

CSA

When parents do not live together, it is usual for the parent without day-to-day care of the children (the 'non-resident parent') to pay maintenance to the parent with care for the benefit of the children. This can be arranged privately between the parties. Alternatively, parents can use the services provided by the Child Support Agency.

The Child Support Agency, or CSA, is able to calculate the reasonable level of maintenance which should be paid by the non-resident parent according to their standard formula. They can also arrange for the collection of transfer of such money, if requested.

CSA Formula

There are 4 different ways maintenance can be calculated, depending on the non-resident parent's income:

- **The Basic Rate** – the formula used in most situations where the non-resident parent is working.
 - The CSA will first calculate the non-resident parent's net income (income after tax and pension contributions). The maintenance payable will be 15% of this figure for one child, 20% for two, or 25% for three or more.
 - Any new income above £2000 per week is ignored
 - If the child has overnight stays with the non-resident parent for more than one night per week, the maintenance payable is reduced proportionately
- **The Reduced Rate** – where net weekly income is between £100-£200
 - Maintenance calculated at £5 per week, plus a percentage of the non-resident parent's weekly income over £100
- **The Flat Rate** – where net weekly income is under £100 or the non-resident parent is in receipt of certain benefits
 - Maintenance will be calculated at a standard rate of £5 per week. This amount is not increased if there is more than one child.
- **The Nil Rate** – in certain situations, no maintenance will be payable
 - This includes where the non-resident parent is a full-time student, a child or a prisoner. It also covers cases where the non-resident parent's income is less than £5 per week.

If a non-resident parent has more than one child living in different households, the maintenance payable will be worked out according to the total number, and then split between the parents with care proportionately.

Procedure

Either a resident or non-resident parent can apply to have the CSA calculate maintenance, giving details of the children and both parents. If contact details for the non-resident parent are unknown, the CSA will attempt to trace them as swiftly as possible.

The CSA will first confirm that the non-resident parent is, in fact, a parent of the children in question. They will then request evidence of their income in order to calculate maintenance. The CSA aim to reach a final decision within 12 weeks, but this can be delayed for reasons such as an untraceable parent.

Disputes over parentage

Before maintenance is calculated, the CSA will ask a non-resident parent to confirm they are the parent of the children in question. If denied, the CSA can presume parentage if the non-resident parent is:

- A man who was married to the mother when the child was born
- Registered as the child's father on their birth certificate
- Proved to be a parent through DNA testing
- Named in a court order or declaration as the child's parent

If a man denies that he is the father of a child in question and parentage cannot be presumed, the CSA can arrange for a DNA test to be performed. Should the test prove positive, the CSA will claim the costs of testing back from the father. Should the man refuse DNA testing, the CSA will again presume parentage.

The CSA will not request payment until parentage is proved or able to be presumed, but the payments can be backdated from the date the resident parent applied.

Should a non-resident parent dispute parentage after maintenance has been calculated, they must continue to pay until they prove they are not a parent by means of either a DNA test or a court declaration.