

Variation - Review Existing

Variations allow us to look at certain circumstances that are not covered by the basic maintenance calculation rules. If a variation succeeds, the maintenance calculation will be adjusted accordingly. For more information refer to [Variation - Special Expense](#) And [Variation - Additional Income](#) in related items. Changes to an existing variation can be reported at any stage during the lifecycle of the case.

Reviewing a change request to an existing variation will be dealt with by caseworkers wherever the case is located.

Changes to a variation will be required when there has been a change of circumstances which will affect the variation and therefore result in the calculation of a supersession. A change to the variation will also be needed if the original decision needs to be revised e.g. because an error in the original calculation was made.

Variations fall into two main categories:

- special expenses variations
- additional income variations

A receiving parent, paying parent or child in Scotland (CiS) can apply for a revision or supersession to an existing additional income variation. When a change request is raised, you will need to establish if the evidence available is sufficient and determine if the revision or supersession is successful or not.

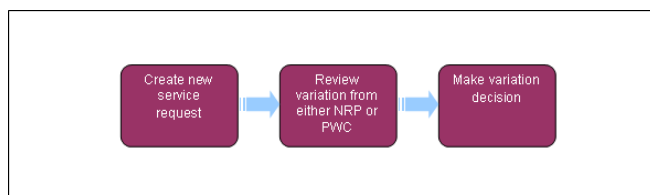
The effective date of a supersession will be the date the change to the variation is reported by the client.


The effective date of a revision will be the date of the initial maintenance calculation, unless the revision is to the effective date itself, in which case the revised decision takes effect from the date on which the original decision should have taken place.

Whilst a revision or supersession is being validated or considered, the paying parent's maintenance liability will continue and any missed payments will result in arrears.

The purpose of this process is to gather and consider evidence from both parents, to establish if the revision or supersession can be accepted or rejected.

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](#) procedure 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.

Create new service request (SR)

 When the P2P schedule has been created as a result of the change follow the below guidance 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. (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

1. The paying parent, receiving parent or a child in Scotland (CiS) can report a change to an existing variation, by phone or by letter. If the client is on the phone, explain the type of evidence they need to send in and that the other party will be contacted to verify this.

 An additional income variation can still be relevant even if the paying parent is on a nil rate liability. For example, the paying parent could be in a residential home and still have relevant additional income such as a pension.

2. Create a new service request (SR), from the drop down lists select:

- **Process = Perform Calculation**
- **Area = Variation**
- **Sub Area = Change Special expense/Change Additional income (Depending On What The Change Is for)**

 If it is a special expense variation, the SR must be raised against the paying parent.

3. Enter the Change Of Circumstances(CoFC) details in the appropriate fields:

- Contact last name
- Effective date (the date the Child Maintenance Group (CMG) was notified of the change request, or the date of the original calculation for a revision)
- Variation type e.g. contact costs
- Case number
- Add any supporting information in **Notes**

The **Source** is the person who is reporting the change in the **Last Name** and **First Name** fields of the SR, from the **Source** dropdown select their role on the case e.g. NRP or PWC.



4. Update the SR **Status** to **In Progress**. The system creates an Activity Plan displaying the list of tasks to complete.


5. Go to the **Variation Details tab** and in the **Variation Details applet** select **Modify**.


6. Select the Variation to be reviewed and update the following details for the variation in the **Variation Details** applet:

- Relevant QC or ROC for the variation
- Description of the variation
- Frequency (weekly/monthly)
- Number of times (e.g. twice a week)
- Amount – amount provided by paying parent/receiving parent as spend amount
- Actual amount – actual amount that you have verified using evidence - do not complete this field until the end of the process when evidence has been verified

Review Special Expense Variation


 Notification of changes to special expenses amounts will normally be received from the paying parent but may also be reported by the receiving parent. The action required depends on who has reported the change. For more information refer to the Policy, Law and Decision Making Guidance. 

7. Where the change request has been received, record the evidence provided in the **Evidence** tab, by updating the **Variation Evidence type** and **Evidence Name** fields. For more information refer to the Policy, Law and Decision Making Guidance. 

 If the change request has been received by the receiving parent, you will need to call the paying parent to confirm the change or request evidence.

8. If the evidence provided is sufficient for the type of change that is being applied for, go to **step 13**.

9. If further information or evidence is required, change the **Sub Status** to **Request Further Information**.

10.  Call the client who reported the change and explain what information you need from them to complete the variation change. Ensure that the client understands that the other party will be contacted to verify this information and explain what will happen if they do not return it within the next 14 days. If the client reporting the change is a paying parent and a call is unsuccessful, send CMSL4055 to the paying parent. Set a **Wait** period in the SR for 14 days to allow time for the paying parent to respond.

11. If the client provides the required evidence go to **step 13**.

12. If the client does not provide further information or does not respond, you may have to reject the supersession/revision if there is not enough information or evidence to proceed with the change request:

- Contact costs
- Long term illness/disability of a relevant other child
- Prior debts
- Boarding school fees
- Certain payments



If the variation is to be rejected, go to **step 56**.





13. Check whether the new special expenses amount still equals or exceeds the threshold amount – this amount is £10.00 per week, except for illness or disability of a ROC which does not have a threshold. If the threshold is not met, complete the supersession to remove the variation.
 14.  Send a representation letter to any relevant other party/s. For illness or disability of a ROC, send CMSL4063 to all other party/s in the case group. For any other special expense, send CMSL4059 to the other party the expense relates to. If the party is a paying parent issue letter CMSL9909.
 -  If evidence has been provided then this should be redacted correctly, the CMSL4059 generated on the system and printed locally. The letter is then sent to the other party with the evidence attached and the status of the correspondence item changed to **Ready for Local print**. Set a **Wait** period of 14 days to allow time for the clients to respond. Use the Activity Plan to record that more evidence has been requested.
 -  Representations will not be required where you are satisfied that the new expenses amount is less advantageous to the client, or where representations to the other party would not be relevant.
 15. To send representation letters to more than one other party, take the following action:
 - Select **Case Num** and select the linked case/s to associate them with the Variation SR
 - Create a new activity step with type **Letter - Outbound**
 - Select the letter template
 - Drill down on the activity and select the **Service - Recipients** view
 - Select the PWC and select **Add as Recipient** to mark them as an addressee
 - Select **Create Correspondence** - this will take you to the Correspondence screen
 - Select **Generate** to create the letter
 - Select **Open Generated Document** when required, to view the letter

 Repeat these steps whenever you need to send a letter to more than one client.
 16.  Follow up the letter with a call to the other party/s. Tell the other party/s that the client has reported a change to their special expense and that you've sent the other party/s a copy of the clients evidence so that they can comment on this. Tell the other party/s what information you need from them if they dispute the evidence and manage their expectations on what will happen next.
 17. If after 14 days, the other party agrees with the change (or doesn't dispute it), you can proceed with the supersession or revision. Go to **step 22**.
 18. If the other party contests the change and provides evidence to support this, review all of the evidence you have and decide what to do next:
 - Reject the change request - go to **step 56**
 - Accept the change request - go to **step 22**
 - Ask the client for more information - go to **step 19**
 19.   Call the client to make them aware of the representations received from the other party and ask for any further clarification or evidence from them. If the client cannot be contacted by telephone, send letter CMSL4055 and allow 14 days for a response.
 20. Once you have received representations from both parties you will need to make a decision based on the evidence available. If the evidence supports the change request go to **step 22**.
 21. If the evidence does not support the change then you should reject the application. Go to **step 56**.
 22. When you've reviewed the evidence and considered client representations, decide whether the variation is just and equitable. For more information refer to the Policy, Law and Decision Making Guidance . Record your just and equitable decision in the **Notes** field.
 - Variation not just and equitable - you can allow the variation, but at a reduced amount, or if the variation will be reduced to nil or a figure below the financial threshold then reject the variation go to **step 56**
 - Variation is just and equitable, accept the variation by referring to **step 51**
- ### Review additional income variation received from the receiving parent
23. Where the change request has been received from the receiving parent or CIS, ensure that they have valid grounds for the variation. Record the evidence provided in the **Evidence** tab, by updating the **Variation Evidence** type and **Evidence Name** fields. For more information on variation grounds refer to the Policy, Law and Decision Making Guidance 
 -  If a change is requested for a self-employed or dual employed client, consider raising an advice request to the advice and guidance (A&G) team. For more information refer to [Advice and Guidance - Create Request](#)
 24. If the evidence provided is sufficient for the type of change that is being applied for, go to **step 29**.
 25. If further information or evidence is required, change the **Sub Status** to request further information.





26.  Call the receiving parent/s and explain what information you need from them to complete the variation change. Ensure the receiving parent understands that the paying parent will be contacted to verify this information and explain what will happen if the receiving parent doesn't return it in the next 14 days. If the call is unsuccessful, send CMSL4062 to each receiving parent. If this letter is not available in the SR, send it clerically. Set a **Wait** period in the SR for 14 days to allow time for the receiving parent to respond.
27. Take the appropriate action depending on the outcome:
- receiving parent/CiS provided valid grounds to investigate change - go to **step 28**
 - receiving parent/CiS not provided valid grounds to investigate change - go to **step 56**
28. Gather evidence of the additional income before sending the representation letter to the paying parent. Refer to **Variation - Additional Income** in related items for the evidence you need to gather.
29.  Send representation letter CMSL4052 to the paying parent (where we have been able to gather information from HMRC) or CMSL4053 (where we have not been able to gather HMRC information). Make a copy of the receiving parent's variation application, including any supporting evidence. Black out any sensitive information that the paying parent shouldn't have access to. Send the copy to the paying parent, along with the representation letter. For more information on excluding sensitive information refer to the Policy, Law and Decision Making Guidance. 
- Forms and evidence will need to be printed out locally and posted to the paying parent.
- For more information on earned/unearned income refer to Policy, Law and Decision Making Guidance: 
-  Where the paying parent has more than one income source on the system, the CMSL4052 will contain incorrect information. Issue this letter clerically via the contingency process.
30. When you've sent the letter/s, set a **Wait** period in the SR for 14 days to allow time for the paying parent to make their representations against the variation.
-  Use the Activity Plan to record that more evidence has been requested.
31.  Follow up the letter with a call to the paying parent. Tell the paying parent that the receiving parent has reported a change to the additional income and that you've sent the paying parent a copy of the receiving parent's evidence so that they can comment on this. Tell the paying parent what information you need from them if they dispute the evidence and manage the paying parent's expectations on what will happen next.
32. If after 14 days, the paying parent agrees with the change (or doesn't dispute it) and provides sufficient evidence of their current income you can proceed with the supersession or revision. Go to **step 37**.
33. If the paying parent contests the change and provides evidence to support this, review all of the evidence you have and decide what to do next:
- Reject the change request - go to **step 56**
 - Accept the change request - go to **step 51**
 - Ask the receiving parent for more information - go to **step 26**
34.   Call the receiving parent/s to make them aware of the representations received from the paying parent and ask for any further clarification or evidence from them. If the receiving parent/s cannot be contacted by telephone, send letter CMSL4062 to each receiving parent and allow 14 days for a response. If this letter is not available in the SR, send it clerically.
35. Once you have received representations from both parties, make a decision based on the evidence available. If the evidence supports the change request go to **step 37**.
36. If the evidence does not support the change then you should reject the application go to **step 56**.
37. Consider if the variation is just and equitable. For more information refer to the Policy, Law and Decision Making Guidance . If the variation is not just and equitable, you can consider allowing the variation for a reduced amount or on just some of the grounds requested. Where the variation amount is reduced to nil or to a figure below the financial threshold, reject the variation, go to **step 56**. If it is just and equitable, accept the variation. Go to **step 51**. Record your just and equitable decision in the **Notes** field.

Review additional income variation received from the paying parent



38. Where the change request has been received from the paying parent, record the evidence provided in the **Evidence** tab, by updating the **Variation Evidence** type and **Evidence Name** fields.
- For more information on earned/unearned income refer to the Policy, Law and Decision Making Guidance 
 - Earned income
 - Unearned income
-  If a change is requested for a self-employed or dual employed client, consider raising an advice request to the advice and guidance (A&G) team. For more information refer to [Advice and Guidance - Create Request](#)
39. If the evidence provided is sufficient for the type of change that is being applied for, go to **step 44**.

40. If further information or evidence is required, change the **Status** to **In Progress** and the **Sub Status** to **Validate Variation**.
41.  Call the paying parent to request the information needed. Where the paying parent cannot be contacted by telephone, issue CMSL4055 asking for further information and wait 14 days for a response. Change the **Sub Status** to **Wait**.
42. If further information has not been provided by the paying parent, or the information provided is still not sufficient, you will need to reject the application. Go to **step 56**.
43. Where further information is provided, record this by selecting the **Evidence** tab.
44.  Send CMSL4061 representation notification to the receiving parent/CiS, to invite any comments. If this letter is not available in the SR, send it clerically. Allow 14 days for a response. Set the SR Sub Status to Wait. Update the Notes field to record whether any representation has been made.
45. If the receiving parent/CiS agree the change then proceed to **step 51**.
46. If the receiving parent/CiS contests the change and provides evidence to support this, review all of the evidence you have and decide what to do next:
- Reject the change request - go to **step 56**
 - Accept the change request - go to **step 51**
 - Ask the receiving parent for more information - go to **step 47**
47.  Call the paying parent to make them aware of the representations received from the receiving parent/CiS, and ask for any further clarification or evidence from them. If the paying parent cannot be contacted by telephone, send letter CMSL4055 and allow 14 days for a response.
48. Once you have received representations from both parties you will need to make a decision based on the evidence available. If the evidence supports the change request, go to **step 50**.
49. If the evidence does not support the change then you should reject the application. Go to **step 56**.
50. When you've reviewed the evidence and considered client representations, decide whether the variation is just and equitable. For more information on just and equitable refer to the Policy, Law and Decision Making Guidance  Record your just and equitable decision in **Notes** field.
- Variation not just and equitable, reject the variation go to **step 56**
 - Variation just and equitable, accept the variation go to **step 51**

Make Variation Decision

51. If the variation change request can be accepted, and the variation is considered to be just and equitable, modify the variation details section with the amount, frequency e.g. annually, and the number of times e.g. one – this needs to be completed before the **Resolution Code** is changed. The system will then automatically populate the actual amount (per week) and the suspected amount (per week). Change the **Resolution Code** to **Approved**. Record the outcome of the change in the **Notes** field, include comments to explain your decision and that you have considered the variation to be just and equitable. Also consider whether a Welfare of the Child decision is required and if so, record this in **Notes**.
52.  Select create correspondence to create a new Activity for issuing variation acceptance notifications to the receiving parent/s and paying parent.
- The system will issue CMSL4064 to the receiving parent, CMSL4066 to any linked receiving parent/s and CMSL4056 to the paying parent to inform them that the variation has been accepted.
 - For variations considered under Mandatory Reconsideration, issue CMSL5934 to the receiving parent, CMSL5935 to any linked receiving parent/s and CMSL5933 to the paying parent. These letters inform the client that the variation has been accepted and is the Mandatory Reconsideration Notice (MRN) needed to appeal.
-  If this variation is in addition to an existing variation which is remaining active on the case, enter the details into the notes field and issue the above letters clerically.
53. The system will recalculate the supersession/revision liability and effective date, then produce and issue a new liability schedule and promise to pay schedule. Where a variation has ceased as a result of the variation change request, a letter will not be issued to the clients confirming this, as the new liability schedule will show that a variation is no longer in place. The paying parent/CiS/receiving parent has the right to appeal against the maintenance calculation decision. There is a one month period to appeal, starting on the date that the decision is notified. For more information on the calculation refer to [Calculation - Post Initial](#). For more information on appeals refer to the Policy, Law and Decision Making Guidance .
54. Change the SR **Status** to **Closed** and the **Sub Status** to **Complete**.
55.  Call the paying parent and receiving parent/s /CiS once you've completed the variation. Explain how your decision has affected the liability and manage the client's expectations on what will happen next.

Reject Variation

56. Where the variation change request is to be rejected, or the variation has been reduced because it is not just and equitable, record the decision as one of the following available from the **Resolution Code** drop down:
- Failed preliminary consideration – no grounds
 - Failed preliminary consideration – flat rate
 - Failed preliminary consideration – below threshold
 - Failed preliminary consideration – lack of evidence
 - Failure to provide evidence
 - Evidence inconclusive
 - Inconclusive after contest
 - Not Just and Equitable
 - Below threshold
57.  Send letters:
- CMSL4054 to the paying parent - If rejecting an earned income variation because tolerance has not been breached this letter will need to be completed clerically. CMSL4065 to the receiving parent
 - For variations considered under Mandatory Reconsideration, issue CMSL5936 to the paying parent and CMSL5937 to the receiving parent
58. This will explain the reason for the rejection. You will need to select the relevant rejection reason from the various paragraphs available in each letter. Update the Notes field to record your specific reason for rejecting the variation change request.
59. Change the SR **Status** to **Closed** and the **Sub Status** to complete. The SR become sread only.
60.  Call the paying parent and receiving parent/s /CiS once you've completed your decision. Explain the reasons why you've rejected the variation and manage their expectations on what will happen next.

Exceptions

NICMS to replace Child Maintenance Group (CMG) in Northern Ireland

[CMSL4052 A variation application has been made that could affect... - please respond](#)

Representation letter to paying parent following receiving parent variation additional income application (when we have been able to gather information from Her Majesty's revenue and Customs (HMRC).

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

[CMSL4053 We need some information from you](#)

Representation letter to paying parent following receiving parent variation additional income application (when we have been unable to gather information from HMRC)

Under the sub heading 'What this means for you' .

- If the variation is for unearned income, use the paragraph 'If application on grounds of unearned income
- If the variation is for a flat or nil rate, use the paragraph 'If NRP on flat rate or nil rate with additional gross weekly earned income..'
- If the variation is for diversion of income paid to a third party, use the paragraph 'If there is diversion of income-paid to 3rd party or person'
- If the variation is for excessive pension contributions, use the paragraph 'If there is diversion of income – excessive pension contributions'
- If the variation is for diversion of profit income, use the paragraph 'If there is diversion of income – profits kept within company'

Under the sub heading 'What you need to do'

- If the variation is for unearned income, use the paragraph 'If application on grounds of unearned income
- If evidence of unearned income is needed, use the paragraph 'If evidence needed for earned income – only applicable where HMRC data is nil or below threshold'
- If evidence of diversion of income is needed, use the paragraph 'if evidence needed if income is being diverted to another person/ third party through a limited company'
- If the variation is for excessive pension contributions, use the paragraph 'If NRP is making excessive pension contributions'
- If the variation is for diversion of profit income, use the paragraph 'If NRP is retaining profits to enhance the company growth'

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

[CMSL4054 To paying parent We've made a decision about a variation application](#)

Rejection letter to paying parent explaining why the variation has been rejected.

This letter will need to be completed clerically if the paying parent is in receipt of benefit.

Under the sub heading 'We've made a decision about a variation application'

- If the variation is for special expenses, use the paragraph 'Thank you for asking us to take certain costs that you pay into account..'
- If the variation is for additional income, use the paragraph 'We were asked to take other forms of your income into account..'

Under the sub heading 'We have looked carefully at this application and decided that it has been unsuccessful'

- If no grounds for the variation were provided, use the paragraph 'if applicant did not state a ground for the variation'
- If insufficient special expenses information is provided, use the paragraph 'If insufficient evidence – NRP special expenses'
- If the information provided does not support the variation ground, use the paragraph 'If the facts given do not support the stated ground'
- If the client failed to provide any information, use the paragraph 'If we asked for information and did not get it'
- If there is a default maintenance decision in place, use the paragraph 'If default maintenance decision is in place'
- If the variation has failed the financial threshold, use the paragraph 'If failed threshold for financial expenses'
- If the special expenses variation would still result in the NRP's income being above the £3000 capped amount, use the paragraph 'After special expenses variation reduction, NRP income would still be above the capped amount of £3000 a week'
- If the additional income variation would still result in the NRP's income being above the £3000 capped amount, use the paragraph 'If after additional income variation increase, NRP income would still be above the capped amount of £3000 per week'
- If the paying parent/paying parent partner is on flat rate because a benefit is in payment e.g. income support, use the paragraph 'If NRP or their partner is on flat rate – benefit in payment'
- If the paying parent is on nil rate, use the paragraph 'if NRP is on nil rate'
- If the paying parent's income did not breach the unearned income threshold, use the paragraph 'if NRP did not breach unearned income threshold'
- If the paying parent's income did not breach the earned income threshold, use the paragraph 'If NRP did not breach earned income threshold'
- If the paying parent has evidence to show that their unearned income is nil, use the paragraph 'If NRP produced evidence to show that unearned income was nil'
- If the paying parent has evidence to show that earned income was nil, use the paragraph 'If NRP produced evidence to show that earned income was nil'
- If the paying parent provides evidence to show diversion of income to their pension is reasonable, use the paragraph 'If NRP produced evidence to show that diversion of income was for acceptable reasons – payments to pension were reasonable'
- If the paying parent provides evidence to show diversion of income for keeping profits within the business is reasonable, use the paragraph 'If NRP produced evidence to show that diversion of income was for acceptable reasons – keeping reasonable profits within the business'
- If the paying parent provides evidence to show diversion of income for making payments to another party is reasonable, use the paragraph 'If NRP produced evidence to show that diversion of income was for acceptable reasons – payments made to another party were reasonable'
- If the variation is not just and equitable due to the paying parent's financial circumstances, use the paragraph 'If just and equitable – NRP financial circumstances'
- If the variation is not just and equitable for welfare of the child reasons, use the paragraph 'If just and equitable – welfare of child'
- If the paying parent is paying the flat rate of £5.00 per week, use the paragraph 'If NRP pays £5.00 per week'
- If the paying parent receives financial assistance which takes the variation below the financial threshold, use the paragraph 'If NRP's financial assistance takes the special expenses variation below the threshold'

Under the sub heading 'What happens next'

- If the income source is gross historic income from HMRC, use the paragraph 'We'll look again at your payments during your annual review..'
- If the income source is current income, use the paragraph 'we'll look again at how much maintenance you should pay...'

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

[CMSL4055 Please call us as soon as possible](#)

Letter to paying parent asking them to call us because evidence they sent to us following representations was not correct.

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

[CMSL4056 to paying parent - Variation decision - change to maintenance liability](#)

Variation decision – change to maintenance liability - paying parent

Under the sub heading 'Part A: Your child maintenance payments have changed'

- If the variation is for special expenses, use the paragraph 'We're writing to you about a change to your existing variation. We were told about a change to the amount of your special expenses..'
- If the variation is for additional income, use the paragraph 'We're writing to you about a change to an existing variation. We were told about a change to the amount of your other income..'

Under the sub heading 'How we worked out the variation'

- If the variation is for contact costs, use the paragraph 'A variation is already in place which takes into account the costs..'. Use the free text field to enter the variation amount.
- If the variation is for Illness or disability of a relevant other child (ROC), use the relevant paragraphs under the heading 'Costs associated with the long-term illness or disability of a relevant child' Use the free text field to enter the variation amount
- If the variation is for prior debts, use the paragraph 'You already have a variation in place which takes into account the costs you pay for your debts..'
- If the variation is for mortgages, loans and insurance policies, use the paragraph 'You already have a variation in place which takes into account the mortgage, loan or insurance policy payments you make..'
- If the variation is for unearned income, use the paragraph 'We now take into account the 'unearned' income you received from property, savings and investments and other miscellaneous payments'
- If the variation is for income not taken into account, use the paragraph 'We now take into account the 'earned' income you received from employment, self-employment or occupational or personal pensions
- If the variation is for diversion of income, use the paragraph 'We now take into account an additional amount of your gross weekly income for this variation ground'

Under the sub heading 'What this means for you'

- Use the paragraph which applies to the income source e.g. HMRC, NRP, best evidence, employer, accountant, benefits, NRP on active duty. Use the paragraph which applies to the appropriate service type e.g. calculation and collection, maintenance direct.
- If the method of payment from is direct debit, use the paragraph 'Because you pay child maintenance by direct debit..'
- If the method of payment from is standing order, use the paragraph 'Because you pay by standing order..'
- If the method of payment from is BHOCA, use the paragraph 'Because you pay child maintenance by using bank giro credit..'
- If the method of payment from is Deduction from Benefit, use the paragraph 'Because you pay child maintenance by deduction from your benefits..'

Under the sub heading 'What happens next - Changes to this variation'

- If the variation is for special expenses, use the paragraph 'You should tell us if any of the information we have been given about this variation changes'
- If the variation is for unearned income and the income source is HMRC, use the paragraph 'Your unearned income figure would need to go up or down by at least 25 percent'
- If the variation is for unearned income and the income source is the NRP's employer or accountant, use the paragraph 'Your unearned income figure would need to go up or down by at least 25% for us to look again at this variation
- If the variation is for earned income, use the paragraph 'Because your gross income is £XX.XX a week, this means you must tell us if your gross weekly income rises..'

Under the sub heading 'Changes to your child maintenance'

- If the income source is HMRC, use the paragraphs for HMRC income
- If the income source is paying parent, employer or accountant, use the paragraphs for NRP/employer/accountant income.
- If the income source is best evidence, use the paragraphs for best evidence
- If the income source is benefits, use the paragraphs for benefits

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

In addition:

- FT0001 - To Paying Parent - Part B Payment Plan
- FT0004 - To Paying Parent - Part C Payment Plan

Both these need to be completed and included with CMSL4056

[CMSL4059 A variation application has been made that could affect your payments – please respond](#)

Representation letter to receiving parent following special expenses variation application made by the paying parent.

Under the sub heading 'What this means for you'

- If the variation is for contact costs, use the paragraph 'if variation is for contact costs'
- If the variation is for prior debts, use the paragraph 'if variation is for prior debts'
- If the variation is for boarding school fees, use the paragraph 'if variation is for boarding school fees'

- If the variation is for payments in respect of certain mortgages, loans or insurance payments, use the paragraph 'if variation is for payments in respect of certain mortgages, loans or insurance payments'

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

[CMSL4062 Please call us as soon as possible](#)

Letter to receiving parent asking them to call us because evidence they sent to us following representations was not correct.

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

[CMSL4063 Variation Decision – Change To Maintenance Liability](#)

Representation letter to all receiving parents linked to a case following special expenses variation application by the paying parent for illness or disability of ROC.

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

[CMSL4064 to receiving parent Variation decision – change to maintenance liability](#)

Variation decision – change to maintenance liability – receiving parent.

Under the sub heading 'Part A: Your child maintenance payments have changed'

- If the variation is for additional income, use the paragraph 'We're writing to you about a change to an existing variation. We were told about a change to the amount...'
- If the variation is for special expenses, use the paragraph 'We're writing to you about a change to an existing variation for XXXX. We were told about a change to the amount...'
- If the variation is for contact costs, use the paragraph 'A variation is already in place which takes into account the costs...'. Use the free text field to enter the variation amount.
- If the variation is for Illness or disability of a ROC, use the relevant paragraphs under the heading 'Costs associated with the long-term illness or disability of a relevant child' Use the free text field to enter the variation amount
- If the variation is for prior debts, use the paragraph 'We already take into account the costs XXXX pays for debts related to a former relationship with you'
- If the variation is for boarding school fees, use the paragraph 'We already take into account the boarding part of school fees that XXXX pays'
- If the variation is for mortgages, loans and insurance policies, use the paragraph 'We already take into account mortgage, loan or insurance policy payments that XXXX makes for a previous variation'
- If the variation is for unearned income, use the paragraph 'We now take into account the unearned income XXXX received from property, savings and investments and other miscellaneous payments
- If the variation is for earned income, use the paragraph 'We now take into account the earned income XXXX received from employment, self-employment or occupational or personal pensions
- If the variation is for diverted income, use the paragraph 'We now take into account an additional amount of XXXX's gross weekly income for this variation ground'
- Remove the 'just and equitable' paragraphs

Under the sub heading 'What this means for you'

- If the paying parent is on active duty then choose the paragraph 'Although we've worked out this amount of child maintenance, the payments you receive will not change at this time.'
- Use the paragraphs which apply to the service type chosen i.e. calculation and collection or maintenance direct.

Under the sub heading What happens next – Changes to this variation

- If the variation change is for special expenses, use the paragraph for 'Change special expenses'
- If the variation change is for unearned income, use the paragraph for 'Unearned income'
- If the variation change is for earned income, use the paragraph for 'Income not taken into account'

Under the sub heading 'Changes to your child maintenance'

- If the income source is HMRC, use the paragraphs for 'Income source = HMRC'
- If the income source is the paying parent, employer or accountant, use the paragraphs for 'Income source = NRP or employer or accountant'
- If the income source is best evidence, use the paragraphs for 'Income source = best evidence'
- If the income source is the paying parent's benefits, use the paragraphs for 'NRP on benefits = Yes'

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

[CMSL4065 to receiving parent We've made a decision about a variation application](#)

Variation rejection to receiving parent – no change to maintenance (prelim and final stage)

Under the sub heading 'We've made a decision about a variation application'

- If the variation is for a special expenses category, use the paragraph 'We're writing to you about a variation application that has been made by XXXX'
- If the variation is for additional income, use the paragraph 'Thank you for asking us to take other forms of XXXX's income into account when we work out your child maintenance payments'

Under the sub heading 'We have looked carefully at this application and decided that it has been unsuccessful'

- If no grounds for the variation were provided, use the paragraph 'if applicant did not state a ground for the variation'
- If insufficient special expenses information is provided, use the paragraph 'If insufficient evidence – NRP special expenses'
- If the information provided does not support the variation ground, use the paragraph 'If the facts given do not support the stated ground'
- If the client failed to provide any information, use the paragraph 'If we asked for information and did not get it'
- If there is a default maintenance decision in place, use the paragraph 'If default maintenance decision is in place'
- If the variation has failed the financial threshold, use the paragraph 'If failed threshold for financial expenses'
- If the special expenses variation would still result in the NRP's income being above the £3000 capped amount, use the paragraph 'After special expenses variation reduction, NRP income would still be above the capped amount of £3000 a week'
- If the additional income variation would still result in the NRP's income being above the £3000 capped amount, use the paragraph 'If after additional income variation increase, NRP income would still be above the capped amount of £3000 per week'
- If the paying parent/paying parent partner is on flat rate because a benefit is in payment e.g. income support, use the paragraph 'If NRP or their partner is on flat rate – benefit in payment'
- If the paying parent is on nil rate, use the paragraph 'if NRP is on nil rate'
- If the paying parent's income did not breach the unearned income threshold, use the paragraph 'if NRP did not breach unearned income threshold'
- If the paying parent's income did not breach the earned income threshold, use the paragraph 'If NRP did not breach earned income threshold'
- If the paying parent has evidence to show that their unearned income is nil, use the paragraph 'If NRP produced evidence to show that unearned income was nil'
- If the paying parent has evidence to show that earned income was nil, use the paragraph 'If NRP produced evidence to show that earned income was nil'
- If the paying parent provides evidence to show diversion of income to their pension is reasonable, use the paragraph 'If NRP produced evidence to show that diversion of income was for acceptable reasons – payments to pension were reasonable'
- If the paying parent provides evidence to show diversion of income for keeping profits within the business is reasonable, use the paragraph 'If NRP produced evidence to show that diversion of income was for acceptable reasons – keeping reasonable profits within the business'
- If the paying parent provides evidence to show diversion of income for making payments to another party is reasonable, use the paragraph 'If NRP produced evidence to show that diversion of income was for acceptable reasons – payments made to another party were reasonable'
- If the variation is not just and equitable due to the NRP's financial circumstances, use the paragraph 'If just and equitable – NRP financial circumstances'
- If the variation is not just and equitable for welfare of the child reasons, use the paragraph 'If just and equitable – welfare of child'
- If the paying parent is paying the flat rate of £5.00 per week, use the paragraph 'If NRP pays £5.00 per week'
- If the paying parent receives financial assistance which takes the variation below the financial threshold, use the paragraph 'If NRP's financial assistance takes the special expenses variation below the threshold'

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

CMSL5933 MR Variation decision – change to maintenance liability – PP

Letter to the paying parent informing them of the change to the maintenance calculation after a variation decision and including Mandatory Reconsideration information.

CMSL5934 MR Variation decision – change to maintenance liability – RP

Letter to the receiving parent informing them of the change to the maintenance calculation after a variation decision and including Mandatory Reconsideration information.

CMSL5935 To RP who is part of PP multi – maintenance liability calculation after variation decision (including MR info)

Letter to the receiving parent, where they are part of a paying parent multiple case group, informing them of the change to the maintenance calculation after a variation decision and including Mandatory Reconsideration information. It should only be sent to the RP who is not the beneficiary of any special expense payments.

CMSL5936 - to PP – variation application unsuccessful (including MR)

Rejection letter to paying parent explaining why the variation has been rejected and that there's no change to the maintenance calculation, including Mandatory Reconsideration information.

CMSL5937 - to RP – variation application unsuccessful (including MR)

Rejection letter to receiving parent explaining why the variation has been rejected and that there's no change to the maintenance calculation, including Mandatory Reconsideration information.

CMSL9909 We need some information from you

To paying parent following variation change request for an existing Special Expenses Variation.
Request for information regarding a change to an existing Special Expenses Variation.

Calculation - Post Initial**Terminology Changes****Variation - Additional Income****Variation - Special Expense****When will the caseworker complete a revision on the existing variation?**

If a party reports that the original decision was incorrect because an official error had been made or a party provides new information or evidence within thirty days of the original decision being made that means it is appropriate for the decision to be replaced.

If the parent reports a change to an existing variation will the caseworker need to complete preliminary consideration again?

No unless the threshold amount of £10.00 per week is breached, except for illness or disability of a ROC which does not have a threshold

When will the caseworker review the existing variation?

Where there has been a change of circumstances affecting the variation that means a new decision needs to be made (supersession) or where it is identified that the original decision needs to be replaced from the original effective date (revision).