



## Purpose of this form

Use this form to claim compensation from the Child Support Agency (CSA) for loss or injury suffered as a result of the CSA's negligence or defective administration.

It is important you read all notes on this form prior to completing the questions.

## Important information

Before lodging your claim for compensation, talk to us about whether there is any other administrative review option. For example, if you are dissatisfied with a decision made by the CSA (such as a change to your assessment), you can object to that decision and/or seek a review of the decision via the Social Security Appeals Tribunal (SSAT). Further information about this is available on our website: [www.csa.gov.au](http://www.csa.gov.au) or by calling us on **131 272**.

## Legal Liability

Where a CSA decision maker believes that a court would be likely to find CSA liable for negligence, they will consider trying to settle the matter. The CSA may try to avoid unnecessary litigation by offering an appropriate amount as compensation.

The most usual claim for legal liability is a claim of negligence. The concept of negligence is not defined or regulated by legislation. It is ultimately up to a court as to whether or not a legal liability for negligence exists. The circumstances which give rise to negligence are generally serious. Provided that the CSA has acted reasonably and in good faith it will be rare that its actions will constitute negligence.

The CSA assesses compensation claims to determine if it would be likely to have a legal liability in relation to the matter. If the CSA determines that it is unlikely to have a legal liability in relation to the claim made, it will then consider the claim in accordance with the CDDA Scheme.

Further information about this is available on the CSA website: [www.csa.gov.au](http://www.csa.gov.au)

## The Scheme for Compensation for Detriment caused by Defective Administration (CDDA Scheme)

The scheme allows for compensation to be paid where a person has suffered a loss as a result of the CSA's *Defective Administration*.

Defective Administration means that one or more of the following has occurred:

- a specific and unreasonable lapse in complying with existing administration procedure, or
- an unreasonable failure to establish appropriate administrative procedures, or

- an unreasonable failure to give to (or for) the claimant the proper advice that was within the official's power and knowledge to give (or reasonably capable of being obtained by the official to give), or
- giving advice to (or for) a claimant that was, in all circumstances, incorrect or ambiguous.

## Type of loss you can claim under the CDDA Scheme

- economic loss arising from personal injury (such as medical expenses)
- economic detriment that is not related to a personal injury (pure economic loss); and
- detriment relating to damage to property

**NOTE:** Under the CDDA Scheme compensation is not payable for grief or anxiety, hurt, humiliation, embarrassment or disappointment that is unrelated to a personal injury, no matter how intense the emotion may be.

## Claim process

An application for compensation must be in writing.

We will write to you within seven days of receiving your claim and provide you with the name and contact details of the officer handling your claim. The CSA aims to make a decision on compensation claims within 90 days, longer for more complex claims. If we are unable to finalise your claim within this timeframe, we will contact you to discuss the progress of your claim. An authorised CSA delegate will make a decision about your claim. The CSA will notify you in writing of the outcome.

In making a decision on a compensation claim, the CSA applies guidelines published by the Department of Finance and Deregulation in the Finance Circular 2009/09. Further information on the Scheme is available at: [www.finance.gov.au](http://www.finance.gov.au)

## If you disagree

If you are dissatisfied with the decision or the way the CSA has handled your compensation matter, you can make a complaint to the Commonwealth Ombudsman. The Ombudsman will look at whether the CSA's decision was fair and reasonable in the circumstances of your claim. The Commonwealth Ombudsman can be contacted on **1300 362 072**.

If your compensation claim was in relation to a privacy breach and you disagree with the CSA's decision, you can contact the Office of the Privacy Commissioner for a review of that decision. The Office of the Privacy Commissioner can be contacted on **1300 363 992**.

## To complete this form

- BLOCK LETTERS
- Mark boxes like this
- Write legibly
- Sign the form.

## Where do I send this form?

Please send your completed form to:

**CSA Compensation Team**

**GPO Box 1903**

**CANBERRA ACT 2601**

Or e-mail us at: [compensation@csa.gov.au](mailto:compensation@csa.gov.au)

## For more information

If you require further information or need help completing this form call **1800 247 302** or go to [www.csa.gov.au](http://www.csa.gov.au)

## How can I report suspected fraud?

If you have information about someone who is misusing government services please phone the Australian Government Services Tip-off Line on **131 524**. The tip-off line allows you to confidentially report fraud against Centrelink, Medicare, the Pharmaceutical Benefits Scheme or Child Support Agency.

## Privacy Note

The information requested in this form is required for the CSA to assess you claim for compensation. All information, including personal information, collected by the CSA is treated as confidential and is protected in accordance with the *Privacy Act 1988*.

## Help in other languages

If you do not speak English and need help from the Child Support Agency, ring the Translating and Interpreting Service (TIS) on **13 14 50**. Ask them to set up a three-way conversation between you, an interpreter and a Child Support officer.

**ARABIC** إذا كنت لا تتحدث اللغة الإنكليزية واحتجت إلى مساعدة من Child Support Agency اتصل بخدمة الترجمة الخطية والشفهية (TIS) على الرقم 13 14 50.

**CHINESE** 如果您不說英語，但需要Child Support Agency的協助，請致電翻譯及傳譯服務處(TIS)，電話13 14 50。

**CROATIAN** Ako ne govorite engleski i trebate pomoć Child Support Agency, nazovite Službu prevoditelja i tumača (TIS) na 13 14 50.

**FARSI** اگر انگلیسی نمی‌دانید و به کمک Child Support Agency نیاز دارید به سرویس ترجمه کتبی و شفاهی (TIS)، شماره 13 14 50 تلفن بزنید.

**GREEK** Αν δεν μιλάτε Αγγλικά και χρειάζεστε βοήθεια από το Child Support Agency, τηλεφωνήστε στη Μεταφραστική και Τηλεφωνική Υπηρεσία (TIS) στο 13 14 50.

**INDONESIAN** Jika Anda tidak berbahasa Inggris dan memerlukan bantuan dari Child Support Agency, silakan menelepon Jasa Penerjemahan dan Juru Bahasa (TIS) pada nomor 13 14 50.

**ITALIAN** Se non parli inglese e ti serve assistenza da parte della Child Support Agency, chiama il Servizio traduzioni e interpreti (TIS) al 13 14 50.

**KHMER** បើលោកអ្នកមិននិយាយអង់គ្លេសទេ បើយល់ត្រូវការជំនួយពី Child Support Agency សូមទូរស័ព្ទទៅកាន់សេវាបកប្រែភាសា (TIS) តាមលេខ 13 14 50 ។

**KOREAN** 당신이 영어를 못하고 Child Support Agency의 도움이 필요하시면 전화통역 서비스(TIS) 13 14 50 으로 전화하십시오.

**MACEDONIAN** Ако не зборувате англиски јазик и ви треба помош од Child Support Agency, телефонирајте во Службата за преведување и толкување (TIS) на 13 14 50.

**MALTESE** Jekk inti ma titkellimx bi-Ingliż, u trid ghajnuna miċ-Child Support Agency, ċempel lis-Servizz ta' Interpreti bit-Telefon (TIS) fuq 13 14 50.

**POLISH** Jeśli nie mówisz po angielsku a potrzebujesz pomocy Child Support Agency, zadzwoń do Biura Tłumaczy (TIS) pod numer 13 14 50.

**PORTUGUESE** Se não fala inglês e precisa da ajuda da Child Support Agency, ligue para o Serviço de Tradutores e Intérpretes (TIS) no 13 14 50.

**RUSSIAN** Если вы не говорите по-английски и нуждаетесь в помощи Child Support Agency, звоните в Службу устного и письменного перевода (TIS) по телефону 13 14 50.

**SERBIAN** Ако не говорите енглески и треба вам помоћ од Child Support Agency назовите Службу преводилаца и тумача (TIS) на 13 14 50.

**SPANISH** Si no habla inglés y desea ayuda de Child Support Agency, llame al Servicio de Traducción e Interpretación (TIS) al 13 14 50.

**TURKISH** Eğer Child Support Agency'den yardım istiyorsanız ve İngilizce konuşmuyorsanız 13 14 50'den Yazılı ve Sözlü Tercümanlık Servisi'ni (TIS) arayınız.

**VIETNAMESE** Nếu không nói được tiếng Anh, mà cần Child Support Agency giúp, xin gọi điện thoại cho Dịch Vụ Thông Phiên Dịch (TIS), số 13 14 50.



