

# How do I apply for child maintenance?

For children living in Scotland

**child support agency**

Application



## **What is this leaflet about?**

This leaflet is a guide for children who live in Scotland. It tells you about your right to claim child maintenance, and how to claim it through the Child Support Agency, if you live apart from one or both of your parents.

This leaflet is only about cases set up on or after 3 March 2003. We call this the current scheme. We use different rules for cases set up before this date. For more information, visit **[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 the leaflet is correct as of 31 October 2009, but it may not reflect changes to the law or our procedures after this date. You may wish to get independent advice before making financial decisions based on the leaflet.

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## About us

The Child Support Agency (CSA) is the Government's child maintenance service. It is provided by the Child Maintenance and Enforcement Commission.

Our role is to make sure that parents who live apart from their children contribute towards their children's upkeep by paying child maintenance.

We use a standard process to work out how much child maintenance should be paid in each case, and to manage the payments. We can take legal action if the right amount of money is not paid at the right time.

To get help or more information, visit our website **[www.csa.gov.uk](http://www.csa.gov.uk)** or call us on **0845 713 6000** or **0845 713 6804** (textphone). For details of call charges and opening times see page 12.

If you want to make child maintenance arrangements privately, rather than through the CSA, contact Child Maintenance Options for impartial information and support. Visit their website at **[www.cmoptions.org](http://www.cmoptions.org)** or call them on **0800 988 0988** or **0800 988 9888** (textphone).

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## **What is child maintenance?**

Child maintenance is money paid when parents live apart and a child normally lives with only one of their parents, or with neither. It helps pay for the child's everyday living costs.

In Scotland, if nobody else is getting child maintenance for you, you may be able to get child maintenance for yourself. For example, you can claim child maintenance if you are living with one of your parents, and they are not receiving child maintenance, or if you are living with another person who looks after you, such as your grandparent or a guardian.

We call the parent you live with 'the parent with care'. If you live with a grandparent or guardian, we call them 'the person with care'. We call the parent you don't normally live with 'the non-resident parent'.

The non-resident parent is responsible for paying child maintenance to the parent with care, the person with care, or to you.

You can arrange to receive child maintenance in one of 3 ways:

- through us (the CSA)
- through a private agreement
- through a court order.

## Through us

If we arrange child maintenance for you, we'll ask both your parents for information and use it to work out how much child maintenance should be paid. We may collect payments from the non-resident parent (or from both parents, if you live with neither) and pass the money to the parent with care or the person with care. If payments aren't made on time, we can take action to collect the correct amount of child maintenance.

## Through a private agreement

A private agreement is when you agree with your parent how much child maintenance they should pay and how often. You don't have to involve the CSA or any other organisation in setting up a private agreement, but you may want to speak to Child Maintenance Options for free, impartial information and support.

You can find out more about Child Maintenance Options at their website, **[www.cmoptions.org](http://www.cmoptions.org)** or contact them on **0800 988 0988** or **0800 988 9888** (textphone). These are freephone numbers, so calls from a BT landline will be free of charge. You may have to pay if you call from a mobile phone.

## Through a court order

In certain circumstances, parents can choose to arrange child maintenance through a court order. To do this, they must first agree how much child maintenance will be paid and how often. They can then make this into a contract called a 'Minute of Agreement'. If they register this, a sheriff officer can make the non-resident parent pay the right amount at the right time.

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## **When can I apply for child maintenance through the CSA?**

You can apply for child maintenance through the CSA if you live apart from one or both of your parents and:

- you are aged 12 to 19 and are in full-time education (up to sixth-year studies),
- there is no private arrangement or court order.

However, for you to be able to apply, the parent (or parents) that you do not live with must have their home in the UK – that is Scotland, England, Wales or Northern Ireland – or live abroad but work for a UK-based employer. 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 may not be able to apply for child maintenance if:

(a) someone has set up a private arrangement for you, or has already applied to the CSA for you. The person who has applied could be:

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

(b) your parents have:

- a registered Minute of Agreement that includes child maintenance for you, or
- a maintenance order.

Ask one or both of your parents if one of these situations applies to you. You can find out more from our Falkirk Child Support Agency Office. See the next page for contact details.

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## How do I apply for child maintenance through the CSA?

If you think you or the person you live with should be getting child maintenance, and you don't want to set up a private arrangement, simply ask us to send you a 'Child in Scotland – Maintenance Application Form'.

When you get the form, you need to fill it all 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** from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays
- by textphone on **0845 713 6804**, if you have speech or hearing difficulties
- through our website at **[www.csa.org.uk](http://www.csa.org.uk)**, or
- by writing to:  
Falkirk Child Support Agency Office  
Parklands,  
Callendar Business Park  
Callendar Road  
Falkirk  
FK1 1XT.

You can't visit this office in person – you have to phone or write to them.

After filling in the form, please return it to the Falkirk Child Support Agency Office.

## What happens next?

After receiving your form, we'll write to your parents (and to the person with care if you live apart from your parents) to find out more information. This will help us work out how much child maintenance you or the person you live with should get.

We may also need to speak to you in person. If this happens, we'll arrange to meet you at a time and 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'll work out how much child maintenance should be paid. If brothers or sisters live with you and they have the same parents as you, we'll include some money for them. We'll then arrange to collect the child maintenance from the non-resident parent and pass it to the parent with care, or to the person with care, or to you.

### 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 your parents' employers. The amount of child maintenance a parent has to pay usually depends on how much 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.

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## Where can I get more help and information?

If you want to know more about child maintenance and how we work it out, visit our website at **www.csa.gov.uk**. You can download all our leaflets from there and also find out how much child maintenance might be in your situation, using our online calculator. The calculator is for guidance only, and we don't keep the information you give when using it.

If you would like to talk to someone about your case, you should call the Falkirk Child Support Agency Office on **0845 713 6000**. You can call from 8am to 8pm Monday to Friday and 9am to 5pm on Saturdays.

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

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

### Textphone services

If you have speech or hearing difficulties, a textphone service is available on **0845 713 6804**.

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 bureaux may have one.

Textphones do **not** receive text messages from mobile phones.

## Other languages

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

## Call charges

Calls to **0845** numbers from BT landlines should cost no more than 4p a minute. 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.

## Information in other formats

This leaflet is available in other languages, in Braille and on audio cassette. You can order information in these formats online or by contacting our national helpline.

We also have large-print versions of this leaflet available for you to download from our website, **[www.csa.gov.uk](http://www.csa.gov.uk)**.

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## **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 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](http://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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