



Child Support

What do I need to know about Child Maintenance?

Parents have a responsibility to provide their child with an appropriate level of financial support. Should you live apart from your child, this commitment must be offered via the provision of child maintenance, contributing regular payments to help with everyday living costs. But how do you organise child maintenance? How much should you pay? And what can you do as a resident parent if payments fail to materialise?

What is Child Maintenance?

Parents who live separately from their child must contribute financially towards their upbringing. This is known as child maintenance, and involves the non-resident parent (i.e. the person who does not have everyday care of the child) making regular payments to the resident parent (i.e. the parent, grandparent or guardian with whom the child lives). These payments, which are there to help with the day-to-day costs of a child's upkeep, can be arranged through:-

- A private agreement;
- A court order usually as part of divorce proceedings;
- The Child Support Agency

The Role of the Child Support Agency

The Child Support Agency (CSA) is part of the Child Maintenance and Enforcement Commission (CMEC).

The organisation is there to make sure all parents who live apart from their child pay the relevant sum of child maintenance.

If required, the CSA can:-

- Calculate the correct value to be paid;
- Organise how and when payments are to be made;
- Act as the middle man, taking money off the non-resident parent before giving it to the resident parent;
- Take action to enforce payments.

Please look at www.gov.uk/child-maintenance for more information.

Calculating Child Maintenance

When it comes to deciding how much child maintenance should be paid, parents can either reach a private agreement on their own, or they can ask the CSA to calculate the amount on their behalf.

The CSA's method for working out child maintenance is relatively complex, but essentially involves looking at a non-resident parent's 'net weekly income.' This is the total amount of money earned in a week after tax, national insurance and pension contributions have been deducted. Other factors are also taken into consideration, such as: how many other children a non-resident parent must contribute towards, and how often the child stays with the non-resident parent.

To calculate child maintenance go on to www.gov.uk/calculate-your-child-maintenance



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After the necessary information has been obtained and processed, a parent will then be placed into one of the following 4 bands:-

1. Basic rate (where income is £200 a week or more)
2. Reduced rate (where income is more than £100 a week, but less than £200)
3. Flat rate (where income is between £5-£100 a week)
4. Nil rate (where income is less than £5 a week)

What if a non-resident parent fails to pay?

A non-resident parent must pay child maintenance in full, and on-time. If he/she is aware their payment for the month is going to be late, it is possible to contact CMEC and provide an explanation. Otherwise, CMEC can take action to obtain any arrears, including taking money straight from a parent's earnings or bank account. Alternatively, they may undertake court proceedings, and a non-resident parent could face a prison sentence.

Need more legal advice?

If you need legal advice regarding child support, Davis Gregory can help. Whatever the nature of your query, we have the legal expertise to assist you. Whether you need information regarding your rights as a parent, you are in a dispute over the sum, or you have a problem with arrears, contact us today and speak to a solicitor.

These notes are for general guidance only and are not intended to replace proper legal advice. We accept no liability for their application to particular circumstances.

What is the next step?

*Please call **01242 235202** to speak to us, fill in the **free assessment form** on our website or email **family@davisg.co.uk***

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