



Active duty flag

The active duty flag is a flag in the **More Info** section of the contact screen that can be set to indicate that the paying parent is on active duty with the Armed Forces. However, there are some consequences to setting the flag that mean it is not always appropriate to do so. This procedure explains when to set the flag and when not to set the flag.

The Child Maintenance Group (CMG) has always had a policy steer that applies if a member of Her Majesty's Forces is on active duty in a recognised war zone. In recent years this has specifically applied to Northern Ireland and some Middle Eastern countries as and when hostilities have occurred involving British troops. In the scenario where the Armed Forces are at war, the collection of the debt is suspended.

If a DER is already in place and collecting monies, this should remain in place. If arrears have accrued and it is decided that a DER is appropriate, we must bear in mind that if the paying parent is on active duty, they will not be available to negotiate an arrears payment, therefore suspension of arrears collection may be appropriate (i.e. if specifically 'at war').

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



When speaking to clients always use the new terminology - for more information refer to **Terminology Changes** in related items.



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.

Check if the paying parent is on active duty with the Armed Forces

1. When a paying parent is in the Armed Forces the caseworker in the majority of cases will be advised by our clients, whether that be the paying parent, paying parent partner or receiving parent.
2. However in the scenario where no one informs the Child Maintenance Group (CMG) and the paying parent is not in contact / non compliant, we would learn of the paying parent being in the Armed Forces after we have retrieved the information from HMRC.
3. In both scenarios you must always contact the Joint Personnel Administration Compulsory (JPAC) process team to check whether a paying parent is on active duty, either before we initiate deduction of earnings request (DER) action or try to change an existing DER. If this action is not completed and we send the DER without this check and the paying parent is on active duty, then the DER request will be returned by payroll who will not even send it to the commanding officer for consideration.



Where a paying parent is committed to operational duties and a new DER is submitted it will not automatically be implemented.

JPAC will respond to advising of this situation. The Paying Parent's Commanding Officer is then contacted for a decision to be made as the DER may be deferred until the operational duties are complete. A further notification is then issued to us once a decision is made:

- Where an increase is required to an existing DER and the Paying Parent is on operational duties the Paying Parents Commanding Officer may defer the increase until the Paying Parent returns from operational duties
 - Where a decrease is required to an existing DER and the Paying Parent is on operational duties it will usually be implemented without reference to the Paying Parents Commanding Officer
4. When it has been confirmed that the paying parent is on active duty, the correspondence address for the paying parent will require updating by the military via the JPAC Process Team. JPAC can be contacted using the following information:

JPAC Process Team MP335

SPVA

Kentigern Hose

Glasgow

G2 8EX

Helpline: 0141 224 3600

Fax: 0141 224 3586

JPAC will provide a contact address to use if the paying parent is on active duty, this tends to be a British Forces Post Office (BFPO)



This address should only be used to contact JPAC and is not to be used a correspondence address for the paying parent

For more information refer to [Change - Address Details](#).

When to set the Active Duty flag

5. If the case is in applications stage, there has been no promise to pay (P2P) schedule generated yet and you are just setting up a DER as payments have yet to start and active duty is confirmed, then you will set the **Active Duty** flag.
6. Navigate to the **More Info** section of the paying parent's **Contact Screen** and set the **Active Duty** flag.
7. When case is no longer in the application stage the Active Duty Flag is set when updating the **Additional Contact Status** to Active Duty when completing a **Change Address Details** SR. The Active Duty Flag will be removed when the paying parent new address change is completed with the Additional Contact Status field left blank when completing a **Change Address Details** SR. For more information refer to [Change - Address Details](#).



The paying parent's active duty status can be checked through the paying parent contact, expand the top pane to display **More Information** and review the **Additional Contact Status**.

When not to set the Active Duty flag

8. When a schedule is in place and it's reported that the paying parent goes onto active duty, the **Active Duty** flag should not be set.
9. This is because a new P2P schedule following a re-calculation will not be created. The issues with not creating a P2P are:
 - If the liability decreases and we are still charging the paying parent at their original rate then we're effectively asking the paying parent to overpay
 - If the paying parent wanted to pay at their new rate there is no facility for them to do this other than removing the **Active Duty** flag
 - At annual review a new schedule will not be produced, this means that if the paying parent is paying by direct debit then effectively we're not going to pull any payments
10. To overcome these issues, when a paying parent goes onto active duty and a schedule is already in place the flag should not be set as this will allow a revised P2P to generate at a later date i.e. at annual review or change of circumstances. This P2P will be issued to the correspondence address to which the Forces payroll will adopt a common sense approach, as generally any increases in the payment amount will not be made if the paying parent is on active duty. However, when a request for a new DER is for a decreased amount, the Forces payroll will implement this amount without checking with the commanding officer.
11. By not setting the **Active Duty** flag this will enable future changes to be considered by the Forces payroll and/or the paying parent.
12. However, arrears triggers will generate if the amount of maintenance increases through a change of circumstances or annual review and is therefore not implemented by the commanding officer (or the paying parent, if paying by another MOPF).

Arrears triggers – actions

13. As the paying parent is on active duty but the flag is not set, triggers for arrears action will generate, however, caseworkers will not take any arrears or enforcement action, therefore any SRs will be closed with no action. The sections below will explain further the action to be taken by maintenance, collections or employer caseworker when there is an arrears trigger for an underpayment or late payment.

Paying parent is already on a DEO

Employer caseworker action

14. As there will be no **Reason Code** provided for the underpayment or the payment being late, a **DER Exception** SR will be created for the employer caseworker to contact MoD.
15. Check the paying parent's contact address. If the address is a correspondence address provided by JPAC, this indicates that the paying parent is on active duty. Do not instigate arrears action. Select **No Action**, update the **Notes** field and close the SR.
16. For more information refer to [DEO - Reconcile](#).

Paying parent is already on DER

Maintenance caseworker action

17. On the third missed payment with no reason being provided, a parallel SR will be raised for the maintenance caseworker to consider other arrears actions.
18. Check the paying parent's contact address. If the address is a correspondence address provided by JPAC, this indicates that the paying parent is on active duty. Do not instigate arrears action. Select **No Action**, update the **Notes** field and close the SR.
19. For more information refer to [Arrears Negotiation and Missed Payments](#).

Paying parent MOPF is not DER

Maintenance caseworker action

20. Any subsequent missed payment triggers SRs will be sent to the maintenance caseworker to consider arrears actions. When you establish that the paying parent is in the Forces you will look to set up a DER. However, during this process the MoD will report back that the DER cannot be set up because the paying parent is on active duty. Do not instigate arrears action. Select **No Action**, update the **Notes** field and close the SR.

21. For more information refer to [Arrears Negotiation and Missed Payments](#).



A change request is being considered for a future release to ensure the **Active Duty** flag can be set but which will not inhibit the P2P. Once this fix has been applied no arrears SRs will be triggered.

[Arrears Negotiation and Missed Payments](#)
[Arrears Overview](#)

[Change – Address Details](#)

[DEO - Reconcile](#)

[Terminology Changes](#)