

Who is a relevant other child?

991/48 Para 10C, Schedule 1 of the Child Support Act 1991

2012/2677 ([link is external](#)) Regulation 77 of the Child Support Maintenance Calculation Regulations 2012

A child will be a relevant other child for maintenance purposes if they:

are not a qualifying child in the case concerned, but
are a child for whom the non-resident parent or their partner receives Child Benefit (if non-resident parent's partner receives Child Benefit, the partner must be living in the same household as the non-resident parent).

A relevant other child will normally live in the same household as the non-resident parent and their partner, although there are circumstances where this is not the case. For example, because the child is at boarding school or is a patient in hospital.

Note: a relevant other child includes a child, in respect of whom the non-resident parent or their partner would receive Child Benefit but don't, solely because the child is temporarily out of the country. For example, where the ROC is receiving medical care abroad.

If a non-resident parent has a relevant other child, their maintenance liability will be reduced, if it is based on the basic, basic plus or reduced rate.

Evidence of a relevant other child

If a non-resident parent reports having a relevant other child, you will need to carry out two checks before recording them on the system and including them in the maintenance calculation.

Is there a record of the child on CIS?

The majority of people who live in the United Kingdom are recorded on the CIS database and have a National Insurance number assigned to them or an application has been made but parents have elected not to receive payments.

If the relevant child is recognised on CIS, you should proceed to check whether Child Benefit is in payment for them.

If the relevant child is not recognised on CIS, you should advise the non-resident parent that we cannot consider them as a relevant other child.

Is Child Benefit in payment?

If Child Benefit is in payment for the relevant child, you should proceed and record them on the system.

If Child Benefit is not in payment because the non-resident parent or their partner have elected for payments not to be made that person is to be treated as receiving child benefit and we can consider the child referred to as a relevant other child. This is to take account of recent changes to the administration of child benefit payments for parents who are high earners.

Note: a Child Benefit check will not tell you who the Child Benefit is being paid to. However, providing the child is recognised on CIS and Child Benefit is in payment for them, you should consider them to be a relevant child. No further evidence is required unless the parent with care disputes the fact that the non-resident parent has a relevant other child.

If Child Benefit is not in payment, (and parents have not elected for child benefit not to be paid) the child cannot be treated as a relevant other child, unless the exception below applies.

This is because payment of Child Benefit to the non-resident parent or their partner is a threshold requirement for a child to be treated as a relevant other child.

Exception: a relevant other child includes a child, in respect of whom the non-resident parent or their partner would receive Child Benefit but don't, solely because the child is temporarily out of the country. For example, where the relevant other child is receiving medical care abroad. If you receive a case where this occurs, please contact Advice and Guidance.

You only need to obtain further information / evidence about a relevant other child if a parent with care states they should not be included in the maintenance calculation.

Future change

When a non-resident parent reports that a relevant other child is due to be born, as this is a future change of circumstances the non-resident parent will need to inform CMS once the child is born. Remind the non-resident parent that child benefit has to be in payment for the relevant other child to be taken into account for child maintenance purposes.

Parent with care disputes relevant other child

- If a parent with care disputes the relevant other child, then further evidence from the non-resident parent will be required.
- Sufficient evidence for these purposes will normally be proof that Child Benefit payments are being made to the non-resident parent or their partner, at the non-resident parent's address or that the non-resident parent or their partner have elected not to receive Child Benefit payments.
- However, if the parent with care states Child Benefit should not be in payment (e.g. because the child has left school and started employment) you will need to confirm if they can still be treated as a child for our purposes. Refer to the guidance on 'Definition of a Child' for further advice.

MC effect of a ROC

Calculation based on the basic rate / basic rate plus

[1991/48 \(link is external\)](#) Para 10C(2), Schedule 1 of the Child Support Act 1991
[2012/2677 \(link is external\)](#) Regulation 77 of the Child Support Maintenance Calculation Regulations 2012

If a non-resident parent's liability is based on the basic or basic rate plus, their income is reduced to reflect any relevant other children.

The following percentages will be deducted from the non-resident parent's gross weekly income before the maintenance calculation is completed:

- 11% for one ROC
- 14% for two ROCs
- 16% for three or more ROCs.

Note: this single set of percentages applies across the full basic / basic rate plus income range of £200 to £3000.

Basic rate / basic rate plus example

Non-resident parent has a gross weekly income of £500.

Application is for 2 qualifying children and 1 relevant other child:

- apply the reduction for the relevant child = £500 - 11% = £445

- apply the calculation for two qualifying children = £445 x 16% = £71.20
- the non-resident parent's maintenance liability is £71.20 per week.

Reduced rate example

Non-resident parent has a gross weekly income of £180.

Application is for 2 qualifying children and 1 relevant other child:

- £7 (for the first £100 of income); plus
- £80 x 21.2% = £16.96
- = £23.96
- the non-resident parent's maintenance liability is £25.80 per week.

Calculation based on the reduced rate

2012/2677 (link is external) Regulation 43 of the Child Support Maintenance Calculation Regulations 2012

If a non-resident parent's liability is based on the reduced rate, their income will not be reduced to reflect any relevant other children. Instead a smaller percentage, as set out in the following table, will be applied to their full income.

The percentages applied are dependent on the number of qualifying children and the number of relevant children that the non-resident parent is liable to maintain.

Reduced rate example

		Number of Qualifying Children of the NRP		
		1	2	3+
Number of	0	17.0%	25%	31%
Relevant	1	14.1%	21.2%	26.4%
Other	2	13.2%	19.9%	24.9%
Children	3+	12.4	18.9%	23.8%
Of the NRP				

Calculation based on the flat rate

If the non-resident parent's liability is based on the flat rate, there is no effect on the maintenance liability. Non-resident parents do not receive a reduction for any relevant other children if they are liable to pay the flat rate amount of £7 per week.