

# Withdrawn

**This leaflet is withdrawn.**

The Child Support Agency no longer exists.



How is child  
maintenance  
worked out?

**child support agency**

Gathering information  
and calculation

## What is this leaflet about?

This leaflet explains how we work out child maintenance. It tells you the information and process we use to make the calculation and what can affect the calculation.

You can see how much child maintenance might be in your situation by using our online calculator at **[www.csa.gov.uk](http://www.csa.gov.uk)**. The calculator is for guidance only, and we don't keep the information you provide when using it.

In this leaflet, we use some standard terms to talk about our services and the way we work. The glossary at the end explains them.

This leaflet only covers cases where we work out child maintenance using the scheme that started on 3 March 2003. We call this the current scheme. We use different rules for cases set up before this date. For more information, visit **[www.csa.gov.uk](http://www.csa.gov.uk)**.

## Important information about this leaflet

This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure the leaflet is correct as of 28 October 2013, but it may not reflect changes to the law or our procedures after this date. You may wish to get independent advice before making financial decisions based on the leaflet.

How is child maintenance worked out?

## About us

The Child Support Agency (CSA) is the Government's child maintenance service. It is provided by the Child Maintenance and Enforcement Commission.

Our role is to make sure that parents who live apart from their children contribute towards their children's upkeep by paying child maintenance.

We use a standard process to work out how much child maintenance should be paid in each case, and to manage the payments. We can take legal action if the right amount of money is not paid at the right time.

To get help or more information, visit our website **[www.csa.gov.uk](http://www.csa.gov.uk)** or call us on **0845 713 3133** or **0845 713 8924** (textphone). For details of call charges, opening times and our Welsh-language helpline, see page 38.

If you want to make a family-based arrangement, rather than one through the CSA, contact Child Maintenance Options for impartial information and support. Visit their website at **[www.cmoptions.org](http://www.cmoptions.org)** or call them on **0800 988 0988** or **0800 988 9888** (textphone).

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How is child maintenance worked out?

## **How is child maintenance worked out?**

When we arrange child maintenance, we use information given to us by both parents to decide if someone has to pay child maintenance and to work out how much maintenance should be paid. We may also use information from other sources, including the non-resident parent's employer or HM Revenue & Customs (HMRC).

We work out child maintenance by applying one of 4 rates to the non-resident parent's 'net weekly income'. Income is earnings, money from an occupational or personal pension, certain benefits and in certain circumstances tax credits. Net weekly income is the amount of income you are left with after paying things like income tax, National Insurance and contributions to a pension scheme. If the pension scheme is set up to repay a mortgage, only 75% of the money paid into the scheme can be taken away from your gross (total) income. So your net weekly income includes 25% of any mortgage-linked pension contribution.

The 4 rates we apply to the non-resident parent's net weekly income are:

- basic rate (if they have an income of £200 a week or more) – see page 8
- reduced rate (if their income is more than £100 but less than £200 a week) – see page 10
- flat rate (if their income is £5 to £100 a week) – see page 12
- nil rate (if their income is less than £5 a week) – see page 14.

Other factors, such as whether the non-resident parent or their partner are getting benefits, can also affect which rate applies.

The maximum net weekly income we can use to work out child maintenance is £2,000. If the non-resident parent's net weekly income is more than £2,000, the parent with care can apply to the court for extra maintenance. There is more information on our website at [www.csa.gov.uk](http://www.csa.gov.uk).

### What is child maintenance?

Child maintenance is regular, reliable financial support that helps towards the child's everyday living costs. The parent who does not have main day-to-day care of the child (the non-resident parent) pays child maintenance to the parent who does have main day-to-day care (the parent with care). In some cases, this person can be a grandparent or guardian.

Other things can also affect the amount of child maintenance a non-resident parent has to pay, which we explain later, such as:

- the number of children living with them
- the number of children they need to pay child maintenance for
- whether the child stays with them at least one night a week
- whether they or the parent with care are getting benefits.

How is child maintenance worked out?

## Basic rate

If the non-resident parent has a net weekly income of £200 or more, we use the basic rate to work out how much child maintenance they must pay.

We can adjust this basic rate depending on:

- the number of children living with the non-resident parent who they or their partner get Child Benefit for (see page 15), and
- the number of children the non-resident parent needs to pay child maintenance for.

See page 28 for more information on when we can adjust child maintenance.

If the child stays regularly overnight with the non-resident parent, the child maintenance could be affected. See page 18 for more information.



If the non-resident parent has to pay child maintenance for:

- one child, they will have to pay 15% of their net weekly income
- 2 children, they will have to pay 20% of their net weekly income
- 3 or more children, they will have to pay 25% of their net weekly income.

This means that if the non-resident parent has a net weekly income of £200, they would have to pay:

- £30 for one child
- £40 for 2 children
- £50 for 3 or more children.

### Example

Tony and Sue are divorced and have 2 children who both live with Sue.

We work out how much Tony has to pay as follows:

Tony's net weekly income is: £220

Because this is **more than £200 a week** and he has **2 children** to support, he must pay 20% of his net weekly income as child maintenance.

20% of £220 is

£44

**Tony has to pay:**

**£44 a week.**

How is child maintenance worked out?

## Reduced rate

If the non-resident parent's net weekly income is more than £100 a week, but less than £200, we use the reduced rate to work out how much child maintenance they must pay.

The non-resident parent pays:

- a standard amount of £5, plus
- a percentage of their net weekly income over £100.

This is set out in the table below.

<b>Number of children needing child maintenance</b>	<b>Standard amount</b>	<b>Percentage of net weekly income over £100 a week, but less than £200, that a non-resident parent pays</b>
1	£5, plus	25%
2	£5, plus	35%
3 or more	£5, plus	45%

The percentages we use depend on:

- the number of children living with the non-resident parent who they or their partner get Child Benefit for, and
- the number of children the non-resident parent needs to pay child maintenance for.

See page 15 for more information.

## Example

Tyrone and Pauline are divorced with 2 children who live with Tyrone. We work out how much Pauline has to pay as follows:

Pauline's net weekly income is: £180

Pauline pays a standard amount of £5 for her first £100: £5

Her net weekly income over £100 is: £80

Because Pauline has to pay child maintenance for 2 children, she pays 35% of her net weekly income over £100.

35% of £80 is £28

£28 + £5 is: £33

**Pauline has to pay: £33 a week.**

If the child stays regularly overnight with the non-resident parent, the child maintenance could be affected. See page 18 for more information.

How is child maintenance worked out?

## Flat rate

The flat rate is £5 – no matter how many children are involved.

The non-resident parent pays a flat rate for child maintenance if:

- their net weekly income is between £5 and £100
- they or their partner who they live with gets income-related benefits (these are Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance) or Pension Credit, or
- they are getting certain benefits such as:
  - Contribution-based Jobseeker's Allowance
  - Contribution-based Employment and Support Allowance
  - State Pension
  - Incapacity Benefit
  - Training Allowance
  - Armed Forces Compensation Scheme payments
  - War Pension
  - Bereavement Allowance.

Visit **[www.csa.gov.uk](http://www.csa.gov.uk)** for a full list of the benefits that apply.

If the non-resident parent is getting any of these benefits, we normally take the child maintenance direct from the benefit or Pension Credit. If the non-resident parent's partner who they live with is getting income-related benefits or Pension Credit, we take child maintenance from their benefit. So the non-resident parent or their partner will receive less in benefit.

The parent with care can apply to get the child maintenance increased if the non-resident parent:

- pays the flat rate because they are getting certain benefits, but
- they have other weekly income of more than £100 that we would normally take into account.

See page 31 for more details.

How is child maintenance worked out?

## Nil rate

The nil rate means that the non-resident parent does not have to pay any child maintenance. This rate may be applied if they:

- have a net weekly income of less than £5
- are students in full-time education (doing a course at a recognised school or college where they have at least 12 hours' tuition a week)
- are under 16 years old (and so for child maintenance purposes are a child themselves)
- are in prison, or
- live in a care home or independent hospital (or equivalent services in Scotland) and are getting help with the fees.

In these situations, the parent with care can apply for the child maintenance to be increased if the non-resident parent has other weekly income of more than £100 that we would normally take into account.

If the non-resident parent has a net weekly income of less than £5, they don't have to pay child maintenance and the parent with care **cannot** apply for an increase. See page 31 for more details.

## **What happens if the non-resident parent has other children living with them?**

The non-resident parent will usually pay less child maintenance if they are paying either the basic or reduced rate, and they or their partner are receiving Child Benefit for other children living with them.

This is because they also need to pay for the care of the other children living with them. In these circumstances, we work out the amount of child maintenance that the non-resident parent must pay based on **part** of their net weekly income, instead of all of their net weekly income.

### **If the non-resident parent pays the basic rate**

If the non-resident parent pays the basic rate, we will not take into account:

- 15% of their net weekly income, if there is one child living with them
- 20% of their net weekly income, if there are 2 children living with them, or
- 25% of their net weekly income, if there are 3 or more children living with them.

How is child maintenance worked out?

## If the non-resident parent pays the reduced rate

If the non-resident parent pays the reduced rate, we use the table below to work out how much child maintenance they must pay.

<b>Number of children needing child maintenance</b>	<b>Number of children living with the non-resident parent</b>	<b>Standard amount</b>	<b>Percentage of net weekly income over £100 a week, but less than £200, that a non-resident parent pays</b>
1	1	£5, plus	20.5%
	2	£5, plus	19%
	3 or more	£5, plus	17.5%
2	1	£5, plus	29%
	2	£5, plus	27%
	3 or more	£5, plus	25%
3 or more	1	£5, plus	37.5%
	2	£5, plus	35%
	3 or more	£5, plus	32.5%



## Example

John and Sandra are divorced with 2 children who live with Sandra. John now lives with Mandy and their baby son.

We work out how much John has to pay as follows:

John's net weekly income is: £180

From the first £100, John pays a standard amount of: £5

His net weekly income over £100 is: £80

Because John has to pay child maintenance for **2 children**, but has **one child** living with him, he pays **29%** of his net weekly income over £100.

29% of £80 is: £23.20

£23.20 + £5 is: £28.20

We round child maintenance up or down to the nearest whole pound.

**John has to pay: £28 a week.**

How is child maintenance worked out?

## **What happens if the child stays overnight with both parents?**

If the child stays overnight with the non-resident parent on average at least one night a week (at least 52 nights a year), we call this 'shared care'. In these cases, we can reduce the amount of child maintenance that the non-resident parent has to pay, as long as we are using the **basic or reduced rate** to work out the weekly amount due.

If you share the care of your child with the other parent, please let us know as soon as possible so that we can take this into account when we work out the new amount of child maintenance. We need to know the average number of nights the child stays overnight with the non-resident parent each week.

Where parents share the care of their children, we work out a daily amount of child maintenance (usually  $\frac{1}{7}$  of the weekly amount the non-resident parent must pay). For example, if the non-resident parent must pay child maintenance of £70 a week, this works out at £10 a day (£70 divided by 7).

We then take this daily amount off the weekly total for each day the child stays overnight with the non-resident parent.

## Example

Gary and Jane have 2 children. Gary has to pay weekly child maintenance of £70.

The daily amount of child maintenance is  $£70 \div 7$       £10

His children stay with him 2 nights a week  $£10 \times 2$       £20

The child maintenance can be reduced by  
£20 a week  $£70 - £20$       £50

This means Gary has to pay child maintenance of **£50** a week.

If the care of a child is shared equally between both parents, we:

- divide the weekly amount of maintenance by 2, and
- reduce the child maintenance again by another £7 a week for every child. The figure of £7 is set by law.

In these circumstances, the parent who receives Child Benefit is called the parent with care.

How is child maintenance worked out?

## Example

Gary and Jane change their arrangements and decide to share the care of their 2 children equally.

The amount of weekly child maintenance is still £70.

$£70 \div 2$  £35

£7 is taken off for each child. £14

So we can reduce the weekly amount by a total of:

$£35 + £14$  £49

We take this away from the weekly child maintenance:

$£70 - £49$  £21

This means Gary has to pay child maintenance of **£21** a week.

In basic-rate or reduced-rate cases the non-resident parent always pays at least £5 a week, despite the adjustments for shared care.

## Flat rate

If child maintenance is set at the flat rate because the non-resident parent receives one of the benefits, entitlements and allowances listed on page 12, then shared care for at least 52 nights a year reduces their child maintenance payment to nothing.

## **What happens if the parent with care is claiming benefits?**

In the past, if the parent with care or their partner was getting income-related benefits or Pension Credit and was getting child maintenance, the parent with care **may** not have got their full amount of benefits. However, since April 2010 the amount of child maintenance that the parent with care receives will not affect their benefits.

## What happens if the parent with care is entitled to receive child maintenance from different non-resident parents for their children?

The parent with care may apply to us for child maintenance from more than one non-resident parent. In these cases, we work out separately the amount that each non-resident parent must pay.

### Example

Vicky has 3 children. Mark is the non-resident parent of her daughter, and Chris is the non-resident parent of her 2 sons.

We work out the amount of child maintenance Vicky receives as follows.

Mark pays child maintenance to Vicky of: (15% of his net weekly income of £220)	£33 a week
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Chris pays child maintenance to Vicky of: (20% of his net weekly income of £250)	£50 a week
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£33 + £50 is:	£83
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Vicky gets £83 a week for child maintenance.

## **What happens if the non-resident parent is self-employed?**

If a non-resident parent is self-employed, they must still pay child maintenance in the same way as any other non-resident parent. We work out the amount they must pay based on their net weekly income and the number of children they are paying child maintenance for. The only difference is in the way we work out earnings.

### **How does the CSA work out earnings from self-employment?**

If the non-resident parent is self-employed, we usually work out their average weekly earnings for the most recent tax year. If we can't, perhaps because they have only recently started self-employed work, we use details of the gross income of the business – this means all the money it has earned. To work out the non-resident parent's earnings, we take away from the gross income of the business:

- any reasonable expenses paid to run the business (not including capital spending or business entertainment expenses), and
- VAT (value added tax).

When we have worked out the non-resident parent's earnings, we work out their net weekly income in the way described on page 6.

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## **What happens if the non-resident parent has to pay child maintenance to more than one parent with care?**

If you are a non-resident parent and you are paying child maintenance to more than one parent with care through us, we work out the total amount of child maintenance you have to pay through us. We divide this total so that you pay the same amount for each child. You can pay the total amount through us, and we then pass on the right amount to each parent with care, or you can pay each parent with care direct.

Sometimes, a non-resident parent may pay child maintenance to one or more parents with care through us, and also to one or more parents with care through family-based arrangements (known as family arrangement in this leaflet). In this situation, we can't take into account the amount you are paying through family arrangements when we work out how much child maintenance you have to pay through us. But if you have a court order covering child maintenance, we can take this into account.



## Example

Mike is the non-resident parent of Ruth's daughter. He is also the non-resident parent of Jill's 2 sons. Mike pays child maintenance through the CSA for 3 children.

We work out how much Mike has to pay as follows.

Mike's net weekly income is: £360

Because Mike's income is **over £200 a week** he pays the basic rate.

He has **3 children** to support so he must pay **25%** of his net weekly income as child maintenance.

25% of £360 is: £90

This amount is then shared between Ruth and Jill in proportion to the number of children living with each of them.

Ruth gets one-third –  $£90 \times \frac{1}{3}$  is: £30

Jill gets two-thirds –  $£90 \times \frac{2}{3}$  is: £60

Mike pays £30 a week for child maintenance to Ruth and £60 a week to Jill.

How is child maintenance worked out?

## **What happens if the non-resident parent refuses to give the CSA the information it needs to work out child maintenance?**

If the non-resident parent does not give us the information we need to work out child maintenance, and other organisations can't give us it, we can take other action to start getting child maintenance paid. For example, we can apply a rate based on the number of children the non-resident parent must pay child maintenance for. This is called a '**default maintenance decision**'. The default rate applies from the date that the maintenance calculation would have come into force.

The default rates are:

- £30 a week for one child
- £40 a week for 2 children, and
- £50 a week for 3 or more children.

When the non-resident parent later gives us the information we need to calculate child maintenance, we will work out how much they must pay. The non-resident parent will have to pay the full amount of child maintenance we have worked out from the date that the default maintenance decision took effect.

This may mean that the non-resident parent will not only have to pay a higher amount of child maintenance from then on, but also have to pay extra child maintenance to make up for the amounts they should have paid before we worked out the full amount.

### **What happens if the parent with care refuses to give the information the CSA needs to work out child maintenance?**

If the parent with care does not give us the information we need to work out child maintenance, we can close the case and the parent with care will not receive child maintenance.

It is a criminal offence if a person:

- fails to give us information when we ask for it, or
- gives us information that they know is false.

If convicted, they can be fined up to £1,000.

## **Are there any other factors the CSA may take into account?**

The non-resident parent or the parent with care can ask us to take into account other factors when we work out child maintenance if they think these factors may affect the calculation. This is called 'applying for a variation'.

### **What factors may we take into account for non-resident parents?**

If you are a non-resident parent, we may look at the amount of child maintenance again if you have special expenses of more than £10 a week, or £15 if your income is £200 or more, for:

- keeping in contact with your children (for example, if the parent with care has moved a long way away)
- supporting children who live with you if they have disabilities or a long-term illness (in this case, if the special expenses are less than £10 a week – £15 a week if your income is £200 or more – we may still take them into account)
- repaying a debt that you took on before you separated from the parent with care, and the debt was for the benefit of the family or a member of the family
- paying boarding-school fees for children who you pay child maintenance for (we'll take into account only the everyday living costs or 'boarding' part of the fees), or

- making payments on a mortgage, loan or insurance policy to repay a mortgage or loan on the home that you and the parent with care used to share. The parent with care and the children must still live in the house and you must have no legal interest in it.

We may also change the amount of child maintenance if you transferred property or money to the parent with care as **part of a court order settlement** or written maintenance agreement made before **5 April 1993**. The **property** or **money** transferred must have reduced the amount of child maintenance made under the court order or written maintenance agreement. The value of your share of the property or money transferred, after taking off any unpaid mortgage or loan, must be £5000 or more.

Generally we don't take into account any money you are paying to other parents with care as child maintenance under private arrangements.

### **What factors may we take into account for parents with care?**

If you are the parent with care, we may look again at the amount of child maintenance in the following circumstances.

- The non-resident parent has assets (money or property) worth more than £65,000. Where property is concerned, this is the value after any mortgage to be repaid has been taken off. Assets do not include the home that the non-resident parent is living in or assets they use for their business, but could include a property they are renting out.

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- The non-resident parent is paying the flat rate or the nil rate but they have other weekly income of more than £100 that we would normally take into account. However, this does not apply if the reason they are paying the flat rate is that they are getting income-related benefits or Pension Credit, or if the reason they are paying the nil rate is that their income is less than £5 a week.
- The non-resident parent controls their own income and receives an income of more than £100 a week from a company or a business (for example, income received by company directors as dividends).
- The non-resident parent has reduced the amount of income we can take into account by diverting it to someone else for another purpose (for example, into a business).
- The non-resident parent's lifestyle suggests that they have access to more money or a higher income than the income we used to work out child maintenance.

If the non-resident parent is paying the flat rate or nil rate because they receive one of the benefits listed on page 12, we may also look again at the calculation if they have other income of more than £100 a week. This has to be income we would normally take into account when working out child maintenance.

## What happens when we are asked to take other factors into account?

When one parent asks us to take other factors into account, we ask them to tell us why they think the amount of child maintenance should change.

We usually send these details to the other parent. This enables them to tell us what they think and to get information from everyone involved. We can then make a decision about whether to change the amount of child maintenance.

## What happens to my child maintenance?

Your request can increase or reduce the amount of child maintenance that must be paid or may not change it at all.

## When can't the CSA change child maintenance?

We don't usually change child maintenance if the non-resident parent asks us to **and**:

- they or their partner is getting income-related benefits or Pension Credit
- they or their partner has been assessed as paying flat-rate or nil-rate child maintenance, or
- we have made a default maintenance decision (see page 26).

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Also, we don't usually change child maintenance if the parent with care asks us to **and**:

- the non-resident parent or their partner is getting income-related benefits or Pension Credit
- the non-resident parent or their partner is getting Working Tax Credit
- the non-resident parent has an income of more than £2,000 a week, or
- we have made a default maintenance decision (see page 26).

Finally, we don't change child maintenance if the non-resident parent has expenses for periods when the child stays overnight with them but we have already reduced the amount to take into account these overnight stays.



## **When should I tell you about any of these other factors?**

You should tell us about any of these factors before we work out the child maintenance.

If we have already told you how much your child maintenance is, contact us straight away. If we decide to reduce or increase your payment, the new amount may start from the same date that your child maintenance started. For this to happen, you would need to tell us about the other factors within one month of finding out how much your child maintenance is.

If you tell us about these factors more than one month after we have told you when your child maintenance starts from, then any change is likely to start from the week when we receive your information about the other factors.

How is child maintenance worked out?

## **What happens if the non-resident parent gives money to the parent with care for another reason?**

Exceptionally, a non-resident parent who normally pays child maintenance through us will agree to pay money to or for the parent with care for a particular reason. If they do this, they can ask us to count this payment towards the amount of child maintenance they have to pay or any arrears they owe.

We may be able to count this payment if it was made, with the agreement of the parent with care, for one of the following reasons:

- to pay a mortgage or loan which is taken out to buy or pay for essential repairs or improvement to the home where the child lives, and which is secured on that home
- to pay rent or council tax for the home where the child lives
- to pay gas, water or electricity charges for the home where the child lives, or
- to make essential repairs to the heating system or fabric of the home where the child lives.

If the non-resident parent regularly gives the parent with care money for another reason – such as to pay bills each month – then both parents should think about changing the way child maintenance is arranged. For example, parents can make a family arrangement where they would not have to use the CSA. For more information, contact Child Maintenance Options by visiting **[www.cmoptions.org](http://www.cmoptions.org)** or call them on **0800 988 0988** or **0800 988 9888** (textphone).

## **What happens if I disagree with the CSA's decision?**

If you think we have worked out child maintenance incorrectly, or if you have any information that would affect it that we haven't already considered, then you can ask us to look at the decision again. You need to get in touch with us within one month of the date of the letter telling you about our decision. We will then look at our decision again. We call this a 'mandatory reconsideration'. You can call us using the phone number on the front of the letter.

If you still think our decision is incorrect after your mandatory reconsideration you will be able to appeal against the decision to a 'first-tier tribunal' managed by HM Courts & Tribunals Service (HMCTS). You cannot appeal to HMCTS against our decision until we have done our mandatory reconsideration.

If you want to know more about asking us to look at our decision again or appealing against our decisions, get a copy of our leaflet *How can I appeal against a child maintenance decision?* (CSL307). See the back page for details.

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## What changes to my circumstances must I tell the CSA about?

If either parent's circumstances change, it can mean that we need to change the amount of maintenance that must be paid. So you should tell us if there is a change to any of the information you gave us to work out child maintenance, such as the amount of income the non-resident parent gets.

In particular, if you are a non-resident parent, you **must** tell us if:

- your address changes (you **must** tell us about this within 7 days from the date that your address changes)
- you pay child maintenance through a deduction from earnings order and you leave your job. You **must** tell us:
  - the name and address of your new employer (if any)
  - how much you expect to earn, and
  - your payroll number (if any).

If you are a parent with care, you **must** tell us if there is a change to:

- the number of children living with you that the non-resident parent must pay child maintenance for, or
- the number of nights a child regularly stays overnight with the non-resident parent.

If you fail to give us the information we need, or you give us information that you know is false, we can take you to court and you could be fined up to £1,000. This applies to any person or organisation who, by law, must give us information – such as employers and accountants as well as parents.

Not all changes of circumstance will mean we need to change the amount of child maintenance that must be paid. We may not change the amount of child maintenance if the non-resident parent's regular net weekly income changes by less than 5%.

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## Where can I get more help and information?

If you want to know more about child maintenance and how we work it out, visit our website at **[www.csa.gov.uk](http://www.csa.gov.uk)**. You can download all our leaflets from there and also find out how much child maintenance might be in your situation, using our online calculator. The calculator is for guidance only, and we don't keep the information you give when using it.

If you would like to talk to someone about your case, you should call the number on the top right-hand corner of your most recent letter from us. That number will be for the office handling your case.

If you do not yet have a case with us or cannot find a recent letter, you can contact our national helpline. The person taking your call will not have your personal information so won't be able to answer questions on your case. However, they can help you with anything general to do with child maintenance. They will also be able to give you the phone number of the office handling your case if you want to speak to someone who can answer specific questions.

You can call the national helpline on **0845 713 3133** from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays.

Please have your National Insurance number with you when you call.

We may record our phone calls to check our service and to train our employees.

## Textphone services

If you have speech or hearing difficulties, a textphone service is available on **0845 713 8924**.

Textphones are for people who find it hard to speak or hear clearly. If you do not have a textphone, some libraries or citizens advice bureaus may have one.

Textphones do **not** receive text messages from mobile phones.

## Welsh-language helpline

If you want to speak to us in Welsh, you can ring our Welsh-language helpline on **0845 713 8091**. The line is open from 9am to 5pm, Monday to Friday. There is also a Welsh-language textphone service on **0845 713 8099**.

## Other languages

If English is not your first language, you can use your own interpreter or one we provide.

## Call charges

Calls to **0845** numbers from BT landlines should cost no more than 4p a minute with a 15p call set-up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad. Calls from mobile phones can cost up to 40p a minute, so check the cost of calls with your service provider.

Charges were correct as of the date of this leaflet.

How is child maintenance worked out?

## Information in other formats

This leaflet is available in other languages, in Braille and on audio cassette. You can order information in these formats online or by contacting our national helpline.

We also have large-print versions of this leaflet available for you to download from our website, **[www.csa.gov.uk](http://www.csa.gov.uk)**.



## **Leaflets available from us**

### **What is child maintenance and how does it affect me?**

(Reference: CSL301) For all parents

### **How do I complain about the service I get from the Child Support Agency?**

(Reference: CSL308) For all parents

### **How do I apply for child maintenance?**

(Reference: CSL309) For children aged 12 and over in Scotland or their parents

### **How is child maintenance worked out?**

(Reference: CSL303) For all parents

### **What happens if someone denies they are the parent of a child?**

(Reference: CSL304) For all parents

### **How can I appeal against a child maintenance decision?**

(Reference: CSL307) For all parents

### **My case is moving to the child maintenance scheme introduced in 2003 – what will change?**

(Reference: CSL310) For any parent whose case is moving to the current scheme

### **How does the Child Support Agency use and store information?**

(Reference: CSL311) For all parents

### **How do I pay child maintenance?**

(Reference: CSL305) For non-resident parents

### **How will I receive child maintenance?**

(Reference: CSL314) For parents with care

### **What action can the Child Support Agency take if parents don't pay?**

(Reference: CSL306) For all parents

How is child maintenance worked out?

## How a child maintenance case can progress

This diagram shows you how a child maintenance case can progress. This leaflet covers part of the process at the highlighted stage.



### Information and guidance

CSA can provide information on how the process works, what parents will need to do and what might be an acceptable amount of maintenance in their case.



### Application

A case officially begins when a parent applies to us to set up child maintenance payments.

**If there is a change in either parent's life that could affect the amount of child maintenance to be paid, we can review your case – so let us know.**



### **Gathering information and calculation**

To work out the amount of child maintenance that must be paid, we need to gather important information. We ask both parents to provide certain information. When we have this, we will work out child maintenance.

### **Payment**

The non-resident parent pays the agreed amount on the agreed dates and in the agreed way. This can be either direct to the parent with care, or to us. We then pass the payments on.

### **Enforcement**

If payments aren't made on time, we can take action.

How is child maintenance worked out?

## **Glossary**

### **Appeal**

The process of asking an independent tribunal to look at your case if you are not happy with a decision we have made.

### **Child**

For child maintenance purposes, a child is anyone under 16 or someone between 16 and 20 who:

- is not, nor has ever been, married or in a civil partnership, and
- is in full-time non-advanced education.

However, if child benefit is still being received, someone under 20 can still be regarded as a child for child maintenance purposes even if they are not in full-time non-advanced education.

### **Child Benefit**

A regular payment made to anyone bringing up children. It is paid for each child who is:

- under 16
- under 19 (under 20 in some cases) and in full-time education doing a course that is not higher than A-level or an equivalent standard or on a Government-funded training programme, or
- 16 or 17 and has recently left school and registered for work or training with the Careers or Connexions Service or something similar.

## **Child maintenance**

Money paid by the non-resident parent to the parent with care towards their child's everyday living costs.

## **Deduction from earnings order**

One of the ways we normally set up payments if the non-resident parent is employed. Under a deduction from earnings order, we ask the non-resident parent's employer to take child maintenance direct from the non-resident parent's earnings and send it to us.

We can also set up a deduction from earnings order if the non-resident parent is employed and they have not kept to other payment methods or have failed to agree a payment method.

## **Default maintenance decision**

If the non-resident parent does not give us the information we need to work out child maintenance, we can make a default maintenance decision. This means they must pay child maintenance at a 'default rate' until they give us the information we need.

## **Earnings**

Earnings are income that is typically earned from employment or self employment. For child maintenance calculations, they are generally included as part of a non-resident parent's net weekly income.

## **Income**

Income is all money received, for example from the interest of

How is child maintenance worked out?

savings, dividends, certain benefits and tax credits and generally includes earnings.

## Income-related benefits

In all CSA leaflets, income-related benefits are Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance.

## Mandatory reconsideration

If you think we have worked out child maintenance incorrectly, or if you have any information that would affect it that we haven't already considered, then you can ask us to look at the decision again. We call this a 'mandatory reconsideration'. You cannot appeal to HM Courts & Tribunals Service against our decision until we have done our mandatory reconsideration.

## Net weekly income

The amount of income (usually pay or salary) left after taking off things like income tax, National Insurance and payments into a pension scheme. Bonuses and commission also count as pay or salary. We don't normally count dividends paid to a director of a limited company, unless the parent with care asks us to take account of them.

We count Working Tax Credit as income if the **non-resident parent's** earnings are higher than their partner's earnings. If the non-resident parent and their partner's earnings are the same, we include half of the Working Tax Credit in the child maintenance calculation. We don't count Working Tax Credit as income if the non-resident parent earns less than their partner.

## **Non-resident parent**

The parent who the child does not normally live with.

## **Parent with care**

The parent or carer who the child normally lives with and who therefore pays for most of the child's everyday living costs. In some cases this can be a grandparent, guardian or other family member – who is known as the 'person with care', rather than the parent with care.

## **Tax credits**

We use Working and Child Tax Credits within child maintenance calculations as they are paid as a supplement to earned income.

Child Tax Credits are always taken into account when assessing the non-resident parent's income.

Income from Working Tax Credits may be taken into account where the non-resident parent is the only applicant for tax credits in the household or their earnings are higher than their partner's earnings.

## **Variation**

A variation can happen when you ask us to take account of other factors – such as extra costs the non-resident parent has to pay to visit the child. We use variations in the current scheme. They replace the 'departure directions' we used in the old scheme. However, there are some important differences between variations and departure directions. Most of these refer to the rules about what factors we will take into account.

Information in CSA leaflets is also available in other languages, in large print, in Braille and on audio cassette.

You can get any of our leaflets:

- by phone on **0845 713 3133** (the line is open from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays)
- by textphone on **0845 713 8924**, or
- from our website at **[www.csa.gov.uk](http://www.csa.gov.uk)**.

Where textphone numbers are provided, these are for people who find it hard to speak or hear clearly. If you do not have a textphone, some libraries or citizens advice bureaus may have one. Textphones do not receive text messages from mobile phones.

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