

How your child's living arrangements affect child maintenance

It's usually in the best interests of a child that gets child maintenance to spend time with both parents. We call it 'shared care' if a child stays overnight with the paying parent⁺. If shared care happens for an average of one night a week or more (at least 52 nights a year), this can affect child maintenance payments.

We ask both parents to give us formal, informal or spoken evidence of any agreement they have reached about shared care. We will also accept a court order setting out shared care details.

How does this affect how much child maintenance a paying parent must pay?

We take shared care into account in different ways depending on the child maintenance rate they are paying. The amount of child maintenance to be paid by the paying parent may be reduced depending on the child maintenance rate and the number of shared care nights there are.

Basic, Basic Plus or Reduced rate child maintenance

The paying parent's weekly amount of child maintenance is divided between the number of children that qualify for child maintenance.

We then take shared care into account, based on the number of nights of shared care for each child. Depending on the number of nights, we reduce the amount of child maintenance for each child as follows:

| Number of nights of shared care each year | Reduction to child maintenance (for each child with shared care) |
|---|---|
| 52 to 103 nights | 1/7th |
| 104 to 155 nights | 2/7ths |
| 156 to 174 nights | 3/7ths |
| 175 nights or more | ½ (50%) plus an extra £7 a week reduction for each child in this band |

If child maintenance is set at Basic, Basic Plus or Reduced rate, a paying parent will always pay at least £7 a week in child maintenance after shared care has been taken into account. Even allowing for shared care, the paying parent's total weekly payment can't fall below this amount.

Flat rate

If child maintenance is set at Flat rate (£7 a week) because the paying parent receives a prescribed benefit, allowance or entitlement, then shared care for 52 nights or more a year will reduce child maintenance to £0 for that child. The paying parent also does not have to pay child maintenance for any other qualifying children who live in the same household as that child with shared care.

If child maintenance is set at Flat rate because the paying parent's income is £100 a week or less, we don't take shared care into account at all. This means the amount of child maintenance won't change.

Shared care example

Ian has two children that he pays child maintenance for (David and Sarah) using Direct Pay (there are no collection charges). He also has two receiving parents in his case group. We've worked out that his weekly amount of child maintenance before shared care is £22.50. Ian has overnight care of David for 54 nights a year.

We divide £22.50 between David and Sarah. This works out at £11.25 for each child.

We then reduce the amount of child maintenance Ian pays each week for David by 1/7th (£1.61).

This means Ian pays £20.89 in child maintenance each week after shared care for David is taken into account.

Sarah receives £11.25 and David receives £9.64.



