



Procedures > Pages > Maintain-Case > Parentage-dispute-log

## Parentage Dispute - Log

A parentage dispute is where an alleged parent does not agree that they are the parent of the child/ren named in the application or case. An alleged parent may raise a parentage dispute at any time during the lifecycle of the case and can do so by phone or post.

The purpose of this process is to log the parentage dispute against the case on the 2012 system when it is received to give it a dispute effective date.

Parentage disputes will be dealt with by caseworkers where the case is located at the time the dispute is raised.

The entire parentage process takes place over the following five procedures. The caseworker will work through them in order:

1. **Parentage Dispute - Log**
2. Parentage Dispute - Evidence
3. Parentage Dispute - DNA Testing
4. Parentage Dispute - Record Outcome
5. Parentage Dispute - Alleged Parent Is Not The Parent

In this procedure you'll complete the following:

- Log the parentage dispute
- Identify and assign an effective date
- Pause enforcement action
- Send acknowledgement of the parentage dispute to the alleged parent



Parentage ambassadors are now available to provide you with support. You should contact your local ambassador whenever you are dealing with a parentage dispute and they will coach and support you to help you handle any sensitive discussions and progress the case swiftly. Details of who your local parentage ambassadors are can be found on the intranet here: [2012 Scheme parentage ambassadors](#).

Once a parentage dispute has been logged, the caseworker will need to determine whether the effective date is correct. The effective date is the date the alleged parent notified the Child Maintenance Group (CMG) of the paternity dispute.


A parentage dispute will need to be raised for each qualifying child (QC) the alleged parent reports a parentage dispute on.

If there is any enforcement action taking place on the case where the QC's are being disputed, the caseworker will decide if the enforcement action requires to be paused. Enforcement action will only be paused on the first attempt to dispute parentage. For any further attempts to dispute parentage enforcement action will only be paused where new sufficient evidence/information is provided.



During the discussions of the parentage the paying parent may make an allegation that they have been named fraudulently, where this is the case a referral to Criminal Enforcement must be made. For more information refer to [Suspicion of Criminal Activity](#).

Depending on where the case is in it's lifecycle, determine what action can either continue or be paused. Refer to the table below for further info:

<b>Pre - Initial Calculation</b> , single QC or all QC/s disputed	Application can't continue past the initial calculation, information should still be gathered and then the application paused until QC/s parentage disputes are resolved unless assumption rules have been applied. <a href="#">Assumed Parentage</a> 
<b>Pre - Initial Calculation</b> , more than one but not all QC/s disputed	Application can continue and QC/s will either be added to the calculation from the initial effective date or removed from case altogether. A change of circumstances SR will be required to complete this.
<b>Post - Initial Calculation</b>	Case action can continue. Enforcement action can be paused on first disputed parentage received until the outcome of the dispute is determined. For any further attempts to dispute parentage enforcement action will only be paused where there is new sufficient evidence/information to do so.

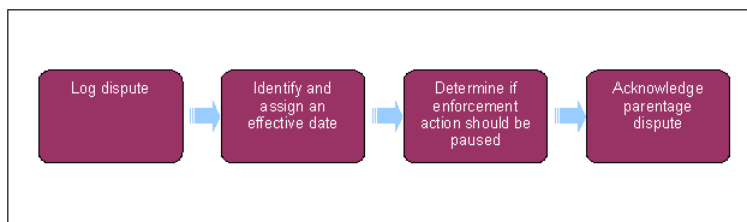
See also the Decision-making Flowcharts:

- [Pre-initial MC parentage dispute](#)
- [Post-initial MC parentage dispute, parentage originally ASSUMED](#)
- [Post-initial MC parentage dispute, parentage NOT originally assumed](#)




When speaking to either client at any point during a parentage dispute you should give consideration to the sensitivity of the nature of the dispute, recognise that some clients might be unhappy with the situation and treat them with sensitivity. Always respond positively to the client even if they challenge the result or feel negative. Your tone should be supportive, sensitive but assertive when necessary.


For more information refer to 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.

 Prior to logging a dispute, discuss with the paying parent the costs involved in DNA testing, and stress that by disputing parentage the client is entering into a formal process with the child maintenance group (CMG). Sensitivity should be shown with regards to the circumstances in which the paying parent has come to believe they may not be the parent of the child/ren in the case/s. Consider whether the paying parent disputed parentage from the initial application or later in the case.

A [fundamental](#) has been developed to help you with this.

## Log dispute

1. The dispute can be raised either before the initial calculation or after the initial calculation. Where the dispute is raised prior the initial, remember to ensure that you also finish gathering the paying parents other information as well. For more information refer to [Gather Paying Parent Information](#). Access the **Contact Summary** screen and have the case details available.


2.  Select the **paying parent surname** and then select the **Enf More Info** tab and check the **Transition Date** and **NRP Case Group Look Up** fields. Where both fields show:

- **Transition date** = Any date before 30/06/2014
- **NRP Case Group Look Up** = **Reactive Transition with Pause**

Go to the **procedural exceptions** tab and complete the steps for **Transitioned case group - initial effective date checks**.

3. Create a SR and from the drop down lists select:

- **Process = Parentage**
- **Area = Manage Parentage Dispute**
- **Sub area = Determine Parentage**

 If the parentage dispute is recorded during application at the paying parent gathering information stage, the above SR is created automatically after selecting parentage denied from the parentage dropdown menu. Where more than one qualifying child is being disputed, additional SR's will need to be created.

4. Access the **case** field and select which (if there is more than one) of the alleged parent's cases the dispute is being raised against.


 If the alleged parent wishes to dispute parentage on more than one case, raise a different SR for each case.


5. Access receiving parent details and select the **PWC/PeWC details**.

6. Access QC details to view all QC's attached to the case and select the qualifying child for whom parentage is being disputed. Where more than one QC is being disputed, raise an SR against each qualifying child being disputed and work on these concurrently.

7. Update the SR **Status** to **In Progress** to generate the activity plan.

## Identify and assign an effective date

8. The system will populate dispute effective date with today's date. Save the information and the system will populate the SR with the details. If today's date is not the correct effective date (eg dispute was raised by letter so effective date is the date the letter was received by the Child Maintenance Group (CMG)) follow **steps 10-12** your team leader will need to authorise this. For more information about effective dates refer to the Policy, Law and Decision Making Guidance. 

9.  Check with the paying parent that there has been no previous parentage dispute with the same QC on the 1993 or 2003 schemes and advise this will be confirmed with the receiving parent. Record the conversation in the **Notes** field.

### Team leader action

10. Allocate the SR to yourself, set the **Status** to **In Progress** and manually edit the **effective date** field to show the correct date if appropriate.
11. Add your decision to update the dispute effective date in **Notes** and reassign the SR back to the caseworker.



### Caseworker action

12. Make sure the effective date has been updated before taking any further action.

### Determine if enforcement action should be paused

13. If any case in the casegroup is with enforcement, decide if it is appropriate to adjourn or withdraw the enforcement actions at that time. To pause enforcement action, select **case group**, locate any 'in progress' enforcement SR/s and pause them.

### Acknowledge parentage dispute

14. Review the Supporting Statement made for each QC by the receiving parent at the application stage and discuss with the paying parent the statement provided ie Married at the time, named on the birth certificate. Discuss this evidence with the alleged parent and determine if this resolves their dispute. Where the dispute is resolved go to **step 17**. For more information on sufficient evidence refer to the policy, law and decision making guidance. 
15. Ask the paying parent if they can provide any evidence relating to their dispute and record this on the SR by selecting **Y** or **N** from the dropdown list in the field entitled **NRP has additional evidence**. Make the alleged parent aware of the process and cost around DNA testing to allow the paying parent to make an informed decision to continue with dispute action. For more information a **fundamental** has been developed to help you with this.
16.  Once the additional evidence has been recorded, discuss with the paying parent the next steps and issue letter CMSL1100 to the paying parent to advise that the dispute has been raised and what the next steps will be. Where the paying parent will provide additional supporting evidence, set a Wait of **14** days.
17. Where the dispute is resolved record the outcome and close the dispute, for more information refer to [Parentage Dispute - Record Outcome](#). If not carry on to **step 1** of [Parentage Dispute – Evidence](#).


#### Northern Ireland Exceptions

NICMS replaces CMG in Northern Ireland

#### Transitioned case group - initial effective date checks

### Transitioned case group - initial effective date checks

1. Check the initial effective date of the case on the system and confirm whether the effective date held aligns with the date the letter notifying of the liability was issued (CMSL0039 or CMSL0084 for Receiving parent applications and either CMSL3400, CMSL4096 or CMSL4101 for paying parent applications), the aligning is based on the phase 1 rules for setting the effective date. Steps to confirm the effective date are listed below. The phase 1 rules were:
  - **For letters issued by the system** - The date the system created the letter which informs the Paying Parent of their 2012 Scheme liability + next working day + two calendar days
  - **For letters issued clerically** - The date the letter was issued clerically + two calendar days

 Some clerical letters were issued with just one calendar set instead of two, a decision was made at the time to allow these
2. If the initial effect date aligns with the letter issue date, then the case can continue as normal. For the cases that don't align, an incident will need to be raised with the area advice centre (AAC) and the customers expectations managed in regards to possible delays until the issue is resolved.

### Confirming the effective date and letter issue date

#### 2012 scheme case that triggered transition

1. In the **Case view**, select **Activities**.
2. Select **Query**, in **Type**, select **Letter Outbound – Auto** from the drop down pick list to view all system letters issued for case then select and drill down on relevant record for **Liability Statement (Applicant Type = PWC)** or **Issue Maintenance Calculation Decision for NRP (Applicant Type = NRP)**.
3. Select **Go To Correspondence** to view Letter Template.
4. Under **Template Name**, view **Created field** to confirm date system created the letter
5. Check **Status** field to confirm that letter was successfully fulfilled
6. Select **Open Generated Document** to view actual letter on the system
7. The Effective Date in the letter should align with Letter created date + Next Working Day + 2 calendar days

Example:

- Letter created date = 18/09/2013
- Next Working day = 19/09/2013

- Initial Effective Date = 21/09/2013

8. In the **Summary Case Details**, view the **Effective Date** field. If this date does not match the Initial Effective Date, then the effective date on the case needs to be changed to align with this date (action to amend this date on system will be taken in certain case scenarios). If there is no record of any system generated letter being created or successfully fulfilled, then you will need to confirm whether a clerical letter was issued and obtain details of when the letter was issued.



Where there are cases that have transitioned, a check will need to be made to ensure the effective date is correct. For more information see **Cases that have transitioned below**.

9. If you are unable to establish the correct Initial Effective Date you should refer the case to Advice and Guidance to provide guidance on the correct initial effective date. Where Advice and Guidance determine there is no evidence that the Effective date letter has been issued refer to **Corrective Action** below.

### Cases that have transitioned

For Phase 1 where 1993/2003 scheme cases have had the liability ended for reactive transition, the liability is ended the day before 2012 Scheme liability starts to ensure that these clients have continuous liability, if 2012 Scheme effective dates are changed, this means that the Transition Date (Legacy Liability End Date) must also be changed.



This action is only required where legacy cases had on-going liability at the point of transition.

1. In **Case view**, navigate to the **More Info** tab of each case. If the **Application Type** field shows **Reactive With Pause** then the case had a legacy liability at transition, if not no further action is necessary.
2. Select the **Paying Parent's surname** and navigate to the Paying Parent's **More Info** tab
3. The **Transition Date** field shows the date legacy liability end date, where this date needs to be changed to align with a revised 2012 Scheme initial effective, the revised date must be recorded in **Notes** as it cannot be changed on the system.
4. As the 1993/2003 scheme case is closed, a revised transition date will need to be provided to the 1993/2003 Re-Assessment Team so a clerical adjustment to the 1993/2003 scheme liability and arrears can be made. Email the case details to **CM 2012 Scheme 1993-2003 reassessment team**.

### Corrective action

For both the 2012 scheme case and the transition case, where it is identified that the effective date needs to be changed, corrective action will also need to be taken. The action is dependent on where the case's are in their lifecycle:

- **Pre-Initial Effective date** - Your team leader has the steps necessary to correct the effective date
- **Post-Initial Effective date** - Raise an incident via AAC who can provide case specifics steps

#### CM 2012 Scheme 1993-2003 reassessment team

Sent to acknowledge parentage dispute and explain next steps. Will be sent with a disputed parentage leaflet.

Under the heading "What this means for you" select the appropriate paragraph from the following two options

- **TM\_13178\_E** If a Maintenance Calculation has already been made "However, while we are looking at your dispute you still have to pay child maintenance for XXXX born on XXXX. If you do not pay and you are proved to be the parent, you will be in arrears and will still have to make these payments"
- **TM\_13179\_E** If no calculation made "Please note we will not work out how much child maintenance should be paid for XXXX born on XXXX, straight away. We will wait until we have resolved your parentage dispute. However, if you are proved to be the parent then you will have to make any payments that would have been due from (Effective Date)

Under the heading "What you need to do" select the appropriate paragraph from the following three options

- **TM\_13180\_E** If the paying parent has not mentioned evidence "You need to provide us with evidence to prove you are not the parent of this child."
- **TM\_13181\_E** If the paying parent has stated they have evidence they can send in "We now need you to send us the evidence you told us about"
- **TM\_13182\_E** If the paying parent has already sent in evidence "Thank you for sending us the evidence you told us about. We will look carefully at this and let you know our decision soon"
- **TM\_13183\_E** Under the heading We will now get in touch with XXXX and ask them for some information that we need to make a decision in your case

Use the following paragraph if a DNA test is required

- **TM\_13184\_E** You have agreed that it is appropriate to take a DNA test so that we can determine if you are the parent or not. By taking a DNA test we will be able to find out if you are XXXX 's biological parent.

All other fields in this letter are pre-populated by the system. Once complete, review the letter to ensure the correct information is provided.

[Gather Paying Parent Information](#)

[Parentage Dispute - DNA Testing](#)

[Parentage Dispute - Evidence](#)

[Parentage Dispute - Paying Parent Is Not The Parent](#)

[Parentage Dispute - Record Outcome](#)

Terminology Changes

What effect will raising a parentage dispute have if the alleged parent is already paying maintenance for them?

If the dispute is raised post-calculation, the alleged parent still has to pay child maintenance for this child while we are looking at the dispute. If they decide not to pay and they are proved to be the parent, they will have to make these payments.