



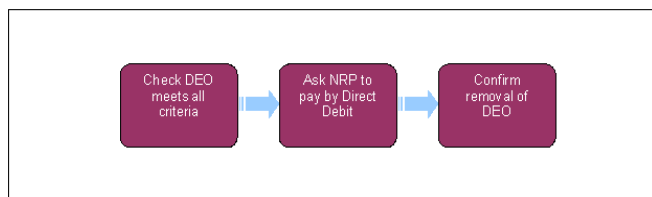
## Enforced DEO - Review

This process explains the actions to be taken when a paying parent who makes payment via an enforced deduction from earnings order (DEO) contacts the child maintenance group (CMG) asking for the DEO to be lifted. An enforced DEO can be set up when a paying parent has refused to pay or has previously defaulted.

A DEO is one of the preferred methods of payment from (MOPF) that the CMG can use to secure payments of child maintenance and/or arrears from a paying parent's wages. A DEO schedule is calculated and issued to the paying parent's employer or occupational pension provider and the money is sent directly to the CMG.

To review the DEO you need to generate a service request for DEO Review Case and carry out the Activity Plan. There are a number of criteria to review, all of which need to be met before you can consider removing an enforced DEO. This can be done when the paying parent is on the phone or at a time decided by the reviewing caseworker. The paying parent may have asked for a review due to a change in their circumstances, such as a possible change of employer where having a DEO in place may affect the likelihood of employment.

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 the [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.




Remember to set DEO desire flag in default standing order cases, except in cases where the paying parent is self employed.

### Check deduction from earnings order (DEO) meets all criteria



- Create a DEO review service request (SR) by selecting:
  - **Process = Change Of Circumstances**
  - **Area = Review Case**
  - **Sub Area = DEO review**
- Link the **Case**, and **Subject** to the SR. Select the **Source** and set the **Status** to **In Progress** which will generate the Activity Plan.



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

- Check that the current DEO has been in place for six months from when the payments started to be made by the employer.
- Select **Accept** if this criteria is met and go to **step 5**.
-  If this criteria is not met, you must update the system with **Decline** and send letter CMSL4430 to inform the paying parent that their request has been declined.

### Ask paying parent to agree to pay by Direct Debit

-  Advise the paying parent that you can only agree to remove the DEO if they agree to pay by direct debit (DD). If they agree go to **step 7**.
-  If the paying parent refuses to pay by DD you must decline the paying parent's request and send letter CMSL9528 to the paying parent to inform them that their request has been declined because they did not agree to change to direct debit.



When holding this conversation with the client your tone should be clear and assertive. Explain the child maintenance group (CMG)'s preferred methods of payment from (MOPF) and clarify the CMG's use of DD and the protection that is offered to the client by DD indemnity.

## Confirm removal of DEO



8. Update the service request to show your decision to accept the paying parent's request to remove the DEO. Call the receiving parent and paying parent to advise that the method of payment from is changing to DD and a new payment plan will follow. If unable to contact either party by telephone send CMSL9529.



When the promise to pay (P2P) schedule has been created as a result of the change, you will need to follow the below guidance, in order to allow the paying parent enough time to make the first payment:

- Where the method of payment from (MOPF) is monthly Bank Head Office Collection Account (BHOCA) or standing order, if the requested collection date is within seven days of the date the new schedule is issued - call the paying parent to arrange a new collection date, which should be after the requested collection date has passed
- Where the MOPF is a default standing order, if the requested collection date is within four days of the date the new schedule is issued - call the paying parent to arrange a new collection date, which should be after the requested collection date has passed. (You must try to persuade the paying parent to change their MOPF from a default standing order to a preferred MOPF)
- Where the MOPF is weekly BHOCA, if the requested collection date is within four days of the date the new schedule is issued - call the paying parent to arrange a new collection date, which should be after the requested collection date has passed

### CMSL4430 - We've rejected request to change way you pay child maintenance

Decline change request from the paying parent Change to Payment From type - there is an enforced DEO. If the paying parent is not happy with this, client can ask us to review their enforced DEO where we go through some checks and determine whether it's a valid request.

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

### CMSL9528 - We will not change your child maintenance payment method

Letter sent to the paying parent after a DEO review saying we won't take them off DEO because they won't go on to DD.

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

### CMSL9529 - We have changed your child maintenance payment method

Letter sent to both the paying parent AND the receiving parent after a DEO review saying we have taken the paying parent off DEO and set up a DD. Where there are alternative paragraphs in the letter copy the NRP version is written first.

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

## Change MOPF - Summary

### Terminology Changes

#### Can an enforced DEO be removed?

Yes, the DEO can be removed in certain cases only if the paying parent agrees to pay by direct debit. The paying parent must meet the following criteria - DEO has been in place for more than six months, arrears are less than £250, no previous DEOs in place during the last two years and less than three DEOs during the history of the case.