

Child Maintenance Reforms

Children from separated families are owed more than £3.5 billion in CSA-administered maintenance payments, resulting in financial hardship.

While the Child Support Agency (CSA) has assisted with financial support for some families and children, poor responsiveness on their part has increased financial hardship for others.

- Non-resident parents assessed through the CSA owe more than £3.5 billion in missed maintenance payments¹.
- At February 2006, the CSA had a backlog of 333,000 applications², meaning that payments were not getting to the children involved.
- Of 750,000 non-resident parents liable to pay maintenance through the CSA in September 2006, only 61% had made any payments³.

The Government has recognised that there are deep-rooted problems with the CSA and, in December 2006, announced that the agency would be replaced by a new body – the Child Maintenance and Enforcement Commission (CMEC).

Citizens Advice Scotland welcomes the direction of reform. However, we are concerned that, unless underlying issues around case management, communication and inflexibility are addressed, the new system will replicate existing problems.

Citizens Advice Bureau (CAB) clients report difficulties arising from:

- Poor communication: being given conflicting and confusing information.
- Poor case management: difficulties contacting case workers, meaning that queries about a case are not resolved timeously which, in turn, causes severe hardship for families and children.
- Lack of flexibility: inflexible payment levels despite complex or changing circumstances.
- Poor debt management: inappropriate enforcement action and money not being passed on to parents with care, even when it has been collected.

¹ Child Support Agency – implementation of the child support reforms, National Audit Office, June 2006

² As above

³ A new system of child maintenance, Department for Work and Pensions, December 2006

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Getting payments to the most vulnerable

CMEC will be responsible for getting maintenance payments to low income families and children. Its work will be vital to the aim of eradicating child poverty. Many from within this customer group will have complex and changing circumstances – and may be dealing with difficult family situations – when they contact the Commission. In order to deal effectively with customers, CMEC staff will need to be sensitive and flexible.

Recent CAB case evidence highlights problems with case management and communication which create delays in dealing with cases. Delays, in turn, mean that money is not getting to the families and children that need it. CAS is concerned that current operating practices, coupled with a new financial assessment based on last year's income, will not provide the responsiveness required to meet the needs of CMEC's client group. Our case evidence highlights:

- A CAB client who should have been receiving maintenance of £26.50 per week but did not, even though the CSA had collected the money from her ex-partner. The funds were not released, the CSA did not explain why and did not return phone calls.
- A CAB client whose case required to be re-assessed by the CSA – despite supplying all requested information, the case was not re-assessed. Over a period of 6 months, neither the client nor the CAB could reach a caseworker with knowledge of the case.
- A CAB client who had been making regular maintenance payments was made redundant. When he started a new job his wages were seized due to 'non-payment', and it took the CSA months to catch up with his changing circumstances.
- A CAB client who was sent a letter stating he had no arrears and, 3 months later, sent a notice of arrears of £324, despite having made all required payments. Two separate caseworkers were unable to help and the miscalculated debt could not be cancelled.
- A CAB client who was sent letters informing her that her claim was cancelled. When telephoned, the CSA said the claim was not cancelled and that the client should put further letters in the bin.

Citizens Advice Scotland proposals for change

If child poverty is to be reduced, CMEC must better meet the needs of families and children. CAS recommends the following:

- **Ensuring collected payments are passed on.** Emergency funds should be made available when there are delays.
- **Greater flexibility and responsiveness.** Adjust maintenance payment levels with complex or changing circumstances.
- **Improved case management and communication.** Improve interactions with vulnerable customers.

|| An East of Scotland CAB reports of a client with three children whose case had been awaiting assessment for three years. She was on income support at the time her partner left. The CSA lost her forms twice, and the client had to start again. She had been unable to get through to a caseworker with knowledge of her case and has now lost benefits after taking up part-time work. The CAB advised her to write a letter of complaint and to claim compensation for the ongoing delays.

Case evidence

|| A West of Scotland CAB reports of a client whose maintenance payments by the ex-partner were not passed on by the CSA. Over a period of 10 months the CAB and the client were given 6 different telephone numbers. Several times the CSA insisted that the 'computer error' had been fixed, and the client would start receiving payments. The client was assigned to three new caseworkers in the 10 months. The CAB helped the client write a letter of complaint and claim for compensation, but these have not been acknowledged.

|| A North of Scotland CAB reports of a client working part-time and not on benefits who had debts of £35,000, including a debt of £9,500 maintenance for two children. The client was unable to pay but had received a letter from the CSA threatening a prison sentence for up to 42 days or disqualification from driving. The CSA was unwilling to negotiate, despite a prison sentence making eventual payment almost impossible because of loss of work.