

Last Known or Last Notified Address: [Contents](#)

- Last Known or Last Notified Address: [Overview](#)
 - Last Known or Last Notified Address: [Process](#)
 - Last Known or Last Notified Address: [Decision Making Guidance](#)
-

Last Known or Last Notified Address: [Overview](#)

Overview

To provide assurance that we have legally provided clients with their required notifications, the Child Maintenance Group (CMG) must ensure they are all issued to a last known or last notified address.

Client notifications must be issued to a 'last known' or 'last notified address':

- to set (or confirm) a valid effective date;
- to allow enforcement action to be taken. Note: the client's usual or last known residence address is used for civil enforcement actions e.g. issue of a claim form. Therefore, notifications regarding civil enforcement action are issued to both the residential and the correspondence address.

Return to [Contents](#)

Last Known or Notified Address: [Process](#)

Process

[2012/2677 Regulation 7 of the Child Support Maintenance Calculation Regulations 2012](#)

[2012/427 Regulation 7 of the Child Support Maintenance Calculation Regulations \(Northern Ireland\) 2012](#)

In order to establish the last known or last notified address you will have established the following:

- identified the client's last known or last notified address either from information provided by the parent with care or from our information sources;
- considered that, on the balance of probabilities, based on the evidence obtained we have the most sufficiently reliable address.

What is 'Last Known or Last Notified Address'

The expression “last known or last notified address” is not defined within Child Support Regulations.

We therefore have to consider previous child support case law to help us. The subject was considered in detail in a Child Support Commissioners Decision in 2005.

The word ‘last’ governs both ‘known’ and ‘notified’. The Secretary of State (CMG) can send a document either to the ‘last known’ or the ‘last notified address’ as seems appropriate. This means the address last known **by** the Secretary of State or last notified **to** the Secretary of State. Therefore it does not matter the means by which we acquire this information, or who from, i.e. the parent with care or one of our information sources such as CIS or CRA. The Commissioner also took a view that ‘last notified address’ (as distinct from ‘last known addresses’) implies that there is a higher degree of certainty in the validity of the address.

Therefore if a non-resident parent notifies us of a change of address we can say that this is the ‘last notified address’. If a parent with care effectively says “I **think** this is his address”, then it is a ‘last known address’.

All of our information sources will provide CMG with a ‘last notified address’.

The Commissioner stated that the Secretary of State *must form a judgement as to whether an address given for the non-resident parent is reliable enough to send a notification to that address.*

*The Secretary of State **need not** be sure of the address **beyond reasonable doubt**, but needs to be satisfied on the **balance of probabilities** that it is **likely** to be an effective address. This will require consideration of all the circumstances and the exercise of reasonable diligence.*

The balance of probability involves considering the evidence available to decide whether the address is sufficiently reliable for us to use.

Therefore it is necessary to make a decision, taking into account all the evidence that is available to determine the last known or last notified address. These decisions should be fully documented in case there is a challenge from the client.

Return to [Contents](#)

Last Known or Last Notified Address: [Decision Making Guidance](#)

The following scenarios and follow on examples will help you decide whether there is a sufficiently reliable address upon which to issue a notification.

When obtaining an address for the non-resident parent, it is important to ask the parent with care for as much supporting information that they can provide. You need

to establish (if possible) a calendar date that they were last informed of the address and how they became aware/notified of the address.

Using our Information Sources to Help Us

In addition to information obtained from the parent with care when determining the correct last known or last notified address we need to fully utilise the information sources we have available, i.e. CIS, CRA etc.

Using these information sources will help us to determine on the balance of probabilities which is the correct last known or last notified address. Aside from the address itself, of particular importance is the date that the address under examination was last updated.

Our information sources obtain clients addresses and dates from a wide range of information providers when particular activities take place. For example, when a client applies for a mortgage, or credit loan, or has been awarded a state benefit etc.

The more recent the date the more likelihood that this will be the last known or last notified address.

Therefore when examining these sources of address information we need to look at the dates that that particular address was last updated.

Example 1 - Parent With Care information is regarded as more likely to be correct

When we are talking to the parent with care, they may be 100% confident of the non-resident parent address e.g. they drop off the children at the address when they stay overnight at weekends. In circumstances such as this and where there is no more recent evidence from CIS/CRA then the information provided by the parent with care is a 'sufficiently reliable address' and can be accepted as a last known address.

For example parent with care states that the non-resident parent lives at 45 Any Close. They were aware of this in August 2015, as the parent with care drops off the qualifying child every week at the non-resident parent's home.

We check this address against CIS and CRA. Both CIS and CRA present an address of 78 Other Street; CIS was notified to us in April 2015 and CRA in May 2015.

As the notified date provided by the parent with care is the most recent, it would therefore be reasonable to determine that 45 Any Close is the last known address to issue the client notification to. A decision should be documented accordingly.

Example 2 – Information sources regarded as more likely to be correct

If the parent with care cannot provide a 100% confident 'current address' and they can only provide historic information that may be out of date, for example they have

not had regular contact with the non-resident parent and they were aware of their address say six months ago, we should again check to see if this address is displayed upon one of our other information sources. Clearly we are looking for a match of that address.

If there is no evidence to suggest that the address provided by the parent with care is incorrect then a decision must be made to determine if the information provided by the parent with care can be regarded as reliable – for example if the parent with care knew the non-resident parent's address 6 months ago and was 100% confident of that address and has no grounds for believing the non-resident parent has moved consideration can be given to using that address. If however, the parent with care has not had any contact for several years it may not be safe to rely on the information. Again it is about making a decision on the balance of probabilities. Any decision must be documented accordingly.

The fact that an address is not in departmental records does not prevent us from issuing a client notification.

Parent with care states that the non-resident parent lives at 1 Any Street. The non-resident parent informed the parent with care of this address in May 2015.

We check this address against CIS, CRA and CRA presents an address of 6 Other Street; this was notified to us in July 2015. This is the only source of that address.

It would therefore be reasonable to determine that 6 Other Street is the last known address to issue the client notification to. A decision should be documented accordingly.

Example 3 – Contradictory information – Parent with care information more likely to be correct

Parent with care states that the non-resident parent lives at 45 Any Close. They were aware of this in August 2015, they have not had contact with the non-resident parent for several weeks and therefore are not 100% confident that the non-resident parent lives at this address.

We check this address against CIS and CRA. Both CIS and CRA present an address of 78 Other Street; CIS was notified to us in April 2015 and CRA in May 2015.

As the address and notified date provided by the parent with care is the most recent, it would therefore be reasonable to determine that 45 Any Close is the last known address to issue the client notification to. A decision should be documented accordingly.

Example 4 – Contradictory information – Information sources more likely to be correct

Parent with care provides a 'last known address' of 27 Any Street, dated July 2013.

We perform a check of CIS and this displays a different address of 31 Other Close, dated September 2013.

We should then check our other information sources to see if they display the same address of 31 Other Close. If for example CRA also displays 31 Other Close then for our purposes this is a sufficiently reliable address because we have a secondary source that matches the address.

If this is not the case and our other information sources do not show a more recent address then it would be reasonable to decide that, on the balance of probabilities, 27 Any Street is a sufficiently reliable address upon which to issue the notification. A decision should be documented accordingly.

Using 1993 / 2003 Scheme Information

After considering all of the above, if you are unable to make a decision as to the non-resident parent's address, as a last resort consideration should be given to checking what information is held upon the 1993 or 2003 scheme computer systems.

Key Points

An important aspect to remember is that we are considering whether you can reasonably determine a 'last known' or 'last notified address'.

If we are relying upon the parent with care and our information sources i.e. we have been unable to contact the non-resident parent to ask them for their most recent address, we can never be and are not required to be 100% certain that they live at that address; we need to decide whether the address is **sufficiently reliable** for us to use.

The Commissioners Decision provides assistance to us that "*we... need not be sure of the address beyond reasonable doubt, but needs to be satisfied on the **balance of probabilities** that it is **likely** to be an effective address. This will require consideration of all the circumstances and the exercise of reasonable diligence.*"

In order to achieve this, you must consider all the evidence available. Where the evidence is contradictory make a decision on the balance of probability, i.e. that one address is more likely to be the last known or last notified address. The latest notified calendar date will be given a high priority in such decisions.

It does not matter how old an address is. However, we should check our information sources to see if we can establish a match or be provided with a more up to date address.

If the client advises us of a different address – this is a new address notified to CMG.

It is the gathering of information from the parent with care, the checking of information presented to us from our information sources, together with documenting

a comprehensive decision as to the reasons why that address is the 'last known' or 'last notified' that is important.

Note: The address information obtained from the parent with care must be checked against the address information obtained from our trace sources.

When we have done this we have fulfilled our legal requirement to set an effective date. The notification has been issued to a last known or notified address.

We would only look to revise an effective date where we have not considered the above and there is evidence that the non-resident parent was at a different address. Should you determine that an effective date needs to be revised, please contact Advice & Guidance for further assistance.

Where the client subsequently informs us that they do not live at the address held on our system or the notification is returned 'Dead Letter Office' (DLO), if the guidance was followed at the time the notification was issued, the effective date has still been set. A notification returned DLO does not necessarily mean that the address was not the 'last known' or 'last notified' address.

Providing the decision was correctly documented and gave due consideration to the elements required in support of that decision then it does not mean that the decision was incorrect. An alternative decision maker could have made a different decision based upon the same facts. This does not mean that the decision was incorrect providing grounds to revise the effective date.

Remember: you must attempt to obtain an up to date address or update the address on the system should the non-resident parent or parent with care provide an up to date address.

Legal Duty of the non-resident parent to notify of a change of address

[1991/48](#) *Section 14A of the Child Support Act 1991*

[1991/2628](#) *Article 16A of the Child Support (Northern Ireland) Order 1991*

[2008/2551](#) *Regulation 9 of the Child Support Information Regulations 2008*

[2008/403](#) *Regulation 9 of the Child Support Information Regulations (Northern Ireland) 2008*

Once it has been determined that a non-resident parent is liable to make payments of child maintenance, that person must notify the CMG of a change of address within 7 days of the change.

It is an offence if the non-resident parent fails to notify the CMG of a change of address.