

How do I apply for child maintenance?

For children living in Scotland

child support agency

Part of the Department for Work and Pensions

What is this leaflet about?

This leaflet is a guide to help children in Scotland understand their right to claim child maintenance, if they do not live with either one or both of their parents. It also gives some advice on how to claim child maintenance.

This leaflet only gives information about cases where child maintenance will be worked out using the scheme that started on 3 March 2003. We call this the current scheme. We use different rules for working out child maintenance on cases set up before this date. There is more information about this on our website at [**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 that the information in this leaflet is correct as of April 2008. It is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of changes to the law. We recommend that you get independent advice before making any financial decisions based on the information in this leaflet.

About us

The Child Support Agency (CSA) is part of the Department for Work and Pensions (DWP). Our role is to make sure that parents who live apart from their children contribute financially to their upkeep by paying child maintenance.

You may have heard that the Government plans to replace the CSA with a new organisation and a new approach to child maintenance. You can find out more about these plans on our website at **www.csa.gov.uk**. In the meantime we will continue to help parents who live apart to sort out arrangements for child maintenance.

You can contact us if you:

- have any questions about how we work out child maintenance
- want help or more information after you have read this leaflet, or
- want us to send you any of our other leaflets.

You can call our national helpline. See the details below for how to do this.

Or, you can visit **www.csa.gov.uk** for more information on how we work out child maintenance and for our online child maintenance calculator. We will not keep any information you provide when you use the online calculator.

To get help or more information, you can call us on **0845 713 3133** or **0845 713 8924** (textphone). Both lines are open from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays. Please see page 16 for details of call charges and our Welsh-language helpline.

Contents

What is child maintenance?	7
Can I apply for child maintenance?	8
How do I apply for child maintenance?	10
What happens next?	12
Where can I get more help and information?	14

What is child maintenance?

Child maintenance is money paid when parents live apart and the child normally lives with only one of their parents, or with neither. It is paid to help pay for the child's everyday living costs. The parent who the child does not normally live with (the non-resident parent) is responsible for paying child maintenance to the parent or other person, such as a grandparent or guardian, who the child normally lives with (the parent with care).

However, there are different rules for young people in Scotland. If nobody else is getting child maintenance for them, they may be able to make an application to get child maintenance themselves.

Can I apply for child maintenance?

You can apply for child maintenance if:

- you live in Scotland
- you are aged between 12 and 19 and are in full-time education (up to Higher and Advanced Higher)
- you live apart from one or both of your parents, and
- the parent (or parents) that you do not live with have their home in Scotland, England, Wales or Northern Ireland, or live abroad but work for an employer based in England, Scotland, Wales or Northern Ireland. If they live abroad and work for an employer who is not based in the UK, you may be able to apply for child maintenance through the courts. For more information about this contact our Falkirk Child Support Agency office. See page 10 for details of how to contact them.

When can't I apply?

You cannot apply for child maintenance if someone has already applied for you. The person who has applied could be:

- one of your parents
- the person you live with, or
- an older brother or sister.

Other situations where you cannot apply for child maintenance are if your parents have:

- a written maintenance agreement
- a Minute of Agreement, or
- a maintenance order.

You can find out if one of these applies to your situation by asking one or both of your parents. You can find out more about these situations from our national helpline. See page 14 for contact details.

How do I apply for child maintenance?

If you think you or the person you live with or who cares for you should be getting child maintenance, simply contact us and ask us to send you a 'Child in Scotland – Maintenance Application Form'.

When you get the application form, you need to fill all of it in. If you are not sure how to do this, you can ask a friend or relative to help you. Or, you can get help from the Falkirk Child Support Agency Office.

You can contact them:

- by phone on **0845 713 6000** (this line is open from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays)
- by textphone on **0845 713 6804**, if you have speech and language difficulties.
- through our website at **www.csa.org.uk**, or

- by writing to:
Falkirk Child Support Agency Office
Parklands
Callendar Business Park
Callendar Road
Falkirk
FK1 1XT.

You can only write to the Falkirk Child Support Agency Office at the address above – you cannot visit them in person.

When you have filled the form in, you should send it back to the Falkirk Child Support Agency Office at the address above.

What happens next?

When we receive your application form, we will write to your parents (and to the person you live with or who looks after you, if they aren't your parent) to find out some more information. This will help us to work out how much child maintenance the person you live with, or you, should get.

We may also need to speak to you in person. If this happens, we will arrange to meet you at a time and in a place that suits you. If you like, you can bring a friend or relative with you.

When we have collected all the information we need, we will work out how much child maintenance should be paid. If you have brothers or sisters living with you who have the same parents as you, we will include some money for them when we work out how much the child maintenance should be. We will then arrange to collect the child maintenance from the parent you do not live with and pass it on to the parent or other person you live with, or to you (depending on the circumstances).

How is child maintenance worked out?

We use the information you and your parents give us to decide how much child maintenance should be paid. We may also use information from other sources, including the employers your parents work for. The amount of child maintenance a parent has to pay usually depends on what money they get to live on, for example, how much they earn from their job or a pension.

If you want to know more about how we work out child maintenance, get a copy of '*How is child maintenance worked out?*' (CSL303). See the back page for details of how to get a copy.

Where can I get more help and information?

If you want to know how much child maintenance you might receive, you can use our online calculator. You can find the online calculator at **www.csa.gov.uk**. We will not keep any of the information you provide when you use our online calculator.

Contact our national helpline if, having read this leaflet, you:

- have any questions about how we work out child maintenance
- want help or more information, or
- want us to send you any of our other leaflets.

You can phone us on **0845 713 3133** from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays.

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.

The person taking your call will not have your personal information to 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.

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.

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

If you have a National Insurance number, please have it ready when you call.

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

Call charges

From 1 August 2007, calls to **0845** numbers from BT landlines should cost no more than 4p a minute with a 6p charge for setting up the call. 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.

To visit our website, go to **www.csa.gov.uk**.

Other formats

This leaflet is available in other languages, in large print, in Braille and on audio cassette. You can get these formats by contacting our national helpline.

How a child maintenance case can progress

The information below tells you how a child maintenance case can progress. This leaflet covers the part of the process shown in the box.

Information and guidance

Parents can go to the CSA for information about child maintenance – such as what options there are for arranging child maintenance (either through us or in other ways) and what might be an acceptable amount in their case.

Application or referral

A case officially begins either when a parent applies to us to set up child maintenance payments, or when Jobcentre Plus automatically refers one of their customers to us because they claim Income Support or income-based Jobseeker's Allowance.

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

Gathering information and calculation

To work out the amount of child maintenance that should 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.

Payments

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

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 get child maintenance if I'm on benefits?

(Reference: CSL302) For parents with care on benefits

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

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

You can get any of these 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**.

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 bureaux may have one. Textphones do not receive text messages from mobile phones.



CSL309LP

April 2008

© Child Support Agency

Part of the Department for Work and Pensions

ISBN: 978-1-84763-302-6