

I can't pay child maintenance right now. What happens?

What happens if I'm struggling to pay child maintenance?

Child maintenance, or child support, is a legal responsibility to provide help with your child's everyday living costs, including food, clothes and other essentials.

It's paid by the child's biological or adoptive parent that doesn't live with them to the main carer – the person who has the larger proportion of day-to-day care of the child.

Child support will need to be paid when the parents live separately and the child is under 16 years old, or under 20 years old and in approved education like A levels, Scottish Highers or apprenticeships.

Most separated parents tend to arrange child maintenance payments between themselves, but if this isn't possible, the [Child Maintenance Service](#) (CMS) can help set up the arrangement.

What if I don't pay?

If you don't pay your child maintenance, the CMS will send you an arrears notice to tell you that you've missed payments.

At this point, if you still can't afford to pay, you can agree a repayment plan with the CMS directly. You'll need to send them details of your [income and expenditure](#) with an explanation of how much you think you could afford to pay.

Don't ignore the communications from the CMS, as they can take enforcement action, which means they can take money directly from your wages.

What if I can't pay?

If you're struggling to make the payments or you've had a change in circumstances, try and speak to the receiving parent first to see if you can temporarily reduce the child maintenance payments.

Understandably, communication like this isn't always possible, so if you can't agree, you should ask the CMS to calculate what you should be paying.

If you're self-employed, they can also try to take money from your bank – this could be a one-off amount or regular payments.

If the CMS still can't recover the arrears, they can apply for a liability order from the court.

Under a liability order, you'll need to make payment arrangements or use a [Deduction of Earnings Order](#) to have a pre-agreed amount taken directly from your wages.

If you haven't paid in a while, there's no limit on how far back the order can go, so you could end up paying for all payments that you've missed.

I'm not receiving an income at the minute. What can I do?

If you're out of work, or you (or the partner you live with) receive any of the benefits below, you'll be required to pay £7 a week for child maintenance.

The benefits include:

- Carer's Allowance
- Employment & Support Allowance
- Income Support
- Jobseeker's Allowance
- Pension Credit
- State Pension
- Universal Credit

You can check how much you may have to pay by using the [GOV.UK calculator](#) or talking to a CMS adviser.

Once you've agreed an amount with the CMS, you'll receive a payment schedule for the year that shows when payments should be made, and they can be made directly to the main carer or through the CMS.

Remember, if you're unable to make a child maintenance payment, you should contact the receiving parent or CMS straight away.

Remember, if you're unable to keep up with repayments, our team are here and ready to help.