



Consultation Paper on the White Paper

‘A new system of child maintenance’

Deadline: Tuesday 13th March 2007

Advice NI is a membership organisation that exists to provide leadership, representation and support for independent advice organisations to facilitate the delivery of high quality, sustainable advice services. Advice NI exists to provide its members with the capacity and tools to ensure effective advice services delivery. This includes: advice and information management systems, funding and planning, quality assurance support, NVQs in advice and guidance, social policy co-ordination and ICT development.

Membership of Advice NI is normally for organisations that provide significant advice and information services to the public. Advice NI has over 70 member organisations operating throughout Northern Ireland and providing information and advocacy services to over 150,000 people each year dealing with over 237,000 enquiries on an extensive range of matters including: social security, housing, debt, consumer and employment issues. For further information, please visit www.adviceni.net.

General

Advice NI welcomes the opportunity to respond to the consultation on the White Paper. We would refer to the content of the response forwarded in September 2006 on ‘A fresh start’: The Child Support Redesign.

In particular we would highlight the following:

“the needs of children must come first and foremost; and there must be actual, significant gain for children – in particular children from poorer households. It is arguable that if the proposed more generous maintenance disregard had been introduced from the beginning; and if the IT systems had been robust and effective we may not have found ourselves in the current position.”

Advice and Guidance

Advice NI believes that the independent advice sector should be given a key role within any advice and guidance strategy supporting the new system of child maintenance. For example people will require independent, impartial advice and information on the scheme to enable them to then make rational decisions on their own maintenance arrangements.

Independent advice centres have a proven track record of targeting hard to reach and vulnerable people – including lone parents. The Regulatory Impact Assessment highlights that there may well be a disproportionate impact on females, black and minority ethnic groups and people with disabilities. In Northern Ireland there may well be other disproportionate impacts in terms of Section 75 groups [within the terms of the Northern Ireland Act 1998]. Advice NI specialist members are acknowledged as providing a service to these groups and therefore this is another reason why the advice sector can assist Government fulfil its advice and guidance function. However these centres also operate in an environment of uncertain funding and huge demand for the service. Advice NI believes that the advice sector can assist Government fulfil its advice and guidance role, however this role will have to have adequate resources attached to it.

A test of Government’s commitment to any advice and guidance strategy will be the priority and resources which are given to it. There is mention that “it is envisaged that there will be an increased role for the third sector as both a provider and signposter of information and guidance”. Advice NI believes Government must demonstrate its commitment by providing more detail on any “increased role”.

Enforcement

Advice NI believes that Government must ensure that C-MEC staff have access to adequate training in terms of administering the new child maintenance regime; improving the assessment process and ensuring that money flows effectively and timorously. Key to the smooth functioning of any new system will be a robust IT system and Advice NI would hope that IT failures will not undermine any new child maintenance regime.

However we would urge caution in terms of the tougher enforcement proposals. If staff are to have powers to directly issue deduction from earnings orders and other deduction orders – bypassing the courts in the process – it is essential that the quality of decision-making within C-MEC is to the highest standard. It is likely that these decisions may be disputed by the non-resident parent therefore a disputes process should be in place which is robust, timorous and effective in terms of resolving these disputes.

Maintenance Disregard

Advice NI believes that historically one of the key shortfalls of the child maintenance regime was the fact that little or none of the maintenance collected actually benefited the parent with care and their children. The introduction of the maintenance disregard was a step in the right direction but Government should seize this opportunity to introduce a disregard which is substantial and which will create an environment which removes the suspicion that Government are more concerned with balancing the books than the welfare of children.

Responsibilities

Advice NI believes that Government should be attempting to correct the perception – in part generated by the disregard situation, and by the relatively poor performance of CSA – of a failing Agency not really aiming to improve the welfare of children. A campaign to address this situation must be founded on the positives of the new regime – money actually flowing to children, robust IT systems, high quality decision making. There then could follow a hard hitting message around enforcement, aiming to create a culture that not paying maintenance for children is as wrong as not wearing a seat belt or drink

driving. However this approach will only be successful if the positives of the new regime are indisputable and accepted as such by the public at large.

Transition

Advice NI believes that as regards the ‘clean break’ care must be taken around the transition of cases into the new child maintenance regime. Presently there are at least four types of cases under the present regime – old rules cases, new rules cases, transitional cases & clerical cases. There should be a categorisation of the various types of cases which currently exist and strategies to ensure a seamless transition. The welfare of children should be central to the thinking on this issue – in particular parents with care should not find themselves without maintenance during this process.

Related to the above point on advice and guidance, there will be a demand for information as people become aware that a new system of child maintenance is being devised. As parents with care rely on this income, there may well be fears about what the proposed changes will mean for them. It is essential that Government has progressed the advice and guidance requirements, and in particular has arrangements in place to meet this demand. If these arrangements are in place they will go a long way to reinforcing the ‘positive messages’ about the new child maintenance regime. If they are not in place, then people may well remain sceptical and fearful about the new regime. Finally Advice NI would refer to the content of our previous response regarding issues such as IT, HMRC and the consultation process generally.

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