



16 September 2025

Tēnā koe

**Official Information Act request**

Thank you for your email of 21 July 2025, requesting information about guidelines and policies on care arrangements for dependent children.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below.

A principal caregiver is defined by Schedule 2 of the Social Security Act (2018), we are providing the publicly available link to Schedule 2 here:

[www.legislation.govt.nz/act/public/2018/0032/latest/DLM6784375.html#DLM6784375](http://www.legislation.govt.nz/act/public/2018/0032/latest/DLM6784375.html#DLM6784375)

Section 195 of the Social Security Act (2018) provides guidance for how to determine who is the primary caregiver when both parents are receiving a benefit, and each benefit has responsibility for the care of the child for at least 40% of the time. The publicly available link to this is available on the NZ Legislation website, we are providing that link here:

[www.legislation.govt.nz/act/public/2018/0032/latest/DLM6783514.html](http://www.legislation.govt.nz/act/public/2018/0032/latest/DLM6783514.html).

The Ministry also holds a range of guidelines to enable staff when making determinations about any shared care arrangements. We are providing the following publicly available resources on the Ministry's Map page here:

- *Shared care:* [www.workandincome.govt.nz/map/income-support/main-benefits/sole-parent-support/shared-care.html](http://www.workandincome.govt.nz/map/income-support/main-benefits/sole-parent-support/shared-care.html)
- *Share care – principal caregiver:* [www.workandincome.govt.nz/map/income-support/extra-help/childcare-assistance-programme/shared-care-principal-caregiver-03.html](http://www.workandincome.govt.nz/map/income-support/extra-help/childcare-assistance-programme/shared-care-principal-caregiver-03.html)
- *Decision guidelines for shared care:* [www.workandincome.govt.nz/map/income-support/main-benefits/sole-parent-support/decision-guidelines-for-shared-care.html](http://www.workandincome.govt.nz/map/income-support/main-benefits/sole-parent-support/decision-guidelines-for-shared-care.html)

We are also providing you with **Appendix One** which provides the following resources that are available on the Ministry's intranet:

- *Shared Care for Childcare Subsidy, OSCAR and Child Disability Allowance*
- *Childcare and OSCAR Subsidy shared care*

We have also attached an **Appendix Two** which provides a *50/50 Shared Care and Childcare Assistance* internal power point document. Please note that this document contains example scenarios that have been used for illustrative purposes.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi nui

pp. 

Anna Graham  
**General Manager**  
**Ministerial and Executive Services**

## Shared Care for Childcare Subsidy, OSCAR and Child Disability Allowance

Historically shared care has been at the centre of many requests to Helpline, Policy and Operational Policy requesting advice on how these cases should be treated. There has been varying advice which needed proper clarification. This has now occurred and shared care practice has been defined.

On this Page:

### Shared Care practice

Payments of both Childcare and OSCAR subsidy and Child Disability Allowance may no longer be paid to both parents. Only the principal or main caregiver is entitled to receive the payments. This is a change in practice when assessing entitlement to Childcare and OSCAR subsidy and / or Child Disability Allowance. This change in practice is effective from now for all new shared care applications.

All current shared care cases of Childcare and OSCAR Subsidy and Child Disability Allowance will be managed at a later date.

### What is shared care

Shared care only applies when the parents or caregivers of a child are living apart and the child lives at least 40% the time with each parent. If both parents apply for a Childcare or OSCAR subsidy or Child Disability Allowance for that child, only one parent / caregiver (defined as the principal or main caregiver) is now entitled to receive the subsidy or allowance (This is the person who spends the majority of the additional 20% of the time with the child).

Payments **must not** be made to both caregivers.

### Why is this different than spilt custody

Spilt custody occurs when there is more than one child in the relationship. If the parents decide to live apart and the parents choose to care full time for at least one of the children each from that relationship on a full time basis, then that type of caring arrangement is called split custody. Different rules apply to these different situations.

If parents share care of their child or children and wish to receive a Childcare or OSCAR subsidy, or a Child Disability Allowance, they will only receive it if they are determined to be the **principal or main caregiver**.

### How to identify a principal / main caregiver

Remember that shared care applies when a child spends at least 40% of their time with each parent on an on-going basis.

Payment of CCA or CDA will now depend on who the child spends the majority of the other 20% of time with.

Where parents have equal time, to help decide which parent has greater responsibility, staff will ask parents to consider the following:

- who pays for the child's material support (furniture, clothes etc.)
- who decides about the child's daily activities
- who takes them to and from school and supervises leisure activities
- who makes decisions about their education and health
- who pays for which expenses.

### Unclear as to who is the principal/ main caregiver

If it is not clear who has greater responsibility or the parents share the responsibility equally, the parent who was mainly responsible for the day to day care of the child prior to the separation is the person who is the principal or main caregiver.

If the parents / caregivers cannot agree, no subsidy or allowance can be paid until agreement is reached.

### Shared care examples

#### Example one

#### When one person has care of the child more than the other:

For instance, Tara has her two sons in her care Monday morning to early Friday morning when their Dad picks them up. They attend an OSCAR programme every day as Tara works full time. Jonny, the boy's father has responsibility for them from Friday morning. On Friday afternoon, Jonny picks them up from their OSCAR

programme and they stay with Jonny Friday afternoon to Monday morning when Tara assumes responsibility again.

Because the boys live with Tara four days out of seven, she is considered the main caregiver and is entitled to the OSCAR subsidy for the time the children are in her care.

Tara also receives the full Child Disability Allowance for one of her sons who has Downes syndrome, because again, she is the main caregiver.

### **When both parents/ caregivers have the boys equally**

Lisa and Ethan share care equally (each alternate week) for their children since separating. As Lisa and Ethan both work the boys go to an OSCAR programme after school.

To identify who the principal caregiver was, Lisa and Ethan had to consider who had the greater responsibility prior to separating.

Even though Ethan was working full time and paid for the children material support and expenses it was Lisa, who spent most of the time with the children taking them to and from school, arranging and taking them to doctors' appointments, etc. Therefore Lisa was determined as the main caregiver and as such she was entitled to an OSCAR subsidy for the time the children are in her care.

Ethan will have to pay the full fees himself for each week of attendance the children were in his care.

### **Example two**

## **The new process flows**

There are new process flows that explain how to grant and decline CCA, OSCAR and CDA.

[Childcare Subsidy - new applications process \(PDF 180 3KB\)](http://doogle/documents/resources/helping_clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/childcare-subsidy-new-applications.pdf) [[http://doogle/documents/resources/helping\\_clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/childcare-subsidy-new-applications.pdf](http://doogle/documents/resources/helping_clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/childcare-subsidy-new-applications.pdf)]

[OSCAR Subsidy - new application process \(PDF 180.33KB\)](http://doogle/documents/resources/helping_clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/oscar-subsidy-new-applications.pdf) [[http://doogle/documents/resources/helping\\_clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/oscar-subsidy-new-applications.pdf](http://doogle/documents/resources/helping_clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/oscar-subsidy-new-applications.pdf)]

[Child Disability allowance - new applications process \(PDF 179 33KB\)](http://doogle/documents/resources/helping_clients/procedures-manuals/work-and-income/extrahelp/cda-new-applications.pdf) [[http://doogle/documents/resources/helping\\_clients/procedures-manuals/work-and-income/extrahelp/cda-new-applications.pdf](http://doogle/documents/resources/helping_clients/procedures-manuals/work-and-income/extrahelp/cda-new-applications.pdf)]

## **Letters**

New letters have been developed and have been placed in CMS.

From client's record, select 'New Letter' under 'Actions'

A pop-up box will present. Select the letter name from the drop-down list;

Childcare / OSCAR Subsidy – shared care

Child Disability Allowance - shared care

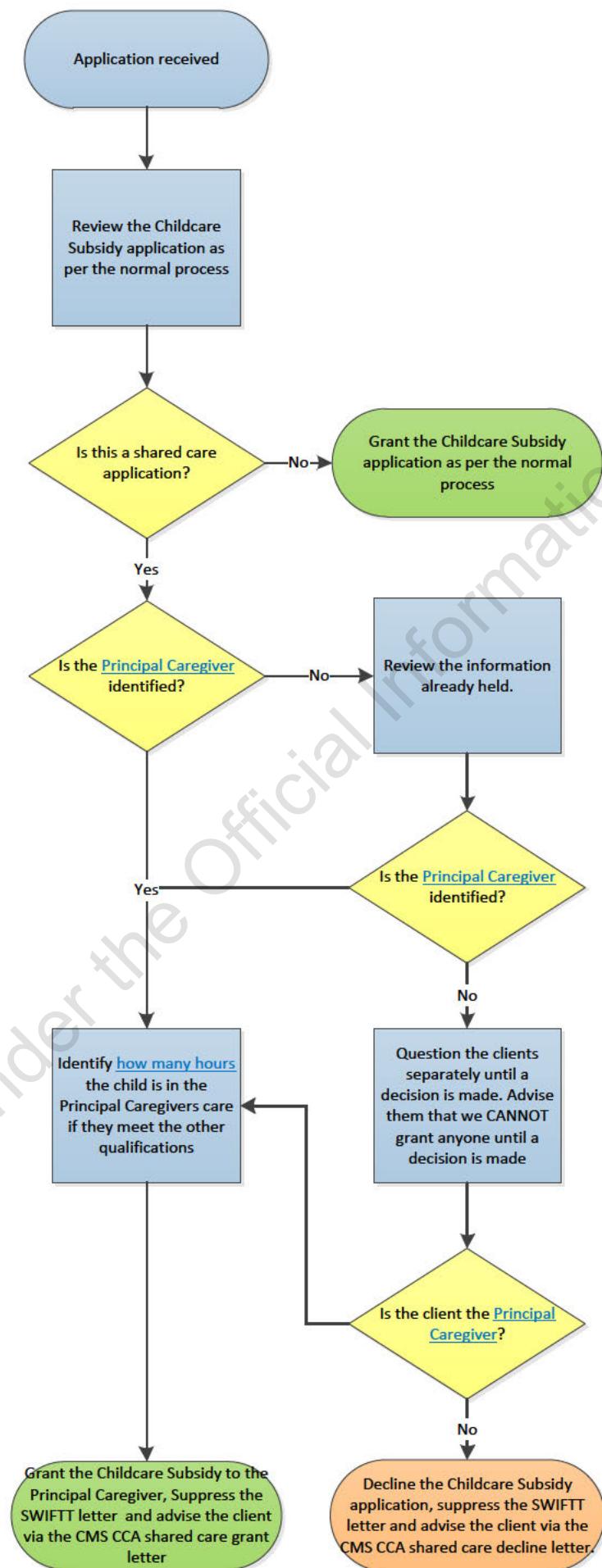
and select 'Next'

In the next screen, client's address will auto-populate. Select 'Save' to proceed

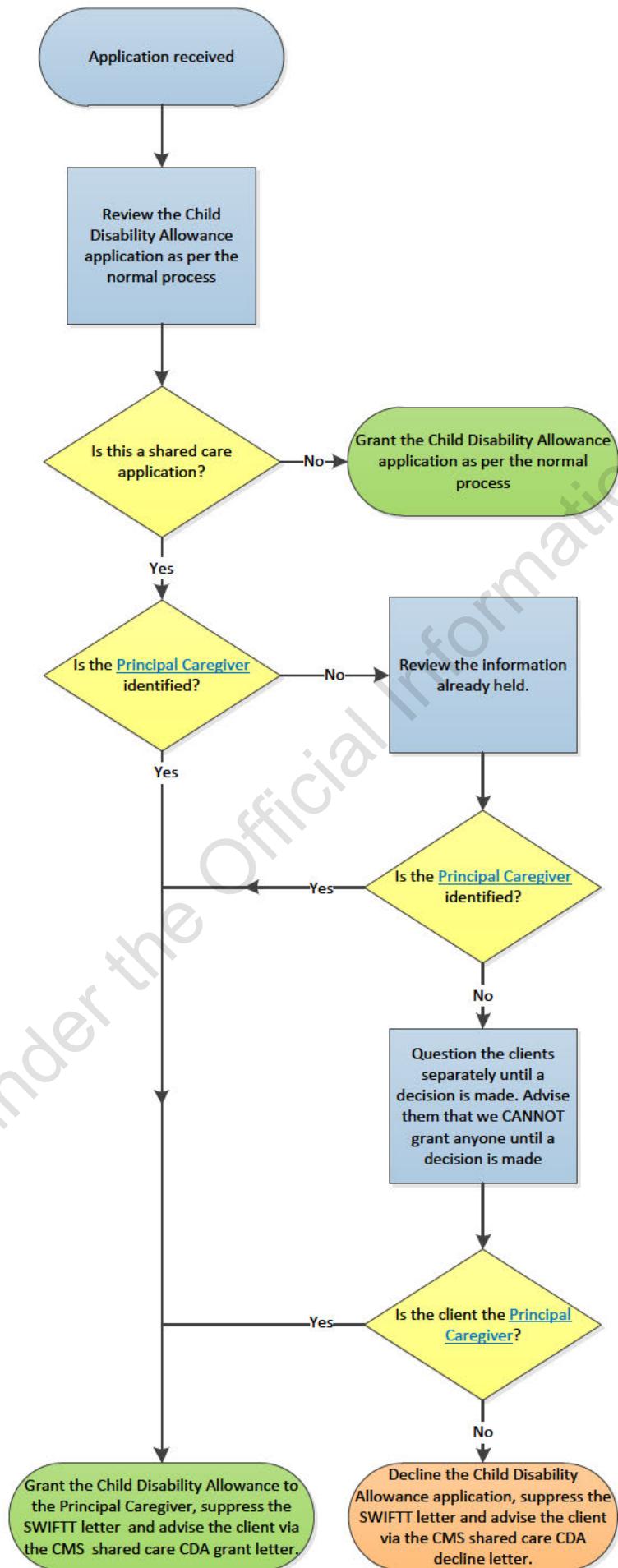
Select 'Launch ECS Letter' from the pop-up box that appears

The letter will launch into ECS. Proceed as per the business as usual process.

# Childcare Subsidy – New Applications



# Child Disability Allowance – New Applications



## Childcare and OSCAR Subsidy shared care

All Childcare and OSCAR Subsidy shared care cases will be granted under this application process . All current Childcare or OSCAR subsidy shared care cases will be reviewed at a date to be determined.

On this Page:

### New Applications

All new applications for Childcare or OSCAR subsidy where shared care is identified must be processed under these CCA and OSCAR applications instructions.

### 20 hours Early Childhood Education

Note: When processing a shared care application for a child aged 3-5 ensure that you understand when the child is accessing the 20 ECE hours. Normally the centre dictates when the child can attend the centre, based on available places. This may or may not be when the main caregiver has the child in their care. Subsidy must not be paid for any ECE hours.

[CCA application process \(PDF 180.3KB\)](http://doogle/documents/resources/helping_clients/procedure_manuals/work_and_income/extrahelp/childcare-assistance/childcare-subsidy-new-applications.pdf)

[OSCAR - application process \(PDF 180.33KB\)](http://doogle/documents/resources/helping-clients/procedures-manuals/work-and-income/extrahelp/childcare-assistance/oscar-subsidy-new-applications.pdf)

### Reviewing current cases

#### Childcare and OSCAR Subsidy

All current shared care cases of Childcare and OSCAR Subsidy will be reviewed at a later date.

### How to calculate the hours of childcare or oscar subsidy to pay

#### Step 1: Hours in care of Principal Caregiver

Identify and record how many days per week the child is in the principal caregiver's care.

#### Step 2: Hours attended at the child's programme

Identify and record how many hours per week the child attends their childcare/OSCAR programme while in the principal caregiver's care.

#### Step 3: Hours of subsidy to pay

Pay only the hours the child is attending the programme while in the principal caregiver's care.

### Example of calculating hours

Mary and Jack have agreed to a new shared care arrangement for their boys who are still attending an OSCAR programme for 20 hours per week, from Monday to Friday at 4 hours each day.

The boys' caring arrangement is 4 days with Mary from early Monday morning to early Friday morning and the remaining 3 days are with Jack. Mary would be entitled to 16 hours of the subsidy but Jack will have to pay for the boys' care himself – 4 hours each when they attend on the Friday.

The following table explains how the calculation is made

Days	Hours the child attends the programme	days in care of the main caregiver	days in the care of other caregiver	total hours paid to main caregiver
Sunday	closed	no	yes	
Monday	4	yes	no	4
Tuesday	4	yes	no	4
Wednesday	4	yes	no	4
Thursday	4	yes	no	4

Friday	4	no	yes	
Saturday	closed	no	yes	

When the situation is 3.5 days each over the week, or week on, week off, or even month on, month off – this is a 50/50 care situation. You will need to identify the principal or main caregiver to decide who will receive the payment.

### How to identify a principal/main caregiver?

Remember that shared care applies when a child spends at least 40% of their time with each parent on an on-going basis.

Payment of CCA or CDA will now depend on who the child spends the majority of the other 20% of time with.

Where parents have equal time, to help decide which parent has greater responsibility, staff will ask parents to consider the following:

- who pays for the child's material support (furniture, clothes, etc.)
- who decides about the child's daily activities
- who takes them to and from school and supervises leisure activities
- who makes decisions about their education and health
- who pays for which expenses.

### Unclear as to who is the principal/main caregiver

If it is not clear who has greater responsibility or the parents share the responsibility equally, the parent who was mainly responsible for the day to day care of the child prior to the separation is the person who is the principal or main caregiver.

If the parents / caregivers cannot agree, no subsidy or allowance can be paid until agreement is reached.

**Remember:** Don't interview these clients together unless you have checked with them that they are comfortable to discuss this together.

### SWIFTT limitations when paying in a week on week off situation

When both parents have the child at the same centre or programme and we are paying only the hours that the main caregiver is entitled to, in a week on week off situation, SWIFTT is not able to automatically pay week on week off.

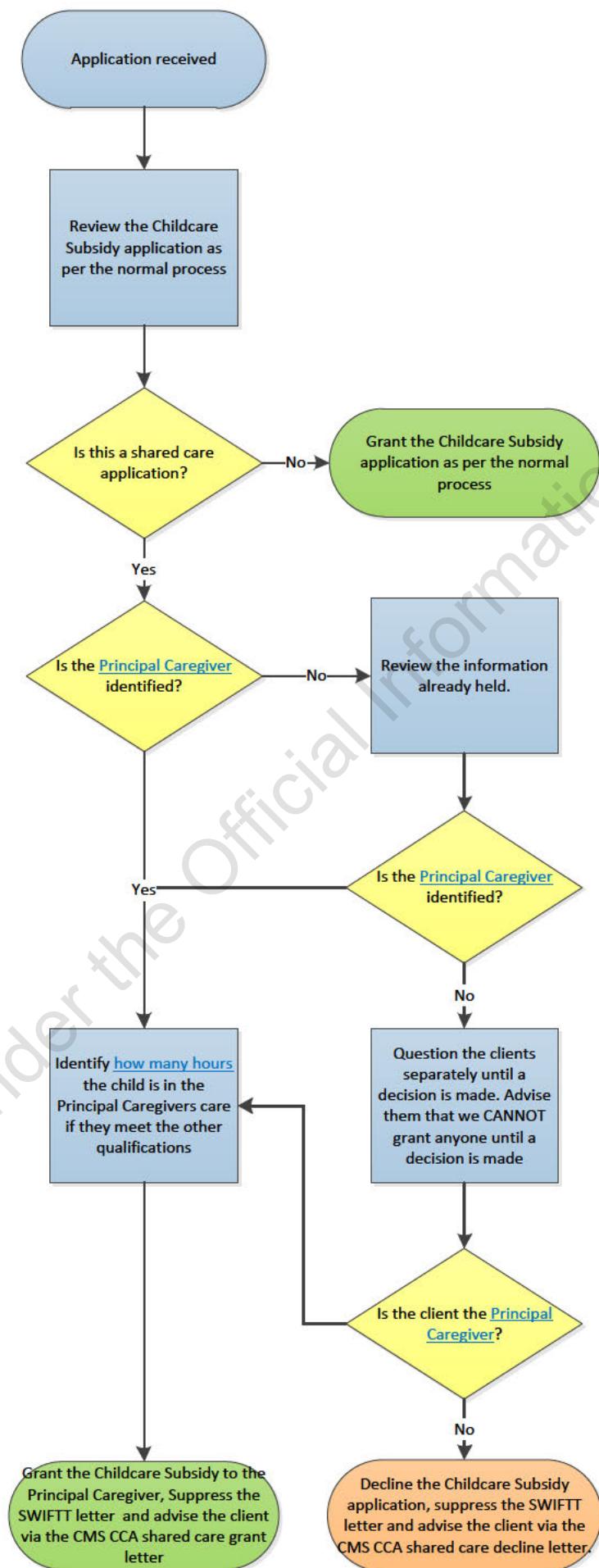
To ensure we can make payment properly, we calculate the hours and pay them over two weeks, for instance Suze has the children at OSCAR for 20 hours every second week when they are in her care and Allan has them at the same programme for 20 hours for his week.

We would pay Suze's subsidy at 10 hours per week and ensure that the centre is aware that the subsidy is being paid this way because of system limitations and any subsidy should only ever be credited to Suze's account.

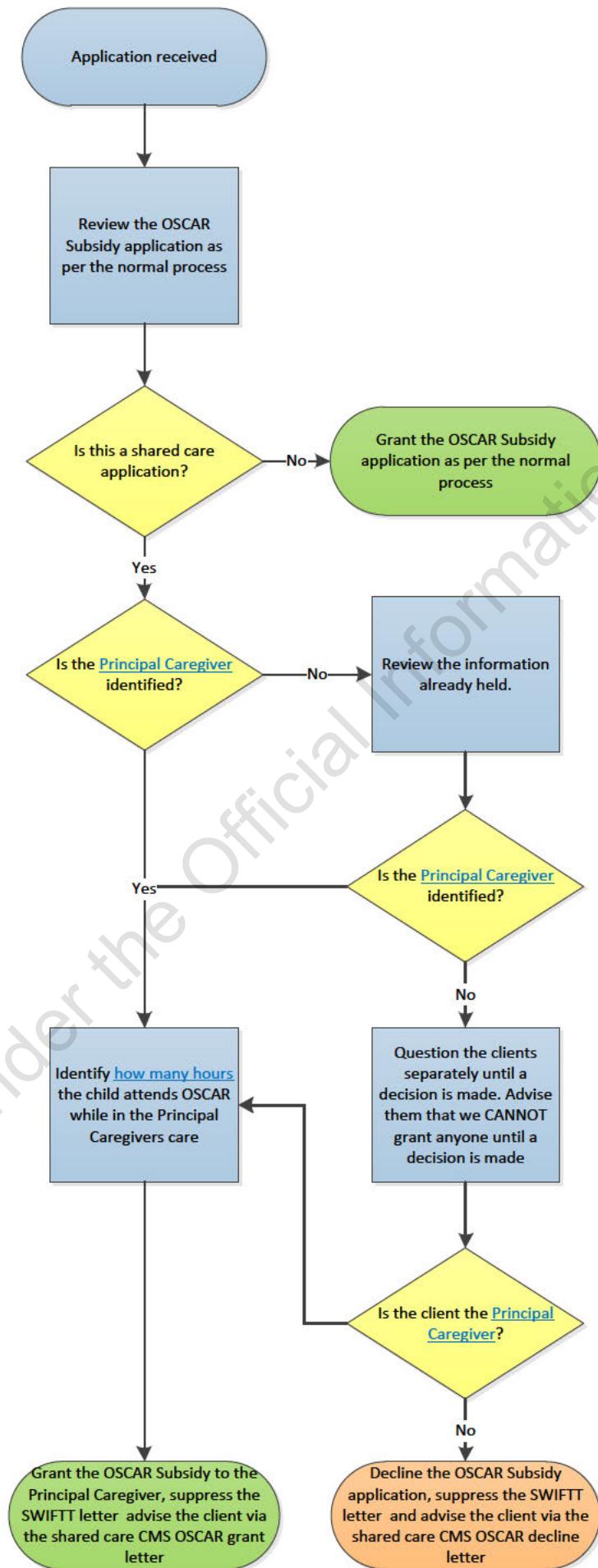
### Reviews

If a client wishes to review the decision made on a shared care application, the Centralised Processing centre will manage that review. Please email the clients details and their request to [Centralised\\_Childcare\\_Reviews@msd.govt.nz](mailto:Centralised_Childcare_Reviews@msd.govt.nz) [mailto:Centralised\_Childcare\_Reviews@msd.govt.nz] for centralised services to follow up.

# Childcare Subsidy – New Applications



# OSCAR Subsidy – New Applications



# 50/50 SHARED CARE & CHILDCARE ASSISTANCE



# PURPOSE

- To provide you with the knowledge and understanding of 50/50 shared care
- To give you the access to the support and resources required to assess and process 50/50 shared care actions

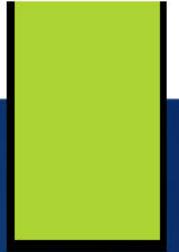
You will..



Be more confident in assessing 50/50 shared care

Understand the Policy and Legislation related to 50/50 shared care

Be able to navigate our systems to find relevant 50/50 shared care information



### Support available to you:

- Peer Support
- Capability Developers
- Managers
- EAP

Be mindful of others

Release under the Official Information Act (1982)

# What is shared care?

"Shared care" is a term used in the Family Court to refer to a variety of care arrangements for children.

While a shared care arrangement is becoming more and more common, for the purposes of Childcare Assistance, legislation states we may only pay a subsidy to the 'principal caregiver' of a 'dependent child'.

# What is a dependent child?

A child who is:

- primarily the responsibility of that person
- maintained as a member of the family
- financially dependent on that person
- not a child for whom payment under the Child, Young Persons and their Families Act 1989 are being paid
- Not a child for whom Orphans or Unsupported Child's Benefit (UCB) is being paid (except in relation to that child's parent or step-parent)



The parent with the greater responsibility is usually the parent who has the child for most of the time

If a parent has the child for at least 60% of the time, they have the primary responsibility

## What about a principal caregiver?



# So you think it's shared care, now what?

Check the client's record for information we may already hold

## CMS check:

- how many days the child is in each parents care (under 'Relationship')
- notes to see if Principal caregiver assessment has already been completed (sometimes but not always a MVN)
- if we already hold documents on the client's record regarding the care arrangement (e.g. Formal or Informal arrangement, could be a Personal Details form)

## SWIFTT check:

- Is the child included in Main Benefit
- CCSI (History) to see if client has ever received Childcare Assistance with a shared care arrangement
- Is the other parent is receiving Childcare Assistance for that child

If we aren't able to locate sufficient information to make a decision, we will need to contact the client and request verification of the care arrangement.

Remember the Privacy Act when communicating with clients

- Refer to the other parent as mother of child or father of child
- Never note the other parent's details on the client's record

A phone call with the client can help us understand:

- How many days the child is in the client's care
- Which days the child is in the client's care
- Any changes to the care arrangement

It also gives us the opportunity to ask for verification



Prepare

Acknowledge  
client

Verify client

Explain  
reason for call

# Making the call

What are the circumstances of your shared care arrangement?

How would you describe the split of responsibilities between you and the father of the child?

What type of arrangement do you have?

In order to assess your full and correct entitlement we need your shared care arrangement....

# Effective questioning



# Concluding the call



## During the call

- Clarify the client's shared care arrangement
- Advise the client of information we require and the reasons why
- Tell the client what your next steps will be



## After the call

- Request a copy of the formal or informal arrangement
- Update CMS child relationship details
- Leave good and clear Client Event note detailing phone conversation

# Calculating shared care

You have the shared care arrangement, now what?



There are 336 hours in a fortnight

We need to determine how many hours a fortnight the child is in each parent's care to identify the principal caregiver

School time is included in hours of care depending on the change over time of care

# Are they the principal caregiver?

Yes

Grant

Subsidy can only be for the enrolled hours the child is in the care of the principal caregiver

1. Identify which days the child is in the principal caregiver's care
2. Grant the Childcare Subsidy application
3. Suppress the SWIFTT LSUM letter
4. Advise the client of the grant using the CMS 'Childcare / OSCAR Subsidy Letter for Shared Care' letter

Don't know

Lapse

Care arrangements are split 50/50 with days in care and responsibilities

**A Decision must be made and signed by both parties if a decision cannot be made on the current care agreement**

1. Lapse the Childcare Subsidy application
2. Suppress the SWIFTT LSUM letter
3. Advise the client of the lapse using the manual letter with wording from the 'Shared care Insufficient information' template

No

Decline

The client is not the principal caregiver due to less days in care or responsibilities

1. Decline the Childcare Subsidy application
2. Suppress the SWIFTT LSUM letter
3. Advise the client of the decline using the CMS 'Childcare / OSCAR Subsidy Letter for Shared Care' letter

# Scenario 1 – OSCAR Subsidy

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
Parent					Primary	Primary	Primary	
Hours enrolled					3			15 hours @ \$97.50
Parent	Primary	Primary	Primary	Primary				
Hours enrolled	3	3	3	3				15 hours @ \$97.50

Child is in the principal caregivers care week on, week off from Friday to Thursday

Client studies 25 hours a week + 1 hours travel. Based on their income, they can receive CCS rate of \$5.69 an hour

What is the client's entitlement?

# Scenario 2 – Childcare Subsidy

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
Parent							Primary	
Hours enrolled								Enrolled 15 hours for \$90 per fortnight
Parent	Primary	Primary	Primary	Primary	Primary	Primary		
Hours enrolled	3	3	3	3	3			

Child is in the principal caregivers care week on, week off from Sunday to Saturday

Client is non-active and based on their income can receive CCS rate of \$4.53 an hour

What is the client's entitlement?

# Scenario 3 – Childcare Subsidy

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
Parent			Primary	Primary	Primary	Primary	Primary	
Hours enrolled			3	3	3			Enrolled 15 hours for \$90 per fortnight
Parent	Primary	Primary						
Hours enrolled	3	3						

Child is in the principal caregivers care week on, week off from Wednesday to Tuesday

Client is non-active and based on their income can receive CCS rate of \$4.53 an hour

What is the client's entitlement?

# Scenario 4 – ECE

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
<b>Parent</b>	Primary		Primary		Primary		Primary	
Hours enrolled	8		8		8			Enrolled 40 hours – 20 ECE @ \$295.00
<b>Parent</b>		Primary		Primary		Primary		
Hours enrolled		8		8				Enrolled 40 hours – 20 ECE @ \$295.00

Child is in the principal caregivers care every second day

Client is non-active with a CDA child (sibling) and based on their income can receive CCS rate of \$5.69 an hour

What is the client's entitlement?

# What does that look like in the systems?



How we process the shared care entitlement is dependent on a few things:

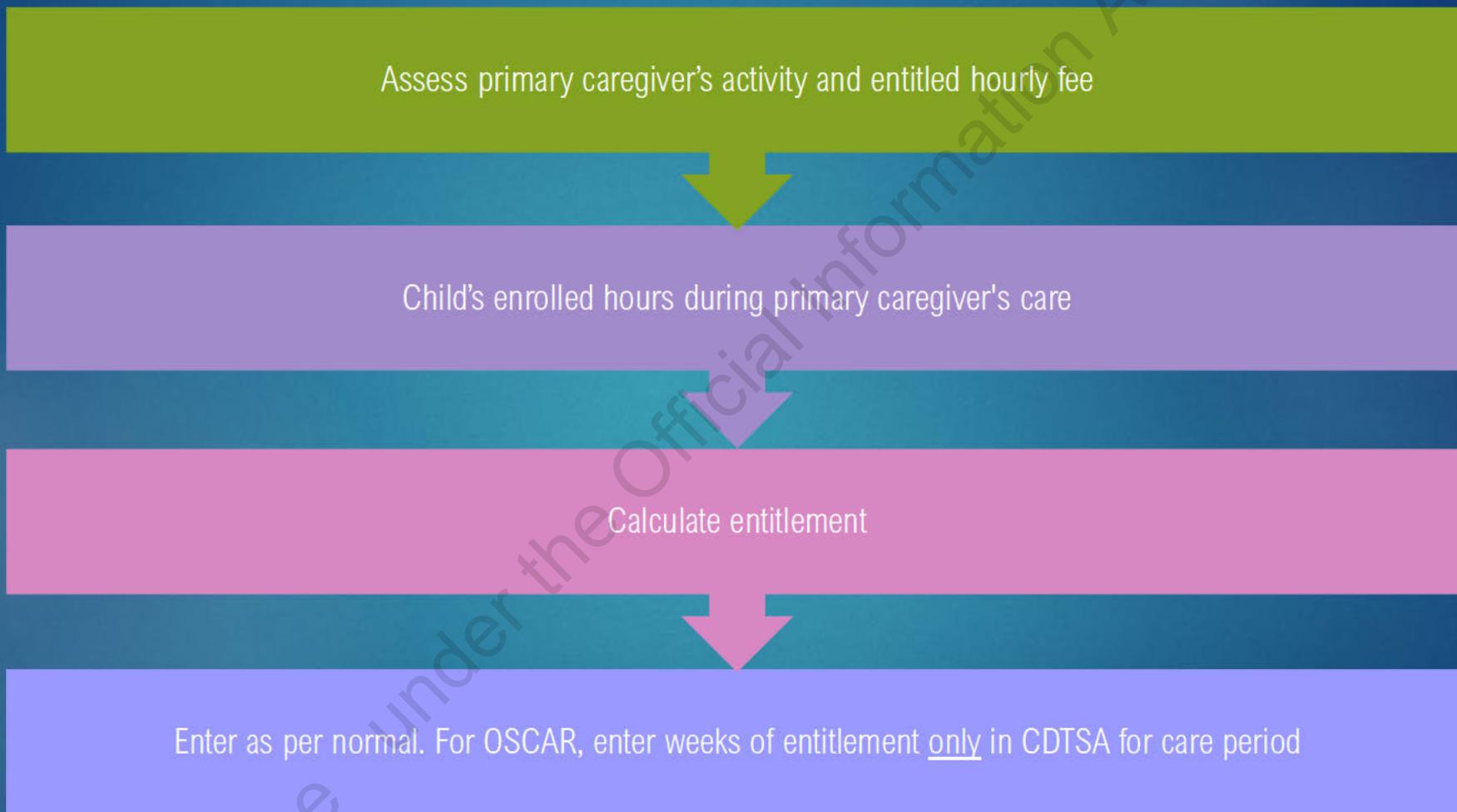
- The type of Childcare Assistance
- The weeks of entitlement
- The frequency

**Option 1** Process week on, week off

**Option 2** Averaging the subsidy

**Option 3** Client has regularly weekly entitlement

# Week on, week off



# Week on, Week off

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
Parent							Primary	
Hours enrolled								
Parent	Primary	Primary	Primary	Primary	Primary	Primary		
Hours enrolled								

Effect. date	Description	Status	Rate pw	Care Type	Grand Parent
1 10/04/17	End of Care Period/school term	Suspended		S	
2 03/04/17	Review	Current	40.40	S	
3 27/03/17	End of Care Period/school term	Suspended		S	
4 20/03/17	Review	Current	40.00	S	
5 13/03/17	End of Care Period/school term	Suspended		S	
6 06/03/17	Review	Current	40.00	S	
7 27/02/17	End of Care Period/school term	Suspended		S	
8 20/02/17	Review	Current	40.00	S	

# Averaging the subsidy

Assess the primary caregiver's activity and entitled hourly fee

Identify the child's enrolled hours during the principal caregivers care

Calculate the entitlement over a fortnight

Divide by 2 giving a weekly rate to be paid

Enter this weekly rate in 'Manual rate' box of CCSC

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
<b>Parent</b>	Primary		Primary		Primary		Primary	
Hours enrolled	8- 4ECE		8- 4ECE		8- 4ECE			Enrolled 50 hours – 20 ECE @ \$250
<b>Parent</b>		Primary		Primary		Primary		
Hours enrolled		8- 4ECE		8- 4ECE		8- 4ECE		Enrolled 50 hours – 20 ECE @ \$250

# Averaging the subsidy

Client :							
Application date							
Evidence received date							
Date care commenced							
Entitlement date							
Effective date							
File ref:							
No.	Provider ref:						
Start date:	End date:						
Provider charge:							
Input Providers charge							
Manual rate per week:							
Input entitled weekly fee as per calculation							
Expiry date	pw /N) ?						
Manual rate per week	0						
OSCAR ONLY							
Lump sum required Y/N? <input type="checkbox"/>							
Lapse date							
Income <input type="text" value="0"/>							
Renewal date							
Rate per week							
Number of hours:							
Input total entitled hours							
Grandparent							
Number of children <input type="text" value="0"/>							
Parent indicator <input type="text" value="0"/>							
Number of hours <input type="text" value="0"/>							
Comment: <input type="text"/>							
E @ 50/50SC refer MVN <input type="text" value="0"/>							
Reason for suspend <input type="text" value="000"/>							
Comment <input type="text"/>							
F1 CCSI	F2 CCCI	F3 CCSHI	F4 INSTI	F5	F6	F7 LSUM	F8
Next activity <input type="text"/>				Scr.Cpy			

# Regular weekly entitlement

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total hours enrolled
Parent				Primary	Primary	Primary	Primary	
Hours enrolled				3	3			Enrolled 15 hours for \$90 per week.
Parent	Primary	Primary					Primary	
Hours enrolled	3	3						Client is non-active receiving SPS

Providers charge:  
Input Providers charge

Manual rate per week:  
Input entitled weekly fee as per calculation

Number of hours:  
Input total entitled hours

Comment:  
E @ 50/50SC refer MVN

pw /N ?

Manual rate per week

OSCAR ONLY

Lump sum required Y/N?

F1  F2  F3  F4  F5  F6  F7  F8

Next activity

Scr.Cpy

# Recording information



Along with your relevant grant/ review note you will also need to include a Must View Note detailing the Shared Care Assessment

50/50 shared care assessment for:	Child's name	
Child/ren name/s:	Child name	
Childcare Centre:	Centre name	Centre SWN
Attendance details:		
Enrolled hours:	Enrolled hours	per week/fortnight
ECE:	ECE hours or N/A	
Weekly fee:	Fee charged to parent after discounts	
Enrolment breakdown:	Days/hours enrolled	
Entitlement details:		
Parent activity:	E.g. Dad training 30 hours + 5 travel	Place of work or training period
Weekly income	Gross weekly income	
Specified days child is in FOC/MOC care:	Days in care (note where this information has come from)	

# Review of Decision



As always, if the client is not happy with the decision, they have the option to complete and submit a Review of Decision (ROD)

These can be found on the Work and Income website or we can post a copy to the client

The ROD must be submitted within 90 days of the decision being made (there are exceptions to this in cases of good and sufficient reason)

# Shared Care in summary

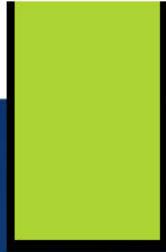
Identify the principal caregiver

Determine eligibility based on activity  
and enrolment client

Process in SWIFTT

Make client notes in CMS

# Question time



Release under the Official Information Act (1982)