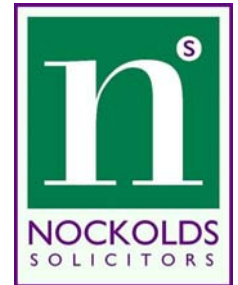


## **CHILD SUPPORT** *Information Sheet*



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### **Child Support Agency**

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In April 1993 the Child Support Agency came into being by virtue of the Child Support Act 1991. The Agency now deals with maintenance for a 'qualifying child'. Reforms to the Act were effected in April 2002 and changes subsequently made to the calculation of child maintenance with effect from 3<sup>rd</sup> March 2003.

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### **'Qualifying Child'**

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A 'qualifying child' must meet the following requirements:

1. Be under 16 OR under 19 and in full-time education at school or college; and
2. not be married; and
3. live apart from one or both of his or her parents.

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### **New Orders**

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An application to the Child Support Agency for a maintenance assessment can be made by the non-resident parent or the parent with care of the child.

- **Parent with Care on Benefit**

Parents with care who claim Income Support or income-based Jobseekers Allowance do not have to apply for child support. The CSA treats them as if they have applied for child maintenance. Parents with care can inform the CSA that they do not want child maintenance but a benefit penalty may be imposed unless there is good cause for not wanting child support.

- **Parent with Care not on Benefit**

Where a parent with care is not on benefit it is their decision whether or not to apply for a maintenance assessment. There is no obligation to do so.

If there are voluntary maintenance arrangements with which the parent with care is satisfied, then he or she may be content to leave matters as they stand rather than involve the Child Support Agency.

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### **Existing Maintenance Arrangements**

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If there are existing arrangements the CSA may not be able to deal with an application. This applies where: -

- there is a written agreement, made before 5<sup>th</sup> April 1993 between the parents;
- there is a court order, made before April 2002; or

- there is a court order made after April 2002 if the order has been in force for less than a year

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## Non-resident parents living abroad

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It is not possible for the CSA to deal with applications for child maintenance if any of the parties involved live outside the United Kingdom.

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## Procedure

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An application is made using Form CSF003.

- The CSA, upon receipt of the application, will attempt to contact the non-resident parent by telephone. If the non-resident parent cannot be traced, searches will be undertaken.
- Once the non-resident parent is contacted, a CSA caseworker will confirm parentage and collect information to take the application further.
- The caseworker will calculate the maintenance and set up accounts.
- Once a first payment is established, another team will monitor the payments.

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## Calculation

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### Basic Rate

A Percentage of non-resident parents net weekly income i.e. after deduction of tax, N.I and contributions to a pension scheme

- One qualifying child = 15%
- Two qualifying children = 20%
- Three or more qualifying children = 25%

### Reduced Rate

Non-resident parent with net weekly income of more than £100 but less than £200 will pay £5 per week plus a percentage of the net weekly income over £100.

### Flat Rate

Non-resident parents with net weekly income under £100 or who are in receipt of certain benefits or pensions will pay £5.

### Nil Rate

Non-resident parents, including students in full-time education, young people in full-time education, prisoners, 16/17 year olds receiving Income Support or income based Jobseekers Allowance; and people living in residential care or nursing homes and receiving help with fees do not have to pay child maintenance.

### Shared Care

Non-resident parents who have a qualifying child to stay overnight for at least one night a week can have the maintenance reduced as follows: -

Number of nights care	Fraction of reduction
52-103	1/7
104-155	2/7
156-174	3/7
175 or more	1/2

Where Flat Rate maintenance is paid and the non-resident parent shares care for at least 52 nights a year, the liability of that parent will be nil.

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## **Court Maintenance System**

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The Courts still deal with maintenance applications for any of the following:

1. a spouse;
2. a child over 19 and in full-time education;
3. a child between 16 and 18 receiving advance education;
4. a stepchild who is a 'child of the family.'