

How does the Child Support Agency use and store information?

child support agency

Part of the Department for Work and Pensions

What is this leaflet about?

This leaflet tells you how and why we collect information from parents and employers, and what we do with that information. It also tells you how you can get access to any information that we have stored about you.

In this leaflet, we use some standard terms to explain our services and the way we work. We have included a glossary at the end of this leaflet in case any of the terms are unfamiliar.

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 our 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 22 for details of call charges and our Welsh-language helpline.

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Why does the CSA collect information?

We collect information from a number of sources so that we can deal with applications for child maintenance. The information helps us to:

- trace non-resident parents
- work out how much the non-resident parent must pay, and
- make sure that the non-resident parent pays the right amount at the right time.

Who does the CSA get the information from?

When we want to start working out how much child maintenance a non-resident parent must pay, we always ask them and the parent with care for the information we need first. But if parents don't give us this information, the law allows us to ask other people or organisations for it. These people or organisations include:

- employers
- other parts of the Department for Work and Pensions (DWP)
- HM Revenue & Customs
- local authorities
- accountants
- credit reference agencies
- the Driver and Vehicle Licensing Agency (DVLA)
- prison services, and

- companies or partnerships that the non-resident parent has been contracted to provide services to, which are not the non-resident parent's employer.

We don't have to get the non-resident parent's or parent with care's permission to contact these people or organisations.

Do I have to provide information?

Yes. It is a criminal offence if we ask someone to provide information and they fail to do so or give us information that they know is false. This applies to any person or organisation who, by law, must give us information. It covers people such as employers and accountants as well as non-resident parents and parents with care.

If you fail to give us the information we need, or you give us information that you know is false, you could be fined up to £1,000.

Do I have to tell you about a change to my circumstances?

Yes, you must tell us if there is a change to any of the information you have given us that we use to work out the amount of child maintenance. This includes changes to:

- the non-resident parent's regular weekly income
- the number of children living with the parent with care that the non-resident parent must pay child maintenance for

- the number of children living with the non-resident parent that they or their partner get Child Benefit for (a regular payment made to anyone bringing up children), or
- the number of nights a child regularly stays overnight with the non-resident parent.

If you are a parent with care getting Income Support or income-based Jobseeker's Allowance and you receive child maintenance direct from the non-resident parent, you must:

- tell Jobcentre Plus so that they can take account of your child maintenance when they arrange to pay your benefits, and
- tell the CSA if the non-resident parent does not pay the right amount of child maintenance at the right time.

If you are a non-resident parent you must tell us about changes to your job – for example, if you:

- stop working for your employer
- change jobs
- become self-employed
- become unemployed, or
- start work after being unemployed.

If you are a non-resident parent, and we have told your employer to take child maintenance from your earnings, you must tell us if you change your employer. **It is a criminal offence if you do not tell us within one week of the date this change starts from.**

You should also tell us about any changes to:

- your address or the address of the other parent, and
- your phone number or the phone number of the other parent.

What do your inspectors do?

Sometimes we use our inspectors to gather the information we need. This happens when people or organisations don't give us the information we have asked for.

Inspectors can visit the place where the non-resident parent works. They can also visit other places where information is held about the non-resident parent.

It is a criminal offence to:

- make it difficult for our inspectors to do their jobs
- deliberately delay the process for gathering information
- refuse or fail to answer our questions, or
- refuse or fail to show us documents we ask for.

We can prosecute people who commit any of these offences and they could receive a fine of up to £1,000.

What happens if the parent with care is receiving benefits?

If the parent with care is claiming either Income Support or income-based Jobseeker's Allowance, their claim will also be treated as an application for child maintenance. Jobcentre Plus will gather child maintenance information from the parent with care and pass the details on to us.

We will then ask the parent with care to provide information so that we can:

- trace or identify the non-resident parent, and
- work out child maintenance and start collecting it.

What happens if I don't give you the information you need?

If you are a parent with care and you claim either Income Support or income-based Jobseeker's Allowance, you must have a good reason for not giving us the information we need to trace the non-resident parent. If you don't give us the information and you don't have a good reason for not giving us it, Jobcentre Plus can reduce your benefits.

Who does the CSA pass personal information to?

We take the protection of personal information very seriously. Most of the time we will not tell anyone a parent's address or phone number. But, if a court orders us to release an address, we have to do so. If the law allows, we may also give information about parents to some other organisations, including:

- other parts of DWP such as Jobcentre Plus
- local authorities (for the purpose of Housing Benefit or Council Tax Benefit)
- HM Revenue & Customs
- a court or tribunal (in relation to child maintenance), and
- debt-collection agencies and other organisations that help us to collect child maintenance.

We can also pass on information about you if we think it will help to prevent or detect crime.

What information do you put in letters about how you work out child maintenance?

When we have worked out the amount of child maintenance to be paid, we send a letter to both parents. This letter shows which children have been included in the child maintenance calculation, the amount of the non-resident parent's net income (income after things like tax, National Insurance and pension contributions have been taken off), the number of children living with the non-resident parent and any special circumstances that have been taken into account. This helps you to check that child maintenance has been worked out using the correct information.

We may also give other information to either parent, but only if that information is needed to explain what has happened in their case, or how child maintenance has been worked out. This may include details about both parents' income or benefits they are getting if this information was used to work out child maintenance using the rules of the child maintenance scheme set up before 3 March 2003.

What happens in appeal cases?

If a parent appeals against a child maintenance decision, we will send copies of all the information that is related to that decision to the Social Security and Child Support Appeals (SSCSA) Tribunal and to the other parent.

Both parents can ask for their address, or any other information that might lead to people knowing their whereabouts, to be removed from the papers.

If you want to know more about appeals, get a copy of the leaflet '*How can I appeal against a child maintenance decision?*' (CSL307).

See the back page for details of how to get this leaflet.

Can I have access to my personal information?

Under the Data Protection Act 1998, you can ask what personal information we hold about you on computer and in some paper records. This is called a 'subject access request'. You must ask us in writing for the information and give us information that helps us to be sure of your identity, including:

- your full name
- your date of birth
- your address
- the CSA case number, and
- your National Insurance number.

You need to give enough detail to help us to identify and find the information – for example, the CSA office you deal with.

You should:

- send the letter to the Data Protection Officer at the CSA office that deals with your case, or

- write to:

The Child Support Agency
Data Protection Unit
Room BP6002
DWP Benton Park View
Longbenton
Newcastle upon Tyne
NE98 1YX.

Once we have your letter and have enough detail to help identify the information you have asked for, we will send you a copy of the information if we have it. We will do this as soon as possible, and within 40 calendar days.

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.

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.

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

Glossary

Child

For child maintenance purposes, someone is a child if they are aged:

- under 16, or
- under 19 and in full-time education doing a course that is not higher than A level or an equivalent standard.

Child maintenance

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

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 so 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 a 'person with care', rather than a parent with care.

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.



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