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Exceptional Case - Assessment

Initially there may be a small number of cases that cannot be set up or supported on CMS2012. There are two types of cases identified for exceptional case handling:

- Type one cases cannot be started on CMS2012 as one or more case participant has no national insurance number (NINO) or child reference number (CRN)

- Type two cases are initially on CMS2012 and due to an incident that prevents progression these cases are moved to 2012 clerical case solution

This procedure shows caseworkers from the exceptional case handling team (ECHT) how to complete an offline assessment. The case details have been gathered and previously recorded on the information gathering template; this data is transferred to the calculation tool to complete the assessment.

ECHT caseworkers use the assessment tool to record details of all assessments including supersessions and revisions carried out following a report of a change of circumstances.

The ECHT use 2012 scheme letter, Exceptional Case - Letters (Outbound) and the relevant procedure to identify and issue the correct notification. The CMSL number and date the letter is issued is recorded on the letters field of the information gathering template.

This process is carried out and recorded by caseworkers from the ECHT.
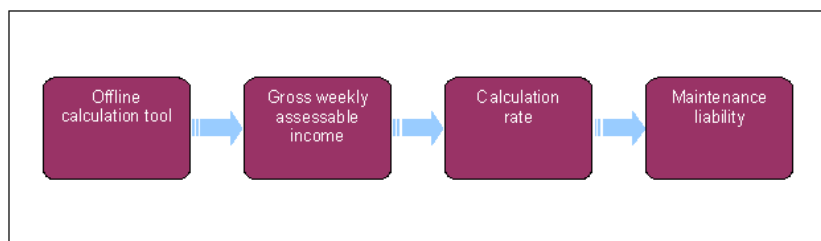
ⓘ This procedure uses the terms receiving parent and paying parent.

The receiving parent is the parent who receives or who is expected to receive child maintenance, known as the parent with care (PWC) or person with care (PeWC) on the system and in legislation. The paying parent is the parent who pays or who is expected to pay child maintenance, known as the non resident parent (NRP) on the system and in legislation.

Offline calculation tool

ⓘ This procedure applies to the Northern Ireland Child Maintenance Service (NICMS) and the Child Maintenance Group (CMG).

Exceptional case handling team (ECHT) caseworkers use the assessment tool to record details of all assessments including supersessions and revisions, carried out following a report of a change of circumstances (CoC).

1. Where a decision is made to progress a case using the exceptional case handling process, an incident/known problem is assigned by the Service Management process. Each exceptional case is stored electronically.

2. Before completing any offline calculation, check the information provided by the legacy single point of contact (SPOC) to confirm no up to date assessment exists. For further information refer to Exceptional case - information gathering.

ⓘ The 1993/2003/Clerical case scheme is referred to as legacy throughout this procedure.

3. Gather the case details previously recorded on the 2012 Clerical Case Solution (2012 CCS) and access the calculation tool on the intranet. The calculation tool has a series of self explanatory fields and drop down menus. Select the **NRP** tab, those fields that may require further explanation include:

- **SCIN** (where assigned) - this number is provided once the client record is set up on the system

- **NINO** (where known)

- **Effective date** - date the non resident parent is informed of the application

- **Annual review date** - this should be no more than 366 days from the calculation effective date or an earlier date if a CoC is expected e.g. qualifying child (QC) is due to cease full time education

- **Earned income** - gross annual earned income is the total amount before deductions

- **Unearned income** - added to annual gross. For further information refer to Variation - additional income

- **Diversion of income** - added to annual gross. Refer to Variation - additional income

- **Foreign exchange** - deducted from annual gross e.g. Paying parent receives income in foreign currency, foreign exchange cost of exchange to sterling

- **Pension** - deducted from annual gross pension from the paying parent

- **Special expense** - deducted from annual gross. For further information refer to Variation - special expenses

- Tick the button if the paying parent is in receipt of a benefit

- Tick the button if the paying parent has a partner in their benefit claim who is also an paying parent

- Case group details fields - enter number of receiving parents, QCs, ROCs, CIFBAs

- Consider charging costs - refer to the procedure for Application - Fees for further guidance

ⓘ Select one of the following tabs to: **calculate/cancel/save the details**

ⓘ A partially processed case would generally have income details available or previous assessment details. You should use these details where available. Where income details have not previously been gathered, refer to Calculation - Non HMRC for further information regarding gathering income details.

4. Select the **PWC/QC** details field and input:

- PWC details - name/ case reference/ QCs tab and **add/amend/delete** tab

- QC details - name/ LA care/ shared care and **add/amend/delete** tab

- Select **cancel/save**

5. Select the **ROC** details field and input:

- ROC details - select **add/amend/delete ROC**

- Enter the total number of ROCs in the tab

- Select **cancel/save**

- Record the number of CIFBA's in the non resident ROC field.

6. Select the **Calculation** details tab, the information is populated from the previous screens. Confirm all information is accurate.

The tool automatically displays the:

- **Weekly liability** per QC (before shared care)

- **Weekly case group liability** (before shared care)

- **Annual case group liability**

- **Weekly case group liability** (minus shared care, LA care where applicable)

7. Select the **PWC/QC** liability details tab; a new screen provides a breakdown summary of the assessment details (including a rounded daily liability figure, shared care and LA care fractions).

8. Select **Save**; name the folder with the paying parent first and last name, paying parent NINO, ECH reference number and effective date of the assessment. Select **Cancel**; to clear the information.

Calculation rules and rates

9. The calculation tool automatically converts the paying parent gross annual assessable income to a gross weekly assessable income figure. The following information is provided for guidance.

    The gross annual assessable income is divided by 365 and multiplied by seven to calculate the gross weekly assessable income figure.

Gross weekly assessable income

10. The following income bands apply for the paying parent:

    - Basic rate plus (assessable weekly income figure over £800.00)

    - Basic rate (assessable weekly income figure between and including £200.00 and £800.00)

    - Reduced rate (assessable weekly income figure between and including £100.01 and £199.99)

    - Flat rate (refer to Law and Policy Guidance for current amounts)

    - Nil rate (assessable weekly income figure between and including £0.00 and £6.99)

Basic rate plus and basic rate

11. Where the calculation income band is basic rate plus or basic rate the following percentages are deducted from the gross weekly assessable income figure (based on the number of ROCs):

    - one ROC = 11%

    - two ROC = 14%

    - three or more ROC = 16%

    The calculated amount is left un-rounded

12. After deductions for ROCs have been made, multiply the paying parent gross assessable income (basic rate plus = £800.00 up to and including £3000.00) by the following corresponding percentage rate:

    - one QC = 9%

    - two QC = 12%

    - three or more QC = 15%

    The calculated amount is left un-rounded

13. After deductions for ROCs have been made, multiply the paying parent gross assessable income (basic rate = £200.00 up to and including £800.00) by the following corresponding percentage rate:

- one QC = 12%
- two QC = 16%
- three or more QC = 19%

ⓘ The calculated amount is left un-rounded

ⓘ The following is provided for illustration purposes:

Paying parent 1 has 1 QC and 1 ROC and earns £900 per week = basic rate plus

- £900 x 11% (1 ROC) = £99
- £900 - £99 = £801 gross weekly income
- £1.00 x 9% = £0.09 income over £800 x 1 QC
- £800 x 12% = £96 (1 QC at basic rate plus up to £800)
- Maintenance assessment = £96.09

Paying parent 1 has 1 QC and 1 ROC and earns £800 per week = basic rate

- £800 x 11% = £88
- £800 - £88 = £712 gross weekly income
- £712 x 12% = (1 QC at basic rate)
- Maintenance assessment = £85.44

14. For the basic rate plus and basic rate income bands any non relevant resident children are treated as QCs when determining the calculation percentage rate to be used.

15. The basic flat rate maintenance is added to the basic rate or basic rate plus calculated figure for paying parent's in receipt of a weekly benefit and where one of the following fields can be completed:

- Paying parent gross annual earned income figure
- Paying parent gross annual unearned income variation figure
- Paying parent gross annual diversion of income variation figure

ⓘ Half the current amount is added to the calculated figure where the paying parent partner is also a paying parent.
For guidance on flat rate maintenance amounts refer to the Policy, Law and Decision Making Guidance ⚖

Reduced rate

16. For reduced rate amounts (reduced rate = £100.01 up to £199.99), the paying parent weekly liability is calculated before shared care as the flat rate. Any income over £100.00 is multiplied by the corresponding percentage rate based on the number of QCs and ROCs. For more information refer to the Policy, Law and Decision Making Guidance. ⚖

ⓘ The following is provided for illustration purposes:
Paying parent 3 has 1 ROC and 1QC and earns £125 per week = reduced rate

- £100 = flat rate deduction

- £25 x 14.1% (1 QC, 1 ROC) = £3.53

- Maintenance assessment = flat rate deduction + £3.53

- For guidance on flat rate maintenance amounts refer to the Policy, Law and Decision Making Guidance

17. Where the calculation income band is reduced rate the calculation tool will treat any non relevant resident children as QCs when determining the calculation percentage rate to be used.

18. Where the paying parent is in receipt of weekly benefit of £7 or more and where one of the following fields can be completed a further deduction is added to the reduced rate calculated figure:

- Paying parent gross annual earned income figure

- Paying parent gross annual unearned income variation figure

- Paying parent gross annual diversion of income variation figure

Half of the flat rate maintenance deduction is added to the calculated figure where the paying parent partner is also an paying parent. For guidance on flat rate maintenance amounts refer to the Policy, Law and Decision Making Guidance

Flat rate

19. Where the paying parent gross weekly income after deductions is equal to or more than the flat rate and equal to or less than £100 the paying parent weekly liability before shared care will be the flat rate per week. For more information on current flat rate maintenance amounts refer to the Policy, Law and Decision Making Guidance

20. Where the paying parent is in receipt of benefit only the flat rate is applied.

21. Where the paying parent is in receipt of a benefit and has a partner who is also an paying parent the flat rate amount payable shall be divided by two.

22. Where the paying parent is in receipt of a weekly benefit of £7.00 or more and the following fields have been populated to a combined total of £7.00 or more then a further deduction is added to the existing flat rate calculated:

- Paying parent gross annual earned income figure

- Paying parent gross annual unearned income variation figure

- Paying parent gross annual diversion of income variation figure

Nil rate

23. Where the paying parent gross assessable income figure is less than £7.00 the **NRP weekly liability** for the case group is nil.

24. Where the paying parent is in receipt of a benefit and the weekly amount of benefit in payment is less than the flat rate then the paying parent weekly liability for the case group is nil.

Weekly liability per child before shared care

25. The offline tool calculates the paying parent weekly liability per child before shared care. The basic plus, basic, reduced or flat rate figure calculated will be apportioned between the total number of QC and relevant non resident children in the case group. This will be left un-rounded.

Weekly case group liability before shared care

26. The offline tool calculates the paying parent weekly liability before shared care excluding any amount due to non relevant resident other children.

    i Paying parent weekly liability = £30 / 3 (3 QC in case group) = £10 per QC before shared care

Shared care

27. A deduction is made for each child where shared care is in place as follows:

    - 1 night per week = weekly liability reduced by 1/7th for relevant QC/s
    - 2 nights per week = weekly liability reduced by 2/7th for relevant QC/s
    - 3 nights per week = weekly liability reduced by 3/7th for relevant QC/s
    - 4 nights per week = weekly liability reduced by 4/7th for relevant QC/s
    - 5 nights per week = weekly liability reduced by 5/7th for relevant QC/s

    i Shared care for QC 1 = 1 night per week = 1/7th

    Maintenance liability = £10 per week = £10/7 = £1.42 (un-rounded)

    £10 - £1.42 = £8.58

28. Where shared care and local authority care is in place for a QC the fractions are added together and the total amount deducted from the weekly liability for that QC.

29. Where the paying parent:

    - is in receipt of a benefit only
    - the flat rate has been applied
    - the paying parent has at least one night shared care for at least one QC

    The weekly liability for that QC is reduced to nil.

30. Where the paying parent is not in receipt of a benefit and the flat rate has been applied then no deductions for shared care or local authority care are allowed.

31. Where the paying parent is not in receipt of a benefit and the shared care or local authority reduction takes the paying parent weekly case group liability to below £7.00 then the weekly liability for the case group is the current flat rate maintenance. This is called forced flat rate.

    i Where the forced flat rates apply select the flag to indicate this on the offline system. For guidance on current flat rate maintenance amounts refer to the Policy, Law and Decision Making Guidance.

32. Where the paying parent is in receipt of a benefit and the flat rate applies, no reduction is allowed for local authority care.

Maintenance liability

33. The weekly and annual liability for the paying parent and (each) receiving parent is displayed. This figure is rounded to two decimal places.

    i Paying parent weekly liability = £30
    3 receiving parents (each receiving parent has 1 QC) = £10 per receiving parent/QC

    i Where rounding applies, this is to two decimal places, rounding down to the nearest penny if lower than 0.5, rounding up to the nearest penny if 0.5 or above.

(i) Gross deductions x rate (apportion the liability between all QCs and Children in private arrangement CIPA where applicable) – shared care adjustments = maintenance liability

34. Users should be aware of the following:

- the calculator can not be amended and amounts are fixed to prevent error
- case details from the calculation tool should be printed for inclusion in clerical papers
- the calculation details should be saved to keep with electronic files but users cannot amend the details once saved
- use a default name when saving the calculation details e.g. paying parent name and UCI

35. Contact the receiving parent/paying parent and Child in Scotland to advise of the calculation details and issue the relevant notification. (For information regarding calculation notifications refer to the 2012 Scheme Letter link and Exceptional Case - Letters (Outbound). Search and issue the relevant calculation letters.

(i) Save a copy of all notifications electronically and print copies to keep with file documents.

(i) Once a template has been saved the information cannot be amended. For a revision or supersession, use a blank version from the intranet.

(i) Special client records are printed off and stored in the exceptional case handling team cabinet.

36. Once the calculation is completed, the schedule is worked out and recorded by caseworkers from the Exceptional case handling team using the payments and receipts template found on the intranet.

Related Items

Application - Fees

Calculation - non HMRC

Exceptional case handling - information gathering

Exceptional case - letters (outbound)

Variation - additional income

Variation - special expenses