Department for Work & Pensions Procedures > Direct Pay - Overpayment/Underpayment

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# **Direct Pay - Overpayment/Underpayment**

This procedure guides caseworkers through recording overpayments on direct pay cases.

Overpayments and underpayments whilst the service type is direct pay may be reported by either party however the responsibility to maintain payments lies with our clients.

When underpayments are reported, clients should be advised that these can only be considered during a change of service type to collect and pay. If clients request the case remain direct pay, the responsibility for maintaining payments lies with themselves. In the instance that an underpayment has occurred due to CMG see Procedural Exceptions.

When overpayments are reported and do not fall into one of the scenarios listed below, clients should be informed to make arrangements privately to resolve the overpayment. Alternatively clients can call, when prompted, to notify of changes at the Annual Income Update stage of the case.

This process is used in the following scenarios:

• To record overpayments for direct pay cases where payment is made on or after the initial effective date and before the paying parent has been notified of the maintenance calculation.

In this scenario, as the paying parent was unaware of the payment schedule, the overpayment should be recorded. This is in contrast to overpayments after the paying parent is aware of the payment schedule

- For direct pay cases where the paying parent has made payments for residual arrears after transition, but before the arrears have been scheduled on CMS. Automated Financial Transition (AFT) teams will record the overpayment to amend the balance.
- For direct pay cases where the paying parent has made payments for residual arrears before transition (and these have not been recorded on legacy), as well as payments after transition but before the arrears being scheduled, these payments are managed in two parts. The 93/03 Rules Reassessment Team (RRT) will record the overpayment for amounts paid prior to transition. Once RRT have completed this, AFT teams will record the overpayment for amounts paid after transition.
- To record payments made direct whilst a change of service type to direct pay was being completed. See Change Service Type To Direct Pay
- Where the paying parent has made a payment greater than that of the residual arrears figure, see CSA Overpayment
- To complete financial reconciliation during a revision of income, see Revision/Correction Change to Income
- To write off arrears on direct pay cases when all of the arrears are transitioned residual arrears, see Arrears Write off

In the case of an overpayment, this service request satisfies any collection fees that would have been due had the case been on collect and pay. For more information, refer to Direct Pay Summary.

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



 $\widetilde{t}$  When speaking to clients always use the new terminology. For more information refer to Terminology Changes.

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.

# Client contact paying parent/receiving parent

- 1. If notification is received that an overpayment has been made from a paying parent to a receiving parent, check the service type on the case. If the service type is currently:
  - Collect and pay payment made while the service type was collect and pay refer to Direct Non Scheme payment (Collect and Pay) for more information on when to complete a DP adjustment SR and when to complete a direct non scheme payment SR
  - Collect and pay but evidence shows that the payment was made while the service type was direct pay refer to the procedural
    exception DP Direct Non Scheme Payment within Change Service Type To Collect And Pay
  - Direct pay continue with this procedure when the payment was made when the service type was direct pay.
- 2. If notification is received from a receiving parent that a paying parent has paid less than the amounts on their direct pay promise to pay schedule, encourage the clients to resolve the missing payments between themselves. If this is not possible, or the receiving parent wants

CMG to investigate the underpayment, explain that can only be considered under a change to service type to collect and pay. Refer to Change Service Type - To Collect and Pay.

- 3. Check the Summary tab to ensure decision to take DP adjustment action is correct before creating the SR. Once confirmed, create a service request (SR) with the client reporting the change as the contact. From the drop down list select:
  - Process = CofC
  - Area = Review case
  - Sub Area = DP adjustments
  - Reason = Partial Payment
  - Source = The client reporting the change

Link the SR to the case.

This SR is also used for recording voluntary payments in a direct pay case or payments made direct whilst a change of service type to direct pay was being completed. Record in **Notes** when the SR is used to complete voluntary payment action. For more information refer to Voluntary Payments.

- Navigate to the CoC More Info/DP Adjustments tab. Within the applet select the Last Name MVG to populate with the other party in the case. Set the Status of the SR to In Progress.
- 5. Update the Overpay/Underpay Amount field with the amount of the reported overpayment.
- 6. ( Contact the paying parent and receiving parent by phone to verify the payment and amount. If both parents:
  - Verbally confirm the payment, no further verification is needed. Go to step 8
  - Do not verbally confirm the payment, advise the paying parent to provide evidence e.g. bank statements
  - If the receiving parent reported the payment and you can't reach the paying parent by phone to confirm the payment, no further verification is needed. Accept the receiving parent's verbal statement. Go to **step 8**

If unable to contact the client by phone clerically issue letter **CMSL2301** to the Paying Parent and/or **CMSL2302** to the Receiving Parent. When awaiting a response or waiting for evidence to be provided set the SR Status to Wait for 14 days. When verification received consider if SMS is appropriate for more info refer to SMS Text.

#### **Caseworker Decision**

- 7. If the paying parent or receiving parent do not respond, cancel the request unless evidence has been provided. If you are cancelling the request set the SR Status to Closed and the Sub Status to Cancelled.
- 8. When the paying parent and the receiving parent have responded, record the outcome in the SR Notes field as either:

#### Both parties agree

or

#### One or both parties disagree

- 9. Make a decision on whether to process the payment using all available information and evidence provided, e.g. verbal confirmation, bank statements, receipts. Applying overpayments or underpayments is a discretionary decision, this includes making a Welfare of the Child Decision. For more information on discretionary decisions including a verbatim statement to record in **Notes** refer to Policy, Law and Decision Making Guidance
- 10. Consider any new evidence received If you:
  - Reject the overpayment go to step 11
  - Accept the overpayment go to step 12
- 11. When the overpayment is rejected update the Sub Status to Insufficient Evidence and issue letters CMSL2310 and CMSL2311 or CMSL2316 and CMSL2317. Ensure all activities within the activity plan have been completed. Update the Resolution code to CoC Rejected then update the SR Status to Closed, and Sub status to Complete.
- 12. When the overpayment is accepted update the **Sub Status** to **Overpayment**. In the **CoC More info** tab select **DP Adjustments tab**, tick the **Evidence Confirmed** box and update the **Adjustment Type** field to **Overpayment**.
- 13. Set the Status of the SR to Pending Approval and Sub Status to Pending Approval TL to send to your team leader for approval.

### **Team Leader Decision**

14. Review the SR from the caseworker and make a decision on the payment i.e confirm case is Direct Pay, the reason has been populated with Partial Payment, contact with both parties fully documented, the payment amount and there is a verbatim welfare of the child decision recorded. For more information on decision making refer to the Policy, Law and Decision Making Guidance

15. After viewing all of the information if you do not agree with the payment:

- Go back to inbox, set the Action to Rejected
- Complete the **Comments** field with the rejection reason

- Complete the **Comments** field with the rejection reason
- 16. If you agree with processing the payment:
  - Set the Action to Approved
  - Enter reasons for approval (optional)
  - Return to the caseworker

# **Caseworker Action**

17. When the authorisation request has been approved by the team leader, set the Resolution Code to DP Adjustments Accepted.

*I* f the payment has been rejected due to caseworker error, close and cancel the SR and raise a new SR. If the SR is to be closed following rejection set the **Resolution Code** to **DP Adjustments Rejected**, **Status** to **Closed** and **Sub Status** to **Complete**.

- 18. Select the Create DP Non Scheme SR button.
- 19. The system creates a child SR with the following values:
  - Process = Payments
  - Area = Manage Payments
  - Sub Area = DP Direct Non Scheme
- 20. Update the **Status** of the SR to **In Progress**.
- 21. Select Payments, Payment Allocation then New, the BaNCS Account Numbers should automatically populate, if they do not, select the NRP and the relevant PWC BaNCS Account Number.
- 22. Input the amount previously accepted in the Amount Paid field and update the reason code with Overpayment.
- 23. Select Get Payment Allocation Details to view the active liabilities the paying parent has on BaNCS for the receiving parent account. Tick the Select box next to the liabilities you want to assign the overpayment to and select Update Siebel.
- 24. If all liabilities are satisfied, message **NO MORE INFORMATION TO DISPLAY** appears. Go to **step 26** to record overpayment as an excess amount. Any excess is stored on the system for future liabilities.
- 25. Assign the payment amount in the **Amt Allocated** field within the **Payment Allocation** tab, next to each selected liability until the total payment is cleared or covered all of the liabilities. Any excess is stored on the system for future liabilities.

Check the tasks tab to see if a previous approval task has already been sent. If it has, close and cancel the SR as raising another approval task will cause the SR to go into an error/critical-technical state, requiring an incident to be raised. Raise a new **DP Direct Non** Scheme child SR and proceed from **step 19** again.

26. To refer to team leader for approval update the SR Notes with the required details and from the Payments tab set the SR Resolution Code to DP Non Scheme Pmts Accepted and select Ctrl and S to save progress. The Status and Sub Status of the SR are automatically updated and an approval work item will be sent to the team leader (TL) for authorisation.

# **Team Leader Action**

- 27. Review the SR from the caseworker and make a decision on accepting the overpayment i.e review previous Approval notes (see step 14) to confirm authorisation and overpayment amount and confirm that the correct overpayment amount is recorded as the amount allocated within the DP direct non-scheme SR.
- 28. After viewing all of the information if you do not agree that the overpayment should be accepted:
  - In the inbox, set the action to Rejected
  - Complete the comments field with the rejection reason
  - Return to the caseworker
- 29. If you agree with processing the payment:
  - In the inbox, set the action to Approved
  - Complete the comments field with the reasons for approval (optional)
  - Return to the caseworker

# **Caseworker Action**

- 30. If the payment has been rejected due to caseworker error, update the SR Status to Closed and the Sub Status to Cancelled and raise a new SR. If the SR is to be closed as a result of team leader rejection update the Resolution Code to DP Non Scheme Payment Rejected. Update the SR Status to Closed, and Sub Status to Complete.
- 31. If the payment has been accepted, leave the SR Status as Assigned and update the SR Resolution Code to DP Non Scheme Payment Accepted. To continue go to Submit Payment section below.

# Submit Payment

32. Select Submit Payment Allocation Details and BaNCS is updated with the payment. The BaNCS success message should be displayed.

- 33. To issue a new P2P schedule create a Perform Calculation SR from the original change of circumstances SR. Select DP Non Scheme P2P from the dropdown, which will create a child SR with the following values:
  - Process = Perform Calculation
  - Area = Payment Plan Only
  - Sub Area = DP non scheme adjustments
- 34. Enter the **Source**, from the **Source** select **NRP**.
  - () Upon entering the **Source**, consider changing the **Contact** based on the client contact e.g. receiving parent or paying parent.
- 35. Complete the Effective date of calc field with today's date.
- 36. Set the SR to In Progress. The system will then automatically issue letters CMSL4080 to the paying parent, and CMSL4081 to the receiving parent, the letters will include the new P2P information. (If this procedure is being used in addition to 'Change Service Type To Collect and Pay', change the status of the automatic letters to Not Required.)
- 37. Call both parties to advise of the decision regarding Direct Payment.
- Once you have completed the letters close all three SRs the following day to allow the letters to be issued, update the Status to Closed and the Sub Status to Complete.
- **39.** E-mail CFAT to carry out financial reconciliation on these changes, using the address **2012SCHEMECFAT.BANKING**-ACCOUNTING@DWP.GSI.GOV.UK In the e-mail provide the following information:
  - the SCIN of the case
  - the date the SR was started/finished
  - the amount of collect and pay arrears outstanding
  - the amount of direct pay arrears outstanding

#### Recording an Underpayment

The following steps must only be followed where an underpayment has been caused by CMG e.g. the P2P schedule has not been issued to the paying parent and they are unaware of what payments to make. This results in payments being automatically satisfied which in reality have not been made.

Where the receiving parent reports that a direct pay payment has been missed, or they have only received a partial payment, advise the client that CMG will only investigate missing payments via a change to service type request. See Change - Service Type - To Collect and Pay.

The following steps explain how to record an underpayment which has occurred whilst the service type is direct pay. This service request will unsatisfy liability so that the underpayment can be reflected on the system.

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m i The process is completed by a SPOC. To refer to the SPOC, send an email to the relevant address below.

SPOC Team Details:

Midlands and South West: CMG South West 2012 Underpayments

South East: CMG South East 2012 Underpayments

Eastern (including Northern Ireland) : CMG Eastern 2012 Underpayments

North East, Scotland and North West: CMG Northern 2012 Underpayments

The subject of the mail must be one of the following based on the segment where the case is held (use the correct subject title as detailed below as a variation in wording could prevent the SPOC receiving the emails):

NEW CASE Underpayment OFFICIAL

COC Underpayment OFFICIAL

ANNUAL REVIEW Underpayment OFFICIAL

ARREARS Underpayment OFFICIAL

BENEFITS NEW CASE Underpayment OFFICIAL

BENEFITS COC Underpayment OFFICIAL

COMPLAINTS RESOLUTION Underpayment OFFICIAL

APPEALS Underpayment OFFICIAL

COMPLAINTS REVIEW Underpayment OFFICIAL

ENFORCEMENT Underpayment OFFICIAL

Include in the email that this is an underpayment on a direct pay case, the reason for the underpayment, case number, master case number, paying parent SCIN, amount of the underpayment and dates confirmed by both the receiving parent and the paying parent. The SPOC team complete the actions below and return the case.

## **Underpayment SPOC actions**

- 1. Check the Summary tab to ensure the decision to take DP adjustment action is correct before creating the SR. Once confirmed, create a service request (SR) with the client reporting the change as the contact. From the drop down list select:
  - Process = CofC
  - Area = Review case
  - Sub Area = DP adjustments
  - Reason = Partial Payment
  - Source = The client reporting the change
- 2. Navigate to the CoC More Info tab, DP Adjustments view. Within the applet select the Last Name MVG to populate with the other party in the case. Set the SR Status to In Progress.
- 3. Update the **Overpay/Underpay Amount** field with the total amount of the receipt/s that cover the period of underpayments.

🝘 Only whole receipts can be reversed out using this process. The minimum number of receipts to cover the underpayment should be reversed out. Any difference between the underpayment amount and the receipt/s reversed out is adjusted in a child SR.

- 4. Enter the period that the underpayment covers within the Missed Payment Start Date and Missed Payment End Date fields. This is a day either side of the receipt/s being reversed out e.g. direct pay payments receipts are 01/11/14 and 01/12/14, the missed payment start date is 31/10/14 and missed payment end date is 02/12/14.
- 5. Contact the paying parent and receiving parent by phone to verify the payment and amount. If both parents verbally confirm the payment, no further verification is needed. If the Missed Payment End Date is today, SR can not be progressed today. Set a Wait of 1 day and action can proceed tomorrow. Go to Step 8.
- 6. 🎑 If both parents do not verbally confirm the payment or if unable to contact the client by phone, request evidence by issuing letter CMSL2301 to the paying parent and/or CMSL2302 to the receiving parent. Set the SR Status to Wait for 14 days for a response or evidence to be provided. Once verification is received, consider if SMS is appropriate. For more information, refer to SMS Text.

#### **SPOC Caseworker Decision**

- 7. If the receiving parent has reported that the paying parent has missed payments, and the paying parent has failed to respond, the verbal evidence provided by the receiving parent can be accepted. This is a discretionary decision. Record this decision in the SR Notes field.
- 8. When the paying parent and the receiving parent have responded, record the details of the underpayment in the SR Notes field e.g. how much has been reversed and why. Also record the outcome as either:
  - Both parties agree or:
  - One or both parties disagree
- 9. Consider any new evidence received and make a decision on whether to progress the payment using all available information and evidence provided e.g. verbal confirmation, bank statements, receipts etc. This is a discretionary decision and includes making a Welfare of the Child decision. For more information on discretionary decisions, refer to Policy, Law and Decision Making Guidance 🐴 If rejecting the underpayment, go to Step 10. If accepting the underpayment, go to Step 11.

- 10. More the underpayment is rejected, update the SR Sub Status to Insufficient Evidence and issue letters CMSL2310 and CMSL2311 or CMSL2316 and CMSL2317. Ensure all activities within the activity plan have been completed. Update the Resolution Code to CoC Rejected then update the SR Status to Closed and Sub Status to CofC Decline.
- 11. Where the underpayment is accepted, update the SR Sub Status to Underpayment. In the CoC More Info tab, tick the Evidence Confirmed box and update the Adjustment Type field to Underpayment.
- 12. Check the Tasks tab to see if a previous approval task has already been sent. If it has, update the SR Status to Closed and Sub Status to Cancel as raising another approval task will cause an error. Restart the process with a new SR. If there has not been a previous approval task, continue from the next step.
- 13. Set the SR Status to Pending Approval and Sub Status to Pending Approval TL.

## **SPOC Team Leader Decision**

- 14. Review the SR and make a decision on the underpayment. For more information on decision making, refer to Policy, Law and Decision Making Guidance 争
- 15. After reviewing all of the information, decide whether the underpayment is to be rejected or accepted. If it is to be rejected, set the Action to Rejected, complete the Comments field outlining the reason for the rejection and return the SR to the caseworker. If it is to be accepted, set the Action to Approved then return the SR to the caseworker.

### **SPOC Caseworker Action**

16. If authorised, set the Resolution Code to DP Adjustments Accepted and go to next step. If rejected, correct any errors and go to Step 13 to resubmit.

If the SR is to be closed, set the Resolution Code to DP Adjustments Rejected and update the SR Status to Closed and Sub Status to Complete.

- Select the Reverse Auto Satisfied Liabilities button. The Reversed Amount in BaNCS field will be populated with the exact amount of receipt/s being reversed and the BaNCS Status field will update to Success/OK.
- 18. If the original receipts/s reversed out cover the whole underpayment amount in the period and there is no further adjustment required, continue with the **Submit Payment** section in **Details** tab.
- 19. If there is further adjustment required to bring the underpayment to the correct amount, select the Create DP Non Scheme SR button.
- 20. The system creates a child SR with the following values:
  - Process = Payments
  - Area = Manage Payments
  - Sub Area = DP Direct Non Scheme
- 21. Update the SR Status to In Progress.
- 22. Select New. The BaNCS account numbers will automatically populate. If they don't select the NRP and PWC BaNCS account numbers.
- Input the amount of the DP Direct Non Scheme Payment to be recorded in the Amount Paid field. This is the amount that has been paid directly.
- 24. Update the Reason field with Overpayment.
- 25. Select the **Get Payment Allocation Details** to view the active liabilities the paying parent has on BaNCS for the receiving parent account. Tick the **Select** box next to the liability periods the DP Direct Non Scheme Payment is to be assigned to and select **Update Siebel**.
- 26. Assign the DP Direct Non Scheme Payment amount in the Amt Allocated field next to each selected liability until the total payment is cleared or covered all of the liabilities.
- 27. To refer to the team leader for approval, update the SR Notes with the required details and from the Payments tab, set the SR Resolution Code to DP Non Standard Payment Accepted. Select Ctrl & S and the SR Status and Sub Status is automatically updated. An approval task is sent to the team leader for authorisation.

## **SPOC Team Leader Action**

- 28. Review the SR from the caseworker and make a decision on the adjustment. For more information on decision making, refer to Policy, Law and Decision Making Guidance
- 29. After reviewing all of the information, decide whether the underpayment is to be rejected or accepted. If it is to be rejected, set the Action to Rejected, complete the Comments field outlining the reason for the rejection and return the SR to the caseworker. If it is to be accepted, set the Action to Approved then return the SR to the caseworker.

### **SPOC Caseworker Action**

30. If the payment has been rejected due to error, update the SR Status to Closed and Sub Status to Cancelled then create a new SR as from Step 19.

If the SR is to be closed, set the **Resolution Code** to **DP Non Scheme Payment Rejected** and update the SR **Status** to **Closed** and **Sub Status** to **Complete**.

- If the payment has been accepted, within the Payments tab, Payment Allocation view update the Resolution Code to DP Non Scheme Pmts Accepted. Continue with Submit Payment section in Details tab.
  - 🤼 Once approved by the team leader, leave the Status as Assigned. Changing the Status to In Progress will result in an error.

CMSL2301 Please confirm a payment has taken place

Letter to the paying parent informing them that a direct non scheme payment has taken place.

All fields in this letter are system generated, no manual intervention is required.

CMSL2302 Please confirm a payment has taken place

Checking with receiving parent that they agree that a voluntary payment has been made - amount and allocation. If the paying parent & receiving parent cannot agree, this process is stopped and voluntary payment is rejected.

All fields in this letter are system generated, no manual intervention is required.

CMSL2308 Our decision about a child maintenance payment

Inform the paying parent that a direct non scheme payment has been accepted - amount and allocation - and liability altered.

All fields in this letter are system generated, no manual intervention is required.

CMSL2309 Our decision about a child maintenance payment

Inform the receiving parent that a direct non scheme payment has been accepted - amount and allocation.

All fields in this letter are system generated, no manual intervention is required.

#### CMSL2310 Our decision about a child maintenance payment

Inform the paying parent that a direct non scheme payment has been rejected.

Under the sub heading 'Our decision about a child maintenance payment'

- If the PWC has provided evidence to show they have not had the payment, use the paragraph 'If PWC gives evidence they did not receive this payment'
- If the PWC does not agree that the payment was for child maintenance, use the paragraph 'If PWC does not agree that the payment was intended as child maintenance'
- If the NRP failed to provide any evidence, use the paragraph 'If NRP did not provide evidence'

Once completed review the letter to ensure the correct information is provided.

#### CMSL2311 Our decision about a child maintenance payment

Inform receiving parent that a direct payment has been rejected. If rejected, reason will be that the receiving parent does not agree.

Under the sub heading 'Our decision about a child maintenance payment'

- If the PWC has provided evidence that they did not receive the payment, use the paragraph 'If PWC gives evidence they did not receive this payment'
- If the PWC does not agree that the payment was for child maintenance, use the paragraph 'If PWC does not agree that the payment was intended as child maintenance'
- If the NRP failed to provide any evidence, use the paragraph 'If NRP did not provide evidence'

Once completed review the letter to ensure the correct information is provided.

#### CMSL2316 Final voluntary or direct non-scheme payment decision

Inform the paying parent that voluntary or direct non-scheme payment has been accepted or rejected – final caseworker decision.

Under the sub heading 'We've made a final decision about a payment' use one of the following from the dropdown:

- If the decision to count the payment as maintenance still stands, use paragraph 'If decision to count payment as maintenance still stands'
- If the decision not to count the payment as maintenance still stands, use paragraph 'If decision NOT to count payment as maintenance still stands'
- If the decision to count the payment as maintenance has changed, use paragraph 'If decision to count payment as maintenance has changed'
- If the decision not to count the payment as maintenance has changed, use paragraph 'If decision not to count payment as maintenance has changed'

Under the sub heading 'What this means for you' use one of the following from the first dropdown:

- If our final decision is that the payment should count, use paragraph 'If our final decision is that the payment should count'
- If our final decision is that the payment should not count, use paragraph 'If our final decision is that the payment should count'

From the second dropdown select the number of children this will affect.

#### CMSL2317 Final voluntary or direct non-scheme payment decision

Inform the receiving parent that voluntary or direct non-scheme payment has been accepted or rejected – final caseworker decision.

Under the sub heading 'We've made a final decision about a payment' use one of the following from the dropdown:

- If the decision to count the payment as maintenance still stands, use paragraph 'If decision to count payment as maintenance still stands'
- If the decision not to count the payment as maintenance still stands, use paragraph 'If decision NOT to count payment as maintenance still stands'
- If the decision to count the payment as maintenance has changed, use paragraph 'If decision to count payment as maintenance has changed'
- If the decision not to count the payment as maintenance has changed, use paragraph 'If decision not to count payment as maintenance has changed'

Under the sub heading 'What this means for you' use one of the following from the first dropdown:

- If our final decision is that the payment should count, use paragraph 'If our final decision is that the payment should count'
- If our final decision is that the payment should not count, use paragraph 'If our final decision is that the payment should count'

#### **BOM - Segment Summary**

Change - Service Type - To Collect And Pay Credit/Debit Card - One Off Payment Direct Non Scheme Payment (Collect and Pay) Direct Pay Summary Payment - Manually Allocate Third Party - Offset Terminology Changes Unlikely To Pay Check Voluntary Payments