Department for Work & Pensions   Procedures ▸ Parentage Dispute - Record Outcome

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Parentage Dispute - Record Outcome

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 procedure is to record on the system the outcome provided by the DNA Test Provider or provided by an approved DNA tester and make a parentage decision based on the information provided.

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

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 the caseworker will complete the following:

- Review evidence provided from both parties and from DNA Test results

- Make a decision on the evidence and determine whether:

    - Parentage is Proven

    - Parentage can be assumed

    - Parentage is disproved

    - Receiving parent is non compliant

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.

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 and 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 needed.

For more information refer to the Policy, Law and Decision Making Guidance.
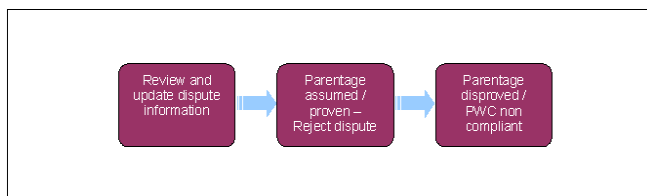
When speaking to clients always use the new terminology - for more information refer to Terminology Changes.

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.

Review dispute evidence

⚠ If a decision has been made to decline/reject a **Parentage** SR as evidence was not received within 14 days, but evidence is then received within allowable time i.e. 30 days + 2 days for posting, from the date the decision to decline/reject the change was made, refer to Mandatory Reconsideration.

1. Dispute evidence will have been received from:

    - Alleged Parent

    - Receiving Parent

■ DNA Test provider

Where no evidence is received you'll need to consider assuming parentage. Go to **Step 3**. Select the **Go** to **Evidence** tab and query for parentage evidence. Ensure all evidence is captured.

When refunds of test fees are being considered, the DNA Test provider will refund the alleged parent where the fee has been paid up front and the test has then been withdrawn or cancelled.

Update dispute evidence

2. For each piece of evidence held, create a new list item and update the Reviewed column to show if it does or does not resolve the dispute and the reasons why.

3. Update **Sub Status** to **Record Dispute Outcome** and enter one of the following **Resolution Codes**:

   ■ **Parentage Proven**

   ■ **Parentage Assumed**

   ■ **Parentage Disproved**

   ■ **PWC Non Compliant**

Each **resolution code** has **Dispute Closure Reasons** to reflect the outcome of the dispute. To determine these refer to the corresponding option

   ■ **Declare dispute rejected - Parentage Proven**

   ■ **Declare dispute rejected - Parentage Assumed**

   ■ **Declare dispute closed - Parentage Disproved**

   ■ **Declare dispute closed - Receiving Parent Non Compliant**

For more information on parentage disputes refer to the Policy, Law and Decision Making Guidance.

In some scenarios you may end up with a response from the DNA test providers stating that the test is inconclusive. Go to **DNA Result inconclusive** to resolve this.

Declare dispute rejected - Parentage Proven

Declare dispute rejected - Parentage Proven

Resolution Code	Dispute Closure Reason
Parentage Proven	Positive DNA Match Conclusive evidence provided Conclusive evidence exists

1. Where the child maintenance group has agreed to pay the cost of the DNA test, these costs will need to added to the system. For more information on adding DNA costs refer to Create Cost.

2. Call the receiving parent and paying parent to let them know that the dispute has been rejected as parentage has been proven and explain the reason why. Where we have paid the DNA test fees, advise the paying parent these should be paid or are added to the arrears.

   Sensitivity should be shown towards both parties when making this call. Cellmark will already have sent the DNA test results to the clients by the time you contact them, so it is likely that they will already know the outcome of the parentage dispute.

3. Send letter CMSL0104 to the paying parent and letter CMSL0106 to the receiving parent to confirm why the dispute has been rejected.

4. If there was arrears action pending on the case, arrears action can start again as the parentage dispute has finished. Go to Case Group to locate paused Enforcement SRs and resume them.

5. Update SR **Status** to **Closed** and **Sub Status Completed**.

6. If an application was made for two QCs and the paying parent disputed the parentage to one of the QCs, the initial calculation will have been performed for one QC on the case whilst the dispute for the other QC was still outstanding. When the parentage has been proven/assumed, you will need to perform a calculation for both QCs on the case.

   ■ Raise an SR with the following:

      ■ **Process = CofC**

      ■ **Area = Change Child Status**

      ■ **Sub Area = New QC in PWC Household**

      ■ **Source = PWC**

   ■ Do not select the **Verify CIS** button or **Get CHB Details** button on SR

   ■ Set the SR to **In Progress**

- Update the **Effective Date** as the **Case Effective Date**

- Complete the activity plan

- Update the **Resolution Code** to **CoC Accepted**

7. A Perform Calculation child SR will be generated with two QCs from the case effective date. Complete this SR, for more information refer to Calculation - Post Initial. Ensure all SRs are **Closed**.

Declare dispute rejected - Parentage Assumed (Pre Initial)

Declare dispute rejected - Parentage Assumed

Resolution Code	Dispute Closure Reason
Parentage Assumed	A/NRP on Birth Certificate ℹ️ use this for where the assumed paying parent is named on the marriage certificate

1. 📞 Call the receiving parent and paying parent to let them know that the dispute has been rejected as parentage has been assumed and explain the reason why.

   ℹ️ Sensitivity should be shown towards both parties when making this call. If the paying parent is still convinced that they're not the father, a new SR should be raised once the initial calculation is completed and a DNA test offered. This isnt to be confused with a paying parent appealing against our decision to assume parentage. For more information refer to the Policy, Law and Decision Making Guidance. ⚖️

2. ✉️ Send letter CMSL0104 to the paying parent and letter CMSL0106 to the receiving parent to confirm that the dispute has been rejected as parentage has been assumed. Make sure you include information in the letter to explain to the paying parent and receiving parent the grounds on which the assumption has been made. For more information refer to the Policy, Law and Decision Making Guidance. ⚖️

3. If there was arrears action pending on the case, arrears action can start again as the parentage dispute has finished. Go to Case Group to locate paused Enforcement SRs and resume them.

4. Where the paying parent is still convinced that they're not the father ensure that **Case Notes** is updated to state that the parentage SR has been closed due to assumption pre initial calculation and that a new parentage SR will be raised once the initial calculation has been completed.

5. Update SR **Status** to **Closed** and **Sub Status** to **Complete**.

6. If an application was made for two QCs and the paying parent disputed the parentage to one of the QCs, the initial calculation will have been performed for one QC on the case whilst the dispute for the other QC was still outstanding. When the parentage has been proven/assumed, you will need to perform a calculation for both QCs on the case.

   - Raise an SR with the following:

     - **Process = CofC**

     - **Area = Change Child Status**

     - **Sub Area = New QC in PWC Household**

     - **Source = PWC**

   - Do not select the **Verify CIS** button or **Get CHB Details** button on SR

   - Set the SR to **In Progress**

   - Update the **Effective Date** as the **Case Effective Date**

   - Complete the activity plan

   - Update the **Resolution Code** to **CoC Accepted**

A Perform Calculation child SR will be generated with two QCs from the case effective date. Complete this SR, for more information refer to Calculation - Post Initial. Ensure all SRs are **Closed**.

Declare dispute rejected - Parentage Assumed (Post Initial)

Declare dispute rejected - Parentage Assumed

Resolution Code	Dispute Closure Reason
Parentage Assumed	A/NRP on Birth Certificate A/NRP refuse to provide evidence A/NRP accepting parentage A/NRP refused to pay for test A/NRP refused to take test

A/NRP did not attend appointment Unable to contact A/NRP

1. <img> Call the receiving parent and paying parent to let them know that the dispute has been rejected as parentage has been assumed and explain the reason why.

   <img> Sensitivity should be shown towards both parties when making this call.

2. <img> Send letter CMSL0104 to the paying parent and letter CMSL0106 to the receiving parent to confirm that the dispute has been rejected as parentage has been assumed. Make sure you include information in the letter to explain to the paying parent and receiving parent the

   grounds on which the assumption has been made. For more information refer to the Policy, Law and Decision Making Guidance. <img>

   <img> Where the paying parent fails to provide evidence, the CMSL0104 to the paying parent and the CMSL0106 for the receiving parent should be set to select the reason for assuming parentage/why we've continue to assume parentage ie named on birth certificate, married at time of inception.

3. If there was arrears action pending on the case, arrears action can start again as the parentage dispute has finished. Go to Case Group to locate paused Enforcement SRs and resume them.

4. Update SR **Status** to **Closed** and **Sub Status Completed**.

5. If an application was made for two QCs and the paying parent disputed the parentage to one of the QCs, the initial calculation will have been performed for one QC on the case whilst the dispute for the other QC was still outstanding. When the parentage has been proven/assumed, you will need to perform a calculation for both QCs on the case.

   - Raise an SR with the following:

     - **Process = CofC**

     - **Area = Change Child Status**

     - **Sub Area = New QC in PWC Household**

     - **Source = PWC**

   - Do not select the **Verify CIS** button or **Get CHB Details** button on SR

   - Set the SR to **In Progress**

   - Update the **Effective Date** as the **Case Effective Date**

   - Complete the activity plan

   - Update the **Resolution Code** to **CoC Accepted**

   A Perform Calculation child SR will be generated with two QCs from the case effective date. Complete this SR, for more information refer to Calculation - Post Initial. Ensure all SRs are **Closed**.

   <img> Where an assumption is made and the case was going through the DNA testing route, call the DNA Test Provider and inform them that the testing is no longer required.

Declare dispute closed - Parentage Disproved

Declare dispute closed - Parentage Disproved

Resolution Code	Dispute Closure Reason
Parentage Disproved	Negative DNA Match Conclusive evidence exists

1. At this stage a cost for DNA fees may need to be added to the case in the following scenario/s:

   - **Multiple qualifying child/ren QC/s, Child Maintenance group has paid the fee, mixed positive and negative results**

     Where there are mixed results the paying parent will only be charged for amount it would've cost for just the positive matches. E.g. three QCs being tested (five people overall at a cost of £396.60) two QCs are positive matches and one is a negative match meaning the cost to be charged is £327.60 (four people overall being tested)

   For more information on adding the cost refer to Create Cost

2. <img> Call the receiving parent and paying parent to let them know the dispute has been accepted as parentage has been disproved. Send letter CMSL0104 to the paying parent and letter CMSL0106 to the receiving parent. Make sure you include information in the letter to explain to the paying parent and receiving parent how parentage has been disproved. For more information refer to the Policy, Law and

   Decision Making Guidance. <img>

3. If parentage is disproved the system will automatically trigger the relevant work item/s depending on the circumstances of the case at that time. If the alleged parent is due a refund after having paid the test provider themselves select the **Refund NRP DNA costs** button. This generates a child SR automatically to create the non standard payment. For more information refer to Payment - Non Standard.

   <img> Where there are multiple QC/s being tested and there are a mix of positive and negative results, the amount to be refunded to the

paying parent will be the difference between the amount charged to the amount that would have been charged for only the positive returns. Eg:
Three QCs being tested (five people overall at a cost of £396.60) two QCs are positive matches and one is a negative match meaning the cost should have been £327.60 (four people overall being tested), therefore the amount to be refunded to the paying parent is £69.00.

4. If the DNA result is negative, You may wish to make a referal for criminal enforcement action in one of the following situations:

   - Where the receiving parent insists that the alleged parent is the parent

   - Where the the paying parent believes that the receiving parent wilfully submitted false information in their initial application

   For more information refer to Suspicion Of Criminal Activity. If a criminal enforcement referal is made, continue the case action as normal.

5. Update the **Parentage** SR **Status** to **Closed** and **Sub Status** to **Complete**. A **NRP not the Parent** SR will automatically generate, for more information refer to Parentage Dispute - Paying Parent Is Not The Parent.

   If the paying parent is found not to be the parent and there are other qualifying child/ren (QC/s) remaining in the case a reassessment will be triggered. If the paying parent is found not to be the parent of all children in the case a closure will be generated.

Declare dispute closed - Receiving Parent Non Compliant

Declare dispute closed - Receiving Parent Non Compliant

Resolution Code	Dispute Closure Reason
PWC Non Compliant	PWC refuse to provide evidence PWC refuse to take test QC refuse to take test PWC/QC did not attend appointment Unable to contact PWC

1. Call the receiving parent and paying parent to let them know that the dispute has been closed and explain the reason why. For more information refer to the Policy, Law and Decision Making Guidance.

   When contacting the receiving parent, show consideration when explaining the outcome of the parentage dispute, and explain their options to progress a new claim for the QC.

2. Contact a parentage SPOC who will supply a suitable version of CMSL0088 to issue to both parties to confirm why the dispute has been closed.

3. If the receiving parent is non compliant update the SR **Status** to **Closed** and the **Sub Status** to **Complete**, the system will automatically trigger the relevant work item/s depending on the circumstances of the case at that time. If the paying parent paid the DNA test fees process a refund if appropriate, when refunds of test fees are being considered the DNA Test provider will refund the alleged parent where the fee has been paid up front and the test has then been withdrawn or cancelled. Email the parentage SPOCs who will arrange this.

DNA result inconclusive

DNA result inconclusive

1. Review the DNA test result or other evidence to determine what action needs to be taken next.

   An inconclusive DNA test result could be as a result of:

   - A close relative being the father of the child

   - A close relative taking the test

   - Due to a genetic mutation (which is a normal genetic process that happens)

   Inconclusive results can be distressing for both parties so it's important these are handled sensitively and, where appropriately, robustly. Where an inconclusive DNA test result has been received, refer the case to an investigative officer to carry out an investigation – note that Cellmark will not have notified the receiving parent or alleged parent of the DNA results in this scenario.

   To refer the case for Investigative action raise a service request (SR) with the following values:

   - **Process = Enforcement**

   - **Area = Use Specialist Services**

   - **Sub Area = Investigative Action**

   Record details of the issue in the notes and set the SR **Sub Status** to **Pending Assignment**. This will route the SR to the investigating officers segment for their action. Cellmark will contact investigators who will make contact with the receiving parent to ascertain if there is any possibility a close relative could be the father and make a decision on the next action ie whether contact with the alleged parent is required, consider if there is a possibility that a close relative has taken the test.
   Investigators will keep in touch with the caseworker and advise them when they can contact Cellmark to release the test results and/or to instruct Cellmark to retain samples.

Procedural Exceptions

> NICMS replaces CMG in Northern Ireland

CMSL0104 Your parentage dispute – our decision

To the paying parent who has disputed parentage, parentage has been either assumed, proven or disproved.

There are 3 scenarios to choose from.

Scenario one – parentage proved

Under the sub-heading 'Our Decision', there are 2 editable options, select either:

- **TM_12352_E** the court has declared you to be the parent
- **TM_12353_E** the DNA test has shown you to be the parent

Under the sub-heading 'What this means for you' there are 3 editable options, select:

- Option 1 **TM_12370_E** - pre-calculation disputes. We will now work out child maintenance payments due
- Option 2 **TM_12356_E** - the NRP continued to pay whilst the parentage dispute was resolved, there are no arrears, all the payments due for this child are up to date. The NRP should continue to make payments due in the payment plan
- Option 3 **TM_12357_E** - post calculation dispute/DNA fees due. Arrears and/or DNA fee due. NRP needs to contact us to arrange to make payment

Scenario two – parentage presumed

There are 10 editable options, select from:

- You are named on a birth certificate
- You are named on adoption papers for this child
- A court has declared that you are the parent
- You were married to the other biological parent during the period of conception to the child's birth
- You are named as the parent in a parental order (human fertilisation and embryology act)
- You are the parent under any section of the Human Fertilisation and Embryology Act relating to assisted conception
- A DNA test has shown that you are the parent
- You refused to take a DNA test
- You now accept that you are the parent
- Undergoing gender reassignment does not change the fact that they are the parent of a child

Under the sub-heading 'What this means for you' there are 3 editable options, select:

- Option 1 - pre-calculation disputes. We will now work out child maintenance payments due
- Option 2 - the NRP continued to pay whilst the parentage dispute was resolved, there are no arrears, all the payments due for this child are up to date. The NRP should continue to make payments due in the payment plan
- Option 3 - post calculation dispute, arrears and/or DNA fee due. NRP needs to contact us to arrange to make payment

Scenario three – parentage disproved

Under the sub-heading 'What happens next' there are 2 editable options, select:

- Option 1 **TM_12374_E** – there is only 1 child in the case. This is to advise the case has now been closed
- Option 2 **TM_12375_E** – there is more than 1 child in the case. This i to advise we will contact them separately if the child maintenance arrangements will change

CMSL0106 Your parentage dispute – our decision

To receiving parent in parentage disputed, parentage has been proven or disproved.

There are 3 scenarios to choose from.

Scenario one – parentage proved

Under the sub-heading 'What this means for you', the first paragraph is set as default, remove if not required and select one of the subsequent paragraphs:

- Option 1 **TM_12295_E** - the NRP continued to pay whilst the parentage dispute was resolved, there are no arrears. All the payments due for this child are up to date. The NRP should continue to make payments due in the payment plan
- Option 2 **TM_12296_E** - post calculation dispute, arrears and/or DNA fee due. We will contact the NRP to arrange to make payment
- Option 3 **TM_12297_E** - pre-calculation dispute. We will now work out your child maintenance payments

Scenario two – parentage presumed

There are 10 editable options, select from:

- Option 1 **TM_12300_E** - they are named on a birth certificate

- Option 2 **TM_12301_E -** they are named on adoption papers for this child

- Option 3 **TM_12302_E -** a court has declared them to be the parent

- Option 4 **TM_12303_E -** (PEWC) they were married to the other biological parent during the period of conception to the child's birth

- Option 5 **TM_12304_E -** (PWC) they were married to the other biological parent during the period of conception to the child's birth

- Option 6 **TM_12305_E -** they are named as the parent in a parental order (human fertilisation and embryology act)

- Option 7 **TM_12306_E -** they are the parent under any section of the Human Fertilisation and Embryology Act relating to assisted conception

- Option 8 **TM_12308_E -** they refused to take a DNA test

- Option 9 **TM_12309_E -** they now accept they are the parent

Under the sub-heading 'What this means for you' the first paragraph (option 10 **TM_12310_E**) is set as default, remove if not required and select one of the subsequent paragraphs:

- Option 1 **TM_12311_E** - the NRP continued to pay whilst the parentage dispute was resolved, there are no arrears. All the payments due for this child are up to date. The NRP should continue to make payments due in the payment plan

- Option 2 **TM_12312_E** - post calculation dispute, arrears and/or DNA fee due. We will contact the NRP to arrange to make payment

- Option 3 **TM_12313_E** - pre-calculation disputes. We will now work out your child maintenance payments

Scenario three – parentage disproved

Under the sub-heading 'What happens next' there are 2 editable options, select:

- Option 1 **TM_12315_E** – there is only 1 child in the case. This is to advise the case has now been closed

- Option 2 **TM_12317_E** – there is more than 1 child in the case. This is to advise we will contact them separately if the child maintenance arrangements will change

Calculation - Post Initial

Create Cost

Parentage Dispute - DNA Testing

Parentage Dispute - Evidence

Parentage Dispute - Log

Parentage Dispute - Paying Parent Is Not The Parent

Payment - Non Standard

Suspicion Of Criminal Activity

Terminology Changes