

New arrangements for support of Children when parents separate

The way the child maintenance is calculated and paid has changed. Child maintenance is financial support towards a child's living costs when the parents have separated. It is an obligation and, therefore, must always be considered when there are relevant children on a relationship breakdown.

Parents have always been encouraged to agree an appropriate level of support for their children. Since 1990, if they did not agree, either parent had the option to go to the Child Support Agency where a simple formula was applied based on a percentage of the payers net income, depending on the amount of children being supported and the amount of overnight stays.

The CSA has now been abolished. No new cases have been taken on by them since November 2013. The Government now wants parents to agree their child maintenance arrangements amicably or face a charge.

The new scheme is the Child Maintenance Service. The main difference is that payments are calculated on gross pay rather than net and there are fees to be paid. The paying parent will have to pay an extra 20% fee on top of the calculated maintenance payment and the receiving parent will pay 4% to receive the money. Any parent registering with the service will be charged an upfront fee of £20.

Separated parents can use an on-line child maintenance calculator to work out how much maintenance payments would be if the scheme were used. This can be used as the basis for an agreement but does not prevent parents from agreeing a figure which is below or above what the CMS calculation would be.

Child support and child arrangements generally, when parents separate, can cause feelings to run high and, therefore, be a cause of dispute and it is recommended that you seek legal advice at the earliest opportunity to put yourself in the best position to reach an agreement.