

<p><b>Child Maintenance and Enforcement Commission</b></p>	
	<p><b>Equality Impact Assessment</b></p> <p><b>The Child Support Maintenance Calculation Regulations 2012</b></p> <p><b>The Child Support (New Calculation Rules)(Consequential and Miscellaneous Amendment) Regulations 2012</b></p> <p><b>Delivery of the Future Child Maintenance Service</b></p>
	<p>Impact of new policies and delivery of service</p>

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## Introduction

1. The Child Maintenance and Enforcement Commission (the Commission) has carried out an equality impact assessment on the proposed Child Support Maintenance Calculation Regulations 2012, the Child Support (New Calculation Rules) (Consequential and Miscellaneous Amendment) Regulations 2012, and the associated changes to how we deliver our service (focusing on application and calculation rather than collection and enforcement). This is to ensure the Commission meets the requirements of the Equality Act 2010, that our policies are free from discrimination, and that we positively look for opportunity to promote equality and eliminate discrimination.
2. The Maintenance Calculation Regulations will complement existing primary legislation in establishing the amended statutory framework within which the new child maintenance service will operate. They consolidate existing child support secondary legislation and introduce a new calculation process for the future child maintenance scheme. This equality impact assessment considers the impact of these proposed changes and covers aspects of delivery, ranging from before a parent applies to the scheme, to changes and periodic reviews of the maintenance calculation.
3. This equality impact assessment considers the potential impact of the proposed policies on gender, disability, age and race, religion or belief, gender reassignment, pregnancy and maternity and sexual orientation. In some areas, equality data is unavailable so we cannot say with certainty how some groups would be affected. Where data is not available, we have considered potential impacts and made some assumptions based on this.
4. The Commission is considering the best ways to improve data on these groups. We welcome your views on any other groups you feel would be impacted by these proposed changes.
5. An impact assessment for the new system's child maintenance policy, regulations and service has also been produced. This can be found at <http://www.childmaintenance.org>

## **Purpose and aims of policy and delivery of service**

6. Supporting families to prevent relationship breakdown is central to the Coalition Government's vision for strengthening families and delivering the best outcomes for children. However where relationships do break down, we want to enable parents to take responsibility in making their own choices to establish enduring post-separation agreements that place the welfare of their children at their heart.
7. The Government wants to enable and encourage parents to make their own family-based arrangements. As well as offering a statutory scheme to calculate and collect child maintenance payments for those who cannot make a family-based arrangement, it will offer a maintenance calculation for information only. This is an additional measure to promote and facilitate co-operation between parents who wish to make their own maintenance arrangement between them and want to base it on what the scheme rules would produce.
8. The Government published the Green Paper 'Strengthening families, promoting parental responsibility: the future of child maintenance' in January 2011. This outlined a radical reshaping of the child maintenance system to move away from the current model in which the adversarial statutory scheme is seen as the default option for separating parents, to one in which families are encouraged and supported to come to their own collaborative arrangements. Central to this will be the provision of a more integrated network of support families which will help parents address the multiple emotional and practical issues facing them at separation.
9. The Government wants to empower parents to take more responsibility in making their own informed choices regarding their maintenance arrangements. The Green Paper sets out how the existing Child Support Agency schemes would be replaced with a new, efficient statutory child maintenance scheme. This will help to deliver a simpler, more efficient and transparent service.
10. The Government published its response to the consultation on the Green Paper on 12 July. This re-affirmed its commitment to providing better access to expert support to help parents make their own family-based arrangements while continuing to provide a statutory service for those who need it.
11. The Maintenance Calculation Regulations are one of several strands of legislation which will amend the statutory framework within which the new child maintenance service will operate.

## **Policy Summary**

### **Main changes of the Child Support Maintenance Calculation Regulations 2012**

12. These Regulations include provisions which are carried forward from the 2003 scheme and new measures designed to improve the delivery of the statutory scheme, thereby ensuring a fairer and more effective service for those who use it.
13. This section summarises the main changes to child maintenance that are being implemented by these Regulations.

### **Maintenance Calculations based upon Historic Gross Income**

14. The maintenance calculation will usually be based on the non-resident parent's taxable gross income for the latest available tax-year obtained from HM Revenue and Customs (HMRC). This replaces the existing treatment where net income is sourced from the non-resident parent. The use of taxable gross income reflects the form in which income information is held by HMRC.
15. As a result of moving to previous tax-year information, tax credits will not be included in the income used to calculate the maintenance liability. It would cause complexities if liabilities were based upon a combination of tax credits currently being received and taxable income from a previous period.
16. As a result of using taxable income data, income from those non-resident parents within a special occupation, for example, retained fire-fighters and councillors, will be included in the maintenance liability. Currently, such payments are ignored.
17. This will provide consistent treatment for non-resident parents with taxable income from work.

### **Annual Reviews**

18. The income figure supplied by HMRC will be updated on an annual basis. This will be recognised as the annual review. The intention is for maintenance liabilities to continually be based upon the most up to date income information for the latest available tax-year. The 2003 scheme has no arrangements for income amounts to be regularly reviewed.

### **Changes in circumstances and the 25 per cent threshold**

19. To ensure maintenance liabilities remain reasonably stable between the annual reviews, the Government has decided that income changes will only be taken into account where the current gross income figure is at least 25 per cent different from the latest HMRC figure. Currently, reported income changes of 5 per cent or more will result in a new calculation, leading to fluctuations in payments which can make it difficult for parents with care to budget month to month.

20. A 25 per cent tolerance allows serious changes in income such as the loss of a job, or a substantial change in wages, to be taken into consideration, while maintaining stability in payment arrangements and offering greater certainty to parents in what they should expect to pay or receive.

### **Periodic Income Checks**

21. Where historic HMRC data is unavailable, maintenance liabilities may be based upon the non-resident parent's current income. In this case, the Commission will complete annual periodic income checks. This ensures the current income figure continues to be at least 25 per cent different than the latest tax-year data from HMRC. If the current income is no longer 25 per cent different, the calculation will revert to using HMRC data.

### **Variations**

22. Child maintenance legislation allows for additional factors to be taken into account where these are not reflected in the maintenance calculation (known as 'variations'). The existing grounds available to non-resident parents have largely been reproduced; however, the grounds available to parents with care have been substantially changed. The variation categories are:–
  - 22.1. Special expenses – a non-resident parent can apply for special expenses if they incur certain costs. The grounds available are; contact costs, illness or disability of a relevant other child, prior debts, boarding school fees and payments in respect of certain mortgages loans or insurance policies.
  - 22.2. Additional income – a parent with care can apply for additional income if the non-resident parent has income which has not been taken into account. The grounds available are; unearned income, non-resident parent on a flat rate or nil rate with gross weekly income (recognised as earned income) and diversion of income.

23. The intention is that the grounds available to parents with care will focus on capturing a non-resident parent's actual income, for example, income from property or savings and investments. This is instead of the notional income calculations which are a common feature of 2003 scheme variations. This will make such figures more meaningful to parents. The link with HMRC allows the Commission to take advantage of the wide range of income types captured via self-assessment and PAYE returns. The other change for parents with care is that the requirement to provide evidence of the non-resident parent's income will no longer be compulsory. The Commission intends to support parents with care by using available information sources to determine whether a variation is appropriate, i.e. HMRC.
24. Property or capital transfers made before 1993 will no longer apply when the new scheme comes into force. This is because there will not be any qualifying children remaining in respect of whom such a settlement had been made. Additionally, assets and lifestyle inconsistent with declared income will be removed. The Commission intends to capture actual income readily available from HMRC rather than apply notional amounts based on a non-resident parent's assets or lifestyle.

### **Family-Based Arrangements**

25. As a result of encouraging parents to make their own maintenance arrangements, children supported outside of the statutory scheme will be acknowledged in the same way as qualifying children within the maintenance calculation. This would mean that the non-resident parent's maintenance liability will reflect the total number of children being supported inside and outside of the statutory scheme. The Commission will require evidence of the agreement. This can be either a formal or informal agreement.

### **Effective Dates**

26. In the new scheme, effective date rules (i.e. the date on which a liability, or a change to the liability, takes effect) will be simplified and aligned depending on the type of change. This will make the scheme easier to administer and easier for customers to understand.

### **Assumed Shared Care**

27. Where there is no agreement or identifiable pattern of shared care, the Commission can assume an amount of such care equivalent to one night a week. This will result for most cases in a reduction of one-seventh in the maintenance due. Any assumption will continue until the parents reach agreement, or, if they are involved in family proceedings, an order is made by the court.

### **Equal Shared Care**

28. In equal shared care cases, decisions about who should be treated as the parent with care will be determined by which parent is the main carer of the qualifying child. If care is shared equally neither parent will have a maintenance liability. In the 2003 scheme, the deciding factor is who is in

receipt of child benefit. In the new scheme, the Commission will apply an assumption that the parent receiving child benefit is the main carer, but if that is not the case the other parent can bring evidence to rebut the assumption.

### **Flat Rate**

29. The 2008 Act increased the flat rate of child maintenance payable for the new scheme by non-resident parents either in receipt of certain benefits or with weekly income of less than £100, from £5 to £7. The Government are, however, consulting on whether this should be increased further.

### **Nil Rate – non-resident parents who are students**

30. Under the new scheme, non-resident parents who are students will no longer have a nil liability. Instead, they will be assessed on their HMRC or current weekly income. This will recognise that many students do work while studying, and may earn a relatively significant income from doing so.

### **Main features of the Child Support (New Calculation Rules)(Consequential and Miscellaneous Amendment) Regulations 2012**

#### **Duty to report increase in income**

31. Where a maintenance liability is based on a non-resident parent's current income, they will have a duty to notify the Commission if it increases by at least 25 per cent. The Commission will ensure non-resident parents know what represents a 25 per cent change in their cases.
32. Non-resident parents on current income, who begin a new job, receive a pay rise or a change in working hours that results in a 25 per cent increase in income should notify the Commission within seven days. Non-resident parents should also notify the Commission if they receive a number of consecutive payments which are 'individually' 25 per cent or more than the current income figure in place.
33. This will not apply to non-resident parents who are self-employed or who receive infrequent bonuses or commission payments. This is because they do not have a clear idea of their taxable profits until they reach the end of the tax year or accounting period. For the same reason, this duty to report will not apply to non-resident parents whose maintenance calculation contains an element of unearned income.

#### **Scheduled Payments**

34. The Commission may specify the intervals at which payments of child support are to be made, having regard to the circumstances and preferences indicated by the non-resident parent. Many non-resident parents prefer to pay calendar monthly in line with when they receive their earnings. Precisely matching payments to weekly liabilities may not be straightforward and may be unclear to parents.

35. This amendment enables the notification of the maintenance calculation to show the maintenance liability as an annual amount rather than a weekly amount.
36. Where the payment interval is to be monthly, the schedule of payments due will show twelve equal monthly amounts. It will therefore be much easier for either parent to see what payments are due to be made, on what date, and how they relate to the maintenance liability. This will also facilitate the making of payments by regular direct debit because the amounts will be the same each month. Annual amounts will be adjusted if a relevant change in circumstances occurs during the year, requiring a new weekly liability to be calculated.

## Consultation and Involvement

37. A public consultation will be held on the proposed Maintenance Calculation Regulations 2012 and the Consequential and Miscellaneous Regulations 2012 during 2011. The Regulations will then be scrutinised and debated in both Houses of Parliament, so any changes for the new scheme referred to in this document should be taken as proposals.
38. Proposals on the reform of the child maintenance scheme policy and service were consulted upon in the 2006 White Paper, 'A New System of Child Maintenance'. An equality impact assessment was also completed as part of the regulatory impact assessment.<sup>1</sup> The Child Maintenance and Other Payments Act 2008 (which amended the Child Support Act 1991) provides the primary legislation under which the maintenance calculation regulations for the new scheme are substantially written.
39. In formulating child maintenance policy for the new scheme the Commission has involved and consulted a number of stakeholders both at ministerial and official level.
40. The Commission is in regular contact with other Government departments who have an interest in the child maintenance scheme and how it is administered:-
  - 40.1. HMRC has a strong interest in the future child maintenance scheme because most maintenance calculations in the scheme will be made using taxable HMRC income. The Commission and HMRC have worked closely together to develop robust means for this information to be passed on.
  - 40.2. Jobcentre Plus also maintains an interest since non-resident parents who pay the flat rate because they are in receipt of certain benefits will often have their child maintenance deducted from that benefit.
  - 40.3. The Ministry of Justice has responsibility for the Tribunals Service which administers social security and child support appeals to the First-Tier Tribunal and Upper Tribunal.
  - 40.4. The Ministry of Defence has responsibility for the armed forces and has been consulted on changes relating to deduction from earnings requests for non-resident parents serving in the Armed Forces and special occupations, primarily the Territorial Army (the income from which is now included in the maintenance calculation).
  - 40.5. The Department for Communities and Local Government has responsibility for retained fire-fighters and councillors.

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<sup>1</sup> Child Maintenance and Other Payments Bill 2007: Regulatory Impact Assessment

# Methodology

## Child Maintenance Regulations 2012

41. This equality impact assessment looks at how future changes to child maintenance policy will impact on people with protected characteristics under the Equality Act 2010. It is important to note that the purpose of the statutory child maintenance service is to get maintenance flowing to children quickly and efficiently. The proposed changes do not have a differential gender impact on children. The service operates however by transferring money from non-resident parents to parents with care, so parents with care and non-resident parents are also clients of the service and may be affected by changes to the scheme.
42. Initial screening identified that the protected characteristics most likely to be impacted by the proposed policy changes were gender, disability, age and race.
43. The aim of the analysis is to see whether those with protected characteristics are disproportionately affected by the proposed policies, and if so, to highlight and quantify the negative impacts, consider the mitigation of these impacts and to identify ways to promote equality. The following section considers more qualitative elements of the customer journey in the proposals for the new scheme. In this section, we identify potential barriers at each stage of the client journey and consider mitigating actions to remove them.
44. Where the Commission collects information on the protected characteristics of our caseload, e.g. by gender we are able to use our administrative data. Where we do not collect information on our caseload, e.g. for ethnicity and disability status, we have had to rely on survey data.
45. The key sources of data were:–
  - 45.1. **Office for National Statistics (ONS)** - for information on the wider population.
  - 45.2. **CSA administrative data** - for information on the caseload which we record for protected groups (e.g. gender).
  - 45.3. **Relationship separation and child support study 2008 (RSS)** - for information on the caseload which is not recorded by administrative data (e.g. ethnicity, disability status). This study uses survey data carried out by the National Centre for Social Research and commissioned by the DWP. As with all survey data, confidence in the accuracy of findings is lower than for complete administrative data. This study does however provide the best evidence we have on many characteristics of our caseload and is based on a random sample of individuals.

## Impact of the proposed changes on Gender

### Statistics

46. Of the 2003 scheme, 95 per cent of parents with care are female and equally 95 per cent of non-resident parents are male.

**Table 2: Gender of client by client role**

<b>Customer Role</b>	<b>Female</b>	<b>Male</b>
<b>non-resident parent</b>	<b>5%</b>	<b>95%</b>
<b>parent with care</b>	<b>95%</b>	<b>5%</b>

**Source:** Child Support Agency, Quarterly summary of statistics (Dec. 2010)

### Impacts

47. The gender make-up of the Commission's caseload means any policy that impacts negatively for parents with care will have a negative impact on women and vice versa for non-resident parents and men. This is a consideration of the Commission whenever a new policy is developed.
48. The general consideration is for a policy to impact on the individual in terms of their client role, not as a result of their gender. For example, a key principle of the statutory scheme is that it requires a non-resident parent to pay child maintenance. The reasoning is that non-resident parents are living away from their children and cannot be assumed to be supporting them in the normal course of events. That approach is the same regardless of whether that parent is the child's father or mother.
49. Where a proposed policy change will have an adverse impact on non-resident parents, it will, as a consequence, impact mostly on men. The use of HMRC income information is an example of this. Although the introduction of new percentage rates reflect the change from net weekly income in the 2003 scheme to gross weekly income in the new scheme, and are designed to produce liabilities which are broadly similar, it is anticipated that non-resident parents may end up paying slightly more. Conversely, the impact on women, who are overwhelmingly parents with care, will be beneficial, as many of them will be entitled to slightly higher amounts of maintenance.
50. The move from net to gross reflects the form in which income information is held by HMRC and will be supplied on request to the Commission. Going to HMRC for income details will avoid many of the delays that currently arise as a result of relying on non-resident parents or their employers for this information. The figures will also be more meaningful to many non-resident parents.
51. The other proposed policy changes will generally have a neutral impact on men and women with some parents with care (predominantly female) benefiting from an increase to the flat rate of maintenance and the inclusion of special occupations in gross income. Table 3 below shows a higher proportion of men than women within the Territorial Army or working as Local Councillors. No data is held for the other reserved occupations.

52. The inclusion of income from special occupants will provide consistent treatment of non-resident parents who have taxable payments from work.

**Table 3: The two most common reserved occupations by gender**

<b>Reserved occupation</b>	<b>Male (%)</b>	<b>Female (%)</b>
Territorial Army	65	35
Local Councillors	84	16

Sources: MOD DASA (2010) & National Census of LA Councillors (2008)

53. Other changes, such as the removal of tax credits from the definition of income and allowing for children supported in family arrangements, are beneficial to non-resident parents (predominantly male). All changes are aimed at making the service easier, simpler to navigate and more cost effective. Most importantly, the new scheme will mean a more stable flow of child maintenance to the children involved with a reduction in the number of changes reported and implemented throughout the year.

### **Annual review and changes in income**

54. If a non-resident parent's income increases, but is less than 25 per cent different, then the parent with care will not see an increase in their maintenance to reflect that change. Such income will be picked up as historic income at the annual review. Conversely, non-resident parents whose income reduces by less than 25 per cent will not have their maintenance liability reduced. This income will be accounted for at the annual review.
55. The Commission found that this change has a neutral impact on gender. This means that both parents may encounter financial impacts until these incremental changes are recognised at the annual review. In spending more time addressing significant changes and collecting and enforcing the maintenance calculation, rather than dealing with relatively minor administrative changes, the Commission can ensure a more efficient scheme focused on getting more money flowing to children.

### **Equal shared care**

56. Non-resident parents will benefit from the proposed changes to the treatment of equal shared care. This is because the Commission will not solely rely on Child Benefit data to establish the parent with care and no statutory liability will apply if the care of a child is shared equally.

### **Family-based arrangements**

57. The increased recognition of situations where a non-resident parent is supporting a child outside of the statutory scheme will have a positive impact on non-resident parents, most of whom are men. Research tells us that one of the most important factors in determining whether positive financial support is in place for children is the relationship between their parents.

## Impact of the proposed changes on Disability

### Statistics

58. The Commission does not collect information as standard on the disability status of clients. We are therefore reliant on survey data for analysis. The self-reporting of disability status shown in Table 1 below should be taken as indicative.

**Table 1: Source:** Relationship separation and child support study (2008)

<b>Customer Role</b>	<b>Reporting a disability (%)</b>
<b>non-resident parent</b>	<b>25</b>
<b>parent with care</b>	<b>20</b>

### Impacts

59. The child maintenance scheme is designed to have simple to understand rules which can fairly apply to parents in general. It therefore carries forward the approach of having few rules that specifically affect disabled people. Within that context, the proposed changes (such as the use of HMRC income information or the increase in the flat rate) are held to have no specific impact on this group.

### Annual review and changes in income

60. The Commission does not hold sufficient data on either in-year changes in non-resident parent earnings or disability status accurately to assess the potential impact of this change. There is also very limited data on the frequency at which the income of disabled people changes throughout the year. However, a DWP study (Burchardt 2003) which looked at the probability of remaining in employment over a period of 12 months (four Labour Force Survey quarters) found that, 'those who become disabled as per the Disability Discrimination Act (DDA)1995<sup>2</sup> have retention rates similar to employees in general'. Consequently, we do not believe that non-resident parents will be disproportionately affected by the 25 per cent tolerance.

### Removal of tax credits from definition of income

61. Removing tax credits from the income used to calculate the maintenance liability is expected to have a positive impact on those non-resident parents who either have a disability or have a child with a disability. They will generally see a reduction in maintenance because such income is no longer taken into account.

### Simplification of effective dates

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<sup>2</sup> The Disability Discrimination Act 1995 has been repealed and replaced with the Equality Act 2010

62. The effective date rules have been simplified so they are easier for all clients to understand. This will see a particular positive impact on those clients with learning disabilities. There will remain some variances depending on the type of decision and who initiates it, however, on the whole, the determination of an effective date will relate to one of the following:-

62.1. The date the NRP was informed of the maintenance application.

62.2. The date a change occurred or will occur.

62.3. The date a change was reported.

62.4. The date a decision was made.

We consider that these simplifications have a neutral effect on clients or members of their family who are disabled.

## Impact of the proposed changes on Age

### Statistics

63. Table 4 below provides a breakdown of parents' ages within the statutory service. Table 5 provides results for parents with care from the Families and Children Study<sup>3</sup> across the statutory and wider population (Note: these do not fully align with results in Table 1<sup>4</sup>). Equivalent statistics are unavailable for non-resident parents.

**Table 4: Statutory Service – Age Distribution**

Age	Statutory Parents with Care	Statutory Non-Resident Parents
Under 20	0%	0%
20-24	6%	3%
25-29	12%	9%
30-34	16%	13%
35-39	21%	19%
40-44	22%	23%
45-49	15%	18%
50-54	6%	9%
55+	3%	5%

**Table 5: Wider Population – Age Distribution**

Parent with Care Age	Statutory Population	Eligible Population	Non-eligible Families
Under 20	1%	2%	0%
20-24	9%	10%	3%
25-29	12%	11%	9%
30-34	16%	14%	17%
35-39	22%	22%	23%
40-44	25%	22%	23%
45-49	11%	13%	15%
50-54	4%	5%	7%
55+	1%	1%	1%

64. The results from table 5 show the following:-

<sup>3</sup> This study generally uses the mother as the main respondent. Given the large proportion of female parents with care in the child maintenance population results are taken to be broadly indicative of results for parents with care.

<sup>4</sup> In both tables figures are rounded to the nearest whole percentage point. As a result figures may not sum to 100% and estimates of 0% should not necessarily be interpreted as showing no membership for the relevant group.

- 64.1. The age of parents with care within the statutory population is generally lower than those in the non-eligible population (with no child maintenance interest).
- 64.2. Parents with care are more likely to be aged under 25, and less likely to be aged over 45.
- 64.3. There is little difference between the statutory and overall eligible population groups.

### **Impacts**

65. The new scheme regulations do not include any new rules which are dependent on a client's age.
66. Whilst the age profile of parents with care appears slightly lower than the overall population, the Commission does not anticipate any negative impacts on this group as a result of the proposed changes. Similarly, whilst the Commission cannot source appropriate statistics for a comparator group for non-resident parent ages, these changes are not expected to have any specific disproportionate negative impacts.
67. An additional area for consideration is around the treatment of young parents. Data from the 2003 scheme suggests there are fewer than 200 parents with care and fewer than 30 non-resident parents under the age of 18 within the statutory scheme. The Commission will consider appropriate treatment for these groups as policy proposals develop.

## Impact of the proposed changes on Race

### Statistics

68. The Commission does not hold data on the ethnicity of its clients. We have used survey data from the RSS (2008) to estimate the impacts on ethnicity. The data handling on these characteristics will change in the new scheme and requests have already been made for the collection of data to be included in the new computer system design.
69. As shown in Table 6, the proportions across ethnic origin groups are largely consistent across both parents with care and non-resident parents and likewise between the statutory scheme and wider population. The majority of separated parents are of white ethnic origin (between 88 per cent and 91 per cent). Table 7 shows that people from ethnic minority backgrounds are less likely than the population as a whole to be employed and as such may be self-employed or claiming out-of-work benefits.

**Table 6: Percentage of clients from ethnic minority backgrounds<sup>5</sup>**

<b>Customer Role</b>	<b>Ethnic minority (%)</b>
<b>non-resident parent</b>	<b>11</b>
<b>parent with care</b>	<b>10</b>
<b>Population (GB)</b>	<b>11</b>

**Sources:** Relationship separation and child support study (2008) & ONS (2010)

**Table 7: Employment rates by ethnicity from ethnic minority backgrounds.**

<b>Ethnicity</b>	<b>Employment rate (%)</b>
<b>Population GB</b>	<b>72.5</b>
<b>Ethnic Minority Groups</b>	<b>60.6</b>

**Source:** Labour Force Survey (2010)

### Impacts

70. The proposed policy changes will generally have a neutral impact on clients from ethnic minority backgrounds. Although ethnic minority groups make up 12 per cent of those non-resident parents claiming benefits, there are no significant differences in the ethnic make-up of any of the groups surveyed or between the benefit positions of parents. For this reason, we do not believe the increase of the flat rate will have a disproportionate impact on non-resident parents from an ethnic minority background.
71. We will need to consider carefully how parents who are non-English speakers will engage with our services. The Commission intends to

<sup>5</sup> Relationship separation and child support study (2008) and Office of National Statistics

approach various stakeholders and community groups to identify the most appropriate methods of communication and how best to ensure people of all ethnic groups can access and utilise information and support. Many existing organisations support these groups and the Commission intends to draw upon these practices within the new scheme. The key to working with these groups will be to engage with the communities they represent.

### **Move to using gross income instead of net income**

72. The Commission recognises the potential for this policy change to have a disproportionate affect by ethnicity because of different family size demographics between various ethnic groups. The Commission however does not hold any data on the religions/beliefs of its customers.

## Other Protected Groups

### Gender reassignment

73. The general consideration is for a policy to impact on individuals in terms of their client role (parent with care or non-resident parent), not as a result of any protected characteristic. Specific data on this is unavailable; however, we do not expect clients who have undergone a gender reassignment to be disproportionately impacted by the proposed changes.

### Pregnancy and maternity

74. This particular characteristic would not be impacted by our proposed changes since their involvement with the child maintenance scheme would only occur when the child is born and is deemed a qualifying child. Likewise, we do not believe any disproportionate impact on parents who are pregnant and have a qualifying child for whom a maintenance arrangement is in place.

### Sexual orientation

75. As with gender and gender reassignment, individuals are recognised by their client role rather than their gender. We do not expect those with a particular sexual orientation to be disproportionately impacted by the proposed changes. This also applies where there has been a civil partnership.

### Religion and Belief

76. We do not have data on religion and belief with regard to child maintenance clients. We have therefore not been able to identify the impact of our proposed changes on these groups. However, as clients are recognised by their client role, we do not expect those with a particular religion or belief to be disproportionately impacted by the proposed changes.

### Contact details

77. If you have any questions on this equality impact assessment, would like further information on the future child maintenance scheme or if you would like a hard copy, Braille or large print version of this equality impact assessment then please contact:

<b>Via internet</b>	<a href="http://www.childmaintenance.org">www.childmaintenance.org</a> (click on 'contact us')
<b>By post</b>	New Scheme Policy Team Child Maintenance and Enforcement Commission PO Box 61791 London SW1P 9NT
<b>By email</b>	CAXTONHOUSE.CONULTATION@CHILDMAINTENANCE.GS I.GOV.UK

## Annex A

### Words and phrases used in this document

Qualifying Child	A child for whom a maintenance calculation is calculated under the statutory scheme.
Relevant Other Child	A child for whom the non-resident parent or their partner receives child benefit.
Child in Scotland	A qualifying child of 12 or over who lives in Scotland. A child in Scotland can apply for child maintenance and a variation in their own right.
Non-resident parent	A parent liable to make maintenance payments calculated under the statutory scheme.
Parent with care	A person who provides a home and day to day care for a qualifying child. This covers persons who are not parents but who are the main day-to-day carer of the children. For example, this could be a grandparent or a guardian.
Statutory system and statutory service	The statutory system is an umbrella term for the calculation, collection and enforcement of child maintenance, covering the scheme rules for the calculation of maintenance and the supporting IT and processes all of which together provide the service to clients.
Statutory scheme	The rules for the calculation, collection and enforcement of child maintenance.
The Commission	The Child Maintenance and Enforcement Commission.
HMRC	Her Majesty's Revenue and Customs.
2006 White Paper 'A new system of child maintenance'	This document set out proposals for the delivery of a new child maintenance system.
The 1991 Act	The Child Support Act 1991.
The 2008 Act	The Child Maintenance and Other Payments Act 2008.