

Investigating the compliance of CSA clients

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The Department for Work and Pensions (DWP) commissioned the University of Bristol to carry out qualitative research to investigate factors that influence the compliance of Non-Resident Parents in abiding by the requirement to pay child maintenance to the parent of their child or children through the CSA.

The objectives of the research are as follows:

- To understand the personal and CSA policy-related factors that influence and determine the compliance of non-resident parents in meeting their child maintenance obligations.
- To understand how the characteristics, circumstances, histories, attitudes and experiences of NRPs determine compliance, and what the key differences are between those who comply and those who do not.
- To build on what is already known about the associations between compliance and variables such as an NRP's income, age, contact between the NRP and child, and relationship between NRP and PWC prior to separation to explore differences within and between similar groups.
- To draw out the factors influencing compliance that have an operational focus, ie. those that may be mediated by the policies, activities and operation of the Child Support Agency.
- To explore how NRPs make the decision whether to comply, what considerations they take into account, how far it might be an 'active' or 'passive' choice, and the processes they go through.

- To look at patterns of compliance over time and identify key triggers or events that are associated with a move from compliance to non-compliance, or vice versa.
- To produce research that further enables the CSA to effectively target its resources towards increasing levels of compliance amongst NRPs obliged to meet their child support payments through the Agency.

The research was based on 78 in-depth qualitative interviews with Non Resident Parents, all of whom were men, across five of the seven Child Support Agency Business Units: Scotland and the North East; South West; Eastern: Midlands and the South East. The research was undertaken during Winter/Spring of 2004 & 2005.

Financial support prior to CSA involvement

There was little difference in subsequent levels of compliance or in the use of enforcement measures between those who had shared financial responsibility and those who felt they had shouldered the responsibility alone. Most Non Resident Parents had given payments directly to the PWC either in cash or by cheque. However, voluntary support prior to CSA involvement had typically lasted for less than a year.

The reasons for stopping maintenance payments varied. Typical reasons included PWC complaints about size of payment or delays or missed payments, PWC needed to claim benefits and the CSA automatically becoming involved, and NRP complaints at being pressured to pay 'too much'.

Some NRP's had made legal arrangements that were intended to provide them with a 'clean break' financially. Some were surprised and frustrated to find that the CSA was able to override their earlier agreements.

CSA involvement: assessments and calculations for child support

Most of the NRPs who had been assessed under the old rules for calculating child maintenance did not understand how the maintenance had been assessed and were confused by the introduction of the new rules.

The fact voluntary payments had ended may indicate a need to calculate and impose maintenance requirements as soon as possible after a couple separates. Alternatively, it might be feasible to encourage continuing negotiation and self regulation between separated parents in order to reduce the need for agency intervention.

Some parents continued to support their children in other ways after the CSA became involved. The focus typically changed from helping the family to cover bills to re-establishing a relationship with the children as a non-resident parent by paying for childrens holidays, paying for school trips, clothes and pocket money for example.

Compliance may be affected when clients do not fully understand why they are expected to make a certain payment. In some instances the NRP saw the CSA involvement as an additional burden rather than an alternative method of supporting their children.

Compliance

Sometimes a Deduction of Earning Order is necessary to access the maintenance due. Some expressed a willingness to argue and delay the proceedings on purpose every time they switched jobs until the agency imposed a DEO.

Occasionally clients who appear to be of a compliant nature are still unable to pay everything that is due. This is particularly the case amongst those who face fluctuations or unexpected reductions in income. Such clients may be better considered as those who 'can't pay' rather than persistent non-payers through choice.

Changes in compliance over time

Client circumstances and willingness to pay often vary through time. It was fairly common for NRPs to admit that they had not contacted the CSA to inform them about changes in circumstances.

Fluctuating income - whether through unemployment, illness, changes of jobs or self-employment for example - is a key trigger for non-payment.

Compliance levels and personal characteristics

Significant factors associated with maintenance payments include work status and having been married rather than co-habiting. There is little evidence to suggest that age or housing tenure is related to compliance but there are some possible relationships between type of employment and payment. Civil servants and professionals, for example, are more likely to pay.

There is also a strong association between compliance and frequency of NRP-child contact. In addition, in a small number of cases, payments to the CSA did influence the number of hours the NRPs were working. Thus some NRPs purposely worked minimum hours as there was a concern that any income gained from working extra hours would just be swallowed up in maintenance payments.

Compliance levels and policy

NRPs often complained about a perceived lack of personal treatment by staff (including the lack of caseworker) and the perception that there was a bias towards PWC's. In particular, NRPs would welcome the ability to have a greater level of face to face contact with CSA officers.

NRP's are often frustrated when their children want them to buy things that they feel they have already paid for through their maintenance payment. If a proportion of maintenance could be paid directly into a child's saving account (such as a Child Trust Fund for example) then that may remove some animosity towards maintenance payments.

Enforcement

Many NRPs do not see penalties as a realistic threat. In particular, it is noticeable that NRPs do not talk about the effectiveness of penalties in terms of deterrence or punishment.

Some respondents felt a DEO was really no different from a direct debit and appreciated the ease with which they could then make payments. Others felt that the DEO was an intrusion, that the Agency should not have the right to allow the PWC first call on their money. Others thought it was the only way in which the CSA was going to get any money from them.

Potential policy implications

Many NRPs react negatively to the involvement of the CSA, which is often related to their perception that the CSA is only or mostly for errant fathers, a label they don't often apply to themselves. They sometimes appear to view maintenance through the CSA as an additional burden – on top of any voluntary payments. This may suggest the following potential policy implications:

- Where existing voluntary payments can be maintained it is in the interests of the family and the agency to do so.

- It may be questioned whether all separating parents should be asked to pay child support through the agency as soon as they separate (or when the child is born in the case of those who are not co-habiting). This would have the advantage of dispelling any sense of blame or punishment.

NRPs are frustrated when their children want them to buy things that they feel they have already paid for through their maintenance payment. Often they resent giving money to their ex-partner and having no control over its expenditure. Possible policy implications may include the following:

- In some other countries maintenance obligations are legally due to the child, not the parent with care and this could have symbolic advantages. If a proportion of maintenance could be paid directly into a child's savings account (or Child Trust Fund for the younger age group), that might remove some animosity towards maintenance payment.
- Coupled to issues about loss of control, many NRPs appeared unaware of the true costs of bringing up children. If possible, then it may be beneficial to illustrate the value that maintenance payments play in supporting children via case studies for example, which might raise awareness among NRPs of the full cost, and responsibility of maintenance as well as the benefit it provides to children.
- Consider how far policy should be encouraging NRPs to share their standard of living with children. If not, then maintenance should be capped much lower than it is at present. If yes, then NRPs need to be told explicitly that this is the intention – some think only in terms of poverty prevention or in terms of reducing state spending on benefits (since only that group is obliged to use the CSA). The findings of this research suggest that this will be resisted as it necessarily means sharing with the PWC as well as the children.

NRPs face high living costs. Many take on large mortgages over extended repayment periods, in order to provide enough space for their children. There is a continuing issue about how far departures from a simple formula can bring benefits or instead brings back complexity and confusion, but any extension of a simple formula could usefully consider a role for living costs.

Some PWCs (allegedly) demand frequent reassessments, claiming changes have occurred and some NRPs are reluctant to inform CSA about changes because of previous bad experiences with the agency.

Other research findings and possible policy implications include the following:

Compliance depends on both 'willingness' and 'ability' to pay. In particular, the self employed are less likely to pay because of low, irregular income. Thus there may be some benefit in considering whether further use of tax calculations for the self employed can be used to help assess or possibly collect child maintenance.

Some NRPs will put any children they live with in a subsequent relationship before their 'own' children and will often have a 'naïve' view of the capacity of the benefits system to provide for their natural children. Thus, a potential implication is that the agency should continue to reinforce the message that parents are responsible for their children.

Enforcement can ensure that working NRPs pay the maintenance payments that are due. In particular, DEO can be a useful tool (especially if the NRP has not started paying) and, providing that the Agency is confident that the calculations are actually correct, then it may be appropriate to explore ways of collecting all payments from employed NRPs in this way. In addition, if the NRP misses a payment, then it may be appropriate to allow time for him/her to provide evidence of why payment was missed before imposing a DEO.

Many NRPs do not see penalties as a realistic threat. In particular, it is noticeable that NRPs do not talk about the effectiveness of penalties in terms of deterrence or punishment. Rather NRPs tend to consider penalties simply as a tool to obtain money and make errant parents 'pay up.' Incentives to comply are further affected by the fact that there is little expectation that penalties might be used to collect punitive sums or interest that is added to the outstanding sum to be collected. There may be some value in considering this position more closely.

The full report of these research findings is published for the Department for Work and Pensions by Corporate Document Services (ISBN 1 84123 889 9. Research Report 285. October 2005).

It is available from Paul Noakes at the address below.

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