



Parents with Care (PWC) and the CSA

Most PWC have a non resident parent (NRP) ~ In fairness the majority of NRP's are compliant and contribute towards their children with no problems at all, either by private agreements or through the CSA.

Unfortunately for the rest of us, the remainders are either non compliant OR due to Child Support Agency (CSA) non performance; our children receive irregular maintenance, or at worst ~ nothing!

1) Having made an application through the CSA, PWC have been face with lost claims OR 'waits' of up to 10 years +. Despite 'chasing' the Agency on a regular basis, cases have been put in storage or left unattended to for unreasonable periods of time.

2) Non compliant self employed NRP's are one of the hardest areas for the CSA. Why? You may well ask...

Self employed NRP's who chose to negate their financial responsibilities towards their children, do so, with little consequence.

However, the CSA do have powers available to them ~ CSA non performance and failure to implement the powers available, have been a major factor in such cases and allowing them to continue.

Earnings information for the self employed (and employed), is available to the CSA and can be collected from HMRC, once requested it can take up to 8 weeks for the HMRC to supply ~ if CS payments are not forthcoming, the CSA can take action through the courts.

The Agency, fails to delegate the time and effort required to ensure truly non compliant NRP's meet their commitments.

3) The NRP has paid the CSA ~ the CSA fail to pass the money to the PWC.

Other examples of this are evident in cases where a NRP has two (or more) PWC each with child/ren who qualify for CS. The NRP has made payment through the CSA, one PWC receives the full maintenance payment made by the NRP, the other PWC receives nothing ~ it is then up PWC who has suffered the loss to enter into unnecessary battle with the CSA, to try and obtain the payments that were intended for their child.

There are many differing variations how the CSA can fail a PWC ~ However, there is very little satisfactory recourse for those affected by Agency non performance.

"Duty of Care & Negligence"

The Law states, that if an application could be dealt with by the CSA, then it must be pursued there. The court can deal with cases where the CSA do not have the power - For the rest of us, if a private agreement is unobtainable, the system has taken jurisdiction away from the court and we are legally forced to use the CSA.

However, the CSA DOES NOT owe any legal duty of care to anyone - Therefore, this area of Government is devoid of responsibility and can make careless errors and mistakes, causing actual financial loss to individuals with no legal reproach.