



# Getting someone to manage your child maintenance case

How to appoint  
a client  
representative

## About this leaflet

This leaflet explains about getting someone else to deal with your Child Maintenance Service case for you.

### Important information

This leaflet is only a guide and does not cover every circumstance. It only refers to the statutory child maintenance scheme provided by the Child Maintenance Service. It does not refer to any child maintenance schemes provided by the Child Support Agency.

We have done our best to make sure the leaflet is correct as of 1 October 2013, but it may not reflect changes to the law or to our procedures after this date. You may want to get independent advice before making financial decisions based on the content of this leaflet.

### About us

The Child Maintenance Service is the government's statutory child maintenance service. We work out, collect and pay out child maintenance payments on behalf of some separated parents in England, Wales and Scotland.

Our role is to make sure that parents who live apart from their children contribute towards their children's upkeep by paying child maintenance.

### What is child maintenance?

Child maintenance is regular, reliable financial support that helps towards a child's everyday living costs.

In most cases, the parent who does not have the main day-to-day care of the child pays child maintenance to the parent who does have the main day-to-day care. In child support law the parent who receives child maintenance is known as the 'parent with care' - we call them the 'receiving parent' - and the parent who pays child maintenance is known

as the 'non-resident parent' - we call them the 'paying parent'. In some cases, the receiving person can be a grandparent or guardian.

If they live in Scotland, a child aged 12 to 19 and in full-time, non-advanced education or training can apply for child maintenance.

## Get in touch

If you can't find the information you need in this leaflet, you can contact us or find out more in the following ways:



### On the web:

[www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance)



### By phone:

Call us on **0845 266 8792\***. Our TextBox and textphone number is **0845 266 8795\***.

Our opening hours are:

**8am to 8pm** - Monday to Friday

**9am to 5pm** - Saturday



### By letter:

Write to us at:

Child Maintenance Service

PO Box 249

MITCHELDEAN

GL17 1AJ

\*Please see the information about call charges on page 10.

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### What is a 'client representative'?

We can allow someone else to deal with your Child Maintenance Service case for you.

The person who does this is called a 'client representative'.

In most cases, you have to give your written permission for someone to be your client representative.

However, this does not apply if your chosen client representative has 'power of attorney' giving them authority to look after your financial affairs.

### What can a client representative do?

Your representative will act on your behalf. For example, they can:

- receive letters and other documents for you
- ask us to explain the decisions we make about your case
- tell us information about you, for example if you change address.

If your representative has power of attorney for your property and your financial affairs, they will have full responsibility for your Child Maintenance Service case. This means that as well as being able to do the things listed above, they also have the authority to:

- make an application to the Child Maintenance Service for you
- set up or receive payments for you
- close your case.

## Do I need to use a client representative?

No, you don't. But anyone can use a client representative if they want to. Clients who get someone to act on their behalf usually do this because:

- they have a disability or illness that makes it difficult for them to deal with us
- they don't understand English
- they are too young to manage their child maintenance case by themselves.

But that doesn't always mean you need a representative – we will do our best to help you manage your case yourself. For example, we offer textphone services for people who find it hard to speak clearly or who are hearing impaired or deaf. We will also send you correspondence on audio CD or cassette if you ask us to.

Also, all our information leaflets and letters can be sent to you in large print, Braille or in another language of your choice. You can order information in these formats by calling us on **0845 266 8792\*** or by textphone on **0845 266 8795\***.

## Who can be my representative?

Representatives can include:

- advice or welfare rights organisations, such as Citizens Advice
- professionals such as social workers, nurses or doctors
- solicitors or lawyers
- family members or friends
- someone with a power of attorney (this can be an ordinary, lasting or enduring power of attorney).

### How do I get someone to be my representative?

You can make someone your representative when you first apply to the Child Maintenance Service. If you are making the application, you can write their details on your application form.

If you decide at a later date that you want to make someone your representative, you'll need to write to us, telling us the name of the person you want to act for you and their contact details. Or you can use the form at the back of this leaflet.

Once we get your request, we will check that the person you have named is happy to act as your representative.

In some circumstances we may be able to meet you in person to discuss making someone your client representative. Please call us to talk about this or ask us to send you the factsheet *Face-to-face meetings with the Child Maintenance Service*.

### If your representative contacts us directly

If the person is already legally authorised to act on your behalf – for example, if they hold a power of attorney for property and financial affairs – they can write to us directly and arrange to be your representative.

Once they've written to us, we will:

- ask for proof of their authorisation (if they haven't already provided it)
- check their identity.

If they hold an 'ordinary' or a 'general' power of attorney, we will also contact you to make sure that you're happy for them to act on your behalf. If they hold a lasting power of attorney, we won't ask for your permission.

## If you are applying to be a client representative

Once you have written to us, we will contact the person you want to act for. We will confirm with them that they are happy for you to continue to act for them (if you have a lasting power of attorney we do not need to do this).

## What happens if I change my mind?

If you decide that you no longer want someone to be your representative, or if you want to change your representative, you can do this by calling us on **0845 266 8792\*** (unless your representative has lasting power of attorney).

You should tell us as soon as possible if you no longer want someone to be your representative.

We can also decide to stop someone from being your representative, if we think that they are not fit to do this.

## What if my representative has power of attorney?

If your representative has a power of attorney, we will need to see proof of this. You or they will need to send it to us with the filled-in Client Representative form or other written request.

## What proof do we need to see?

The proof we need depends on the type of power of attorney your representative has.

If your representative has an **'ordinary'** or a **'general'** power of attorney, you or they will need to send us written confirmation that meets certain legal requirements. Details of these requirements are on the next page.

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If your representative has a **'lasting'**, **'continuing'** or **'continuing & welfare'** power of attorney, you or they will need to send us written confirmation that has been certified by the Office of the Public Guardian or the High Court.

If you or your representative have a **joint power of attorney**, we need written confirmation from all representatives.

If you or your representative have a **joint and separate power of attorney**, we can accept written confirmation from you or any others who also hold a joint and separate power of attorney.

### Important information about the power of attorney document

The power of attorney document must meet certain requirements for us to accept it.

In **England** and **Wales**, the document must:

- be signed by either:
  - you (in which case it also needs to be countersigned by a witness), or
  - someone acting on your behalf and in your presence
- give the name and address of the person with power of attorney
- include the words:
  - 'signed and sealed' if the power of attorney was made before 31 July 1990, or
  - 'signed as a deed' if the power of attorney was made on or after 31 July 1990
- refer to the 1971 Act, if the power of attorney was made under that Act.

In **Scotland**, the document must:

- be a written document signed by you
- include a statement clearly expressing your intention that the power of attorney should continue after you become incapable



- include a certificate in a specified form signed by a solicitor, practising advocate or registered medical practitioner, saying that they:
  - interviewed you immediately before the deed was signed
  - are satisfied, either from their own knowledge of you or after consultation with other named people who know you, that you understand the nature of the deed and the range of the powers it gives
  - have no reason to believe you are acting under undue influence or any other factor which would make the deed invalid
- be registered with the Office of the Public Guardian.

## Useful information

### Help and information

If you want to know more about child maintenance, go to **[www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance)** You can find information and leaflets here, and find out more about our services.

If you would like to talk to someone about your case, please call us on **0845 266 8792\***. Our TextBox and textphone number is **0845 266 8795\***.

Please have your customer reference number with you when you call. This is a 12-digit number starting with the number 12. It will be shown as 'your reference' at the top of any letter we've sent you.

We may record our phone calls to check our service and to train our employees.

If you don't have a case with us, you can call Child Maintenance Options on **0800 988 0988\*** between 8am and 8pm, Monday to Friday, and between 9am and 4pm on Saturdays. The person taking your call can help you with general questions about child maintenance.

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### Other languages

If English is not your first language, you can use your own interpreter or one that we provide. Call us on **0845 266 8792\*** for more information.

### Information in other formats

This leaflet is available in other languages and in Braille.

Contact us on **0845 266 8792\*** for more information. Our TextBox and textphone number is **0845 266 8795\***.

### \*Call charges

Calls to 0845 numbers from BT land lines should cost no more than 4p a minute with a 15p call set-up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad.

Calls from mobile phones can cost up to 40p a minute, so check the cost of calls with your service provider.

Charges were correct as of the date of this leaflet.

Calls to 0800 numbers are free from BT landlines but you may have to pay if you use another phone company, a mobile phone or if you are calling from abroad.



House or building name, number and street

Town or city

County

Postcode

Client Reference Number

Date of birth

**Representative details**

Title

First name

Surname

House or building name, number and street





## Client details

Surname

First name

House name / number and street

Town or city

County

Postcode

Client reference number

Client date of birth

## Representative details

Title

First name



Surname

House or building name, number and street

Town or city

County

Postcode

Date of birth

### Section 3:

Fill this part in if the representative has a Power of Attorney:

**If you are in England or Wales:**

I have, or my representative has: *(Tick one box)*

- an Ordinary Power of Attorney *(Single)*
- an Ordinary Power of Attorney *(Joint)*
- an Ordinary Power of Attorney *(Joint and Separate)*
- a Lasting Power of Attorney *(Single)*
- a Lasting Power of Attorney *(Joint)*
- a Lasting Power of Attorney *(Joint and Separate)*



## If you are in Scotland:

I have, or my representative has: *(Tick one box)*

- a General Power of Attorney *(Single)*
- a General Power of Attorney *(Joint)*
- a General Power of Attorney *(Joint and Separate)*
- a Continuing Power of Attorney *(Single)*
- a Continuing Power of Attorney *(Joint)*
- a Continuing Power of Attorney *(Joint and Separate)*
- a Continuing & Welfare Power of Attorney *(Single)*
- a Continuing & Welfare Power of Attorney *(Joint)*
- a Continuing & Welfare Power of Attorney *(Joint and Separate)*

## Section 4:

## Declaration

I confirm that the information I have given in this form is complete, correct and true to the best of my knowledge.

Signature

Date

The Child Maintenance Service administers the statutory 2012 Child Maintenance Scheme (2012 Scheme) and is part of the Department for Work and Pensions.

[www.gov.uk/child-maintenance](http://www.gov.uk/child-maintenance)

We print on recycled paper. This keeps costs down and helps look after the environment.

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approved*  
by the word centre