

MANDATED REPORTING QUICK INFO AND FAQ'S

MANDATED REPORTER
TRAINING 2012

REPORTING BASICS

WHO: ANYONE can report known or suspected child maltreatment, even if you are not required to report by law. You **MUST** report if you are a mandated reporter. A mandated reporter is a professional or professional's delegate who is engaged in the practice of healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation, correctional services, law enforcement or employed as a member of the clergy in certain circumstances.

WHAT: A mandated reporter must report physical abuse, sexual abuse, or neglect to a child when the reporter knows of an incident or has reason to believe that a child has been abused or neglected within the preceding 3 years.

WHERE: Report to law enforcement, social services, or the responsible agency. Reporting to a superior or supervisor does NOT fulfill your mandated reporter duties. You may report to a supervisor according to your employer's policy in addition to reporting to the correct agency, but you MUST report to the agency yourself. Agencies to contact are:

Law Enforcement: if there is imminent danger or emergency or if alleged perpetrator is outside the family and not a staff person at a facility. (non-family, non-facility caretaker)

Social Services: if alleged maltreatment is by a parent, guardian, family child care provider, family foster care, or juvenile correctional facility.

MN Dept. of HS: if alleged maltreatment is by staff person at child care center, residential treatment center, group home, shelter, services program, respite care provider

MN Dept of Health: if alleged maltreatment was in home health care center, hospital, treatment center, nursing home, or care facility.

MN Dept of Ed.: if alleged maltreatment is by an employee at a public pre-school, elementary school, middle school, secondary school, or charter school where child is a student.

If you have questions about who to contact, call social services for assistance.

WHEN: REPORT IMMEDIATELY. You should make a report orally by phone within 24 hours and follow up with a written report within 72 hours.

PHONE NUMBERS

LAW ENFORCEMENT
218-283-4416

SOCIAL SERVICES
218-283-7000

WHY: Reporting can obviously help to prevent future harm of a child but it also assists families by giving access to services and it can also help document or establish a cycle of abuse or maltreatment and therefore help authorities assert a legal means to protect a child.. **MANDATED REPORTERS MAY ALSO BE CHARGED WITH A MISDEMEANOR IF THEY DO NOT REPORT.**

**FOR AN EMERGENCY OR THREAT OF
IMMINENT HARM
CONTACT LAW ENFORCEMENT OR 911.**

FREQUENTLY ASKED QUESTIONS

Will anyone be able to find out I made the report? The name of a reporter is CONFIDENTIAL unless it is disclosed as part of the court process. Social services, law enforcement, or the county attorney's office may have access to a reporter's identity, but it is only used as part of the investigation process until a court action is filed. It is possible that a reporter may be subpoenaed for testimony at a later date, but this is disclosure as part of the court process.

Can I get into trouble from my employer for reporting to law enforcement, social services, or another agency myself? Absolutely not. Employee/employer retaliation is prohibited by law so long as a report is made in good faith. A reporter is also immune from civil or criminal liability for reporting so long as the report is made in good faith.

If I report to my superior at work, do I have to report to social services or law enforcement? YES! Reporting to your superior does not waive your mandated duty to report to the applicable agency. You may ALSO notify your superior at work, but you must report to social services, law enforcement or the correct agency whenever your mandated duty to report applies.

You cannot shift the responsibility of reporting to a supervisor or someone else in the office, school, or clinic. You alone are required to make the report to the responsible agency.

What happens when I make a report? When a report is made to social services, the report is screened for any maltreatment criteria according to the Minnesota Maltreatment Guidelines. Two methods are primarily used: a family assessment and an investigation. A family assessment is used for lower risk reports and seeks to address the child safety issue through family engagement with services. This is typically used in situations where substantial child endangerment is not alleged. There is no determination of maltreatment in a family assessment.

An investigation is required for reports where severe harm or safety concerns are alleged that meet a statutory definition of substantial child endangerment. These involve an immediate response including an assessment of safety and risk and also a formal determination of whether maltreatment occurred. Investigations also involve law enforcement if a criminal offense is alleged. Investigation findings are often used later in court actions or when a family refuses voluntary services.

Will anyone tell me what happened with the report I made? Both mandated and voluntary reporters can be notified as to whether the report was screened in for assessment or investigation within 10 days of the report if the reporter asks for notification. A mandated reporter will receive a more detailed summary of the outcome of an investigation or family assessment including the names of the social worker assigned, nature or type of maltreatment determined, whether a case has been opened, and any referrals. A voluntary reporter, upon request, will be notified as to the classification of the report as a family assessment or investigation and given a statement as to whether child protection services are being offered.

What if I find out later that what I reported did not happen? As a mandated reporter, you are required to report when you know of an incident or have reason to believe or suspect that a child has been physically or sexually abused or neglected within the preceding three years. Your job is to report, NOT TO INVESTIGATE. Leave the investigation and screening to social services and/or law enforcement as there are strict procedures and rules to be followed to ensure any prospective evidence is lawfully obtained. There is no consequence or penalty for making a report that is screened out if the report was made in good faith.

Who can I call if I have questions about reporting? You can call Koochiching County Community Services at 218-283-7000 with questions or you can also call the MN Dept. of Human Services for more information or educational materials about mandated reporting.