child Support Fees Regulations 2014*

Enforcement charges will differ depending on what action is being taken. The fees payable are as follows:

<b>Enforcement Action</b>	<b>Fee Payable</b>
Making a Deduction from Earnings Order	£50.00
Making a Regular Deduction Order	£50.00
Making a Lump Sum Deduction Order	£200.00
Making an application for a Liability Order	£300.00

### **How were these amounts determined?**

The enforcement fee does not constitute the full cost of the action being taken and the majority of the cost of taking enforcement action continues to be met by the Secretary of State. The decision on the amounts to be charged as enforcement fees has been determined as being proportional to the severity of that action that is being taken as well as the administrative cost.

### **When Will The Fee Be Payable?**

[2014/612](#) *Regulation 10 of the Child Support Fees Regulations 2014*

Enforcement fees are payable at the time the action is taken by the Secretary of State and cannot be waived or refunded except in the specific circumstances laid out below.

### **How Will This Fee Be Recovered?**

[2014/612](#) *Regulation 11 of the Child Support Fees Regulations 2014*

The enforcement fee will become payable at the point that the action is taken and will be factored into any ongoing liability schedule. The priority, however, will be to ensure parents with care receive the money from the non-resident parent to which they are entitled. The enforcement fee will, therefore, only be recovered once all regular liability and arrears have been satisfied and once all collection fees have been paid.

### **Under What Circumstances Can The Fee Be Waived?**

[2014/612](#) *Regulation 12 of the Child Support Fees Regulations 2014*

The Child Support Fees Regulations set out the circumstances in which an enforcement fee may be waived. An enforcement fee should normally be waived if a

case falls within the circumstances set out below. A caseworker must, however, confirm that this is appropriate in the circumstances of each case. If a caseworker believes that there is a valid reason not to waive an enforcement fee even though the case falls within the circumstances listed below, this must be discussed with a Team Leader. If the decision is taken not to waive the fee, that must be justified and the reasons must be clearly recorded on the system.

### **Concurrent action**

[2014/612](#) Regulation 12 (2) of Child Support Fees Regulations 2014

An enforcement fee may be waived if it becomes payable when the Secretary of State takes concurrent or subsequent action of the same type in circumstances where:

- the Secretary of State applies for two or more Deduction from Earnings Orders against a non-resident parent who has more than one employer. These Orders do not need to be applied for at the same time.
- the non-resident parent has more than one bank account and the Secretary of State applies for more than one Regular Deduction Order or Lump Sum Deduction Order simultaneously. The Orders must be applied for at the same time.

### **Example**

A non-resident parent who currently pays via a Deduction from Earnings Order makes contact to advise that they have taken on a second job. A decision is made to apply a concurrent Deduction from Earnings Order against this new employment. The enforcement fee that would have been applied for taking this action is waived.

### **Changes in circumstances**

[2014/612](#) Regulation 12 (3) of the Child Support Fees Regulations 2014

An enforcement fee may be waived if it becomes payable where revised enforcement action is taken as a result of a change in the non-resident parent's circumstances where :

- a Deduction from Earnings Order is issued as a result of a non-resident parent changing employer.
- a Regular Deduction Order is issued as a result of a non-resident parent changing their financial provider.
- the amount being collected by a Deduction of Earnings Order or Regular Deduction Order has changed.

In these circumstances the enforcement action that is being taken will need to be re-applied to take into account the change that has been reported and the enforcement fee may be waived.

### **Retrospective considerations**

[2014/612](#) *Regulation 12 (4) of the Child Support Fees Regulations 2014*

An enforcement fee may be waived in circumstances where, retrospectively, actions taken by the Secretary of State are determined unlawful or incorrect in circumstances where:

- an application for a Liability Order is unsuccessful at court.
- a Judicial Review or Appeal against any enforcement action which has an associated fee taken by the Secretary of State is successful.
- a Deduction from Earnings Order, Regular Deduction Order or Lump Sum Deduction Order has lapsed or been discharged due to error or maladministration.

### **Example**

A non-resident parent has a Deduction from Earnings Order in place. It is subsequently realised that the case worker made an error and the Deduction from Earnings Order should not have been imposed. The Order is, therefore, discharged and the fee associated with that Order is waived.

### **Voluntary deduction from earnings order**

[2014/612](#) *Regulation 12 (5) of the Child Support Fees Regulations 2014*

An enforcement fee payable where a non-resident parent voluntarily elects to pay via a Deduction from Earnings Order may be waived.

### **Active service**

[2014/612](#) *Regulation 12 (6) of the Child Support Fees Regulations 2014*

An enforcement fee associated with making a Deduction from Earnings Request may be waived in circumstances where a non-resident parent is a serving member of the armed forces and is committed to an operational tour of duty. An operational tour of duty includes:

- pre-operational training;
- pre-operational leave;
- rest and recuperation during operations;



- post-operational leave

### **Right of appeal**

The decision not to waive an enforcement fee where a case satisfies one of the circumstances set out above cannot be appealed. If a non-resident parent requests an appeal, they must be informed that the decision cannot be appealed. The decision should, however, be looked at again to ensure that the decision can be justified. The case should be considered by the Team Leader and if the decision is upheld, the case should be referred to the complaints resolution team.

If the parent is still not happy, they may complain to the Independent Case Examiner's Office or, in cases of maladministration, to the Parliamentary Ombudsman. They can also challenge the decision by way of Judicial Review.

### **Exclusions**

[2014/612](#) *Regulation 13 (2) of the Child Support Fees Regulations 2014*

The powers to commit a non-resident parent to prison or disqualify a non-resident parent from driving in the course of enforcement action cannot be used when the enforcement action being undertaken is solely for the collection of enforcement fees and/or collection fee