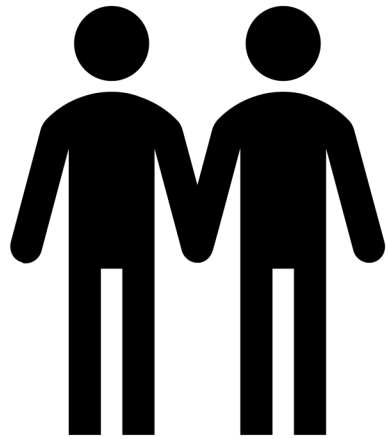


What can I tell Whom?

CONFIDENTIALITY &
MANDATORY
REPORTING

JANUARY 2022

LIZ RICHARDS



Confidentiality Trust

What you **CANNOT** share

Personally identifying information about victim/survivor and people you serve.

- Who says you cannot share? Funders – Contracts and Statute
- VAWA, FVPSA, VOCA, OJP
- Minn. Stat. 595.02

Personally Identifying Information

Name

SSN – Date of Birth

Home address

Parent's names/children's names

Personally Identifying information

“I am working with a young woman. She is 19 years old and has a 2 year old child.”

“I am working with a young woman. She is 19 years old, has a 2 year old child with severe disabilities due to being shaken as a baby. She dropped out of school and has just returned to Mr. X’s class at Y school.”

Can't share personally identifying information UNLESS.....

Signed Release of Information

(ROI)

- ❖ Voluntary
- ❖ Written
- ❖ Informed
- ❖ Time limited

Court order

NOT

- ❖ Subpoena
- ❖ GAL order

Law or Statute Requires

- ❖ Mandatory Reporting

If you must share.....

1. Must let victim/survivor know
2. Only share what is required

What do you do.....

1. Survivor signs a ROI so you can share information with the school counselor about issues she is having with her mother. The student's teacher, who has been very supportive, asks to talk with you about problematic behavior by the student's mother. Can you talk with the teacher?
2. The School Counselor has a signed ROI from X saying that you can share information about your work with student X. Can you share information?
3. The student signed a ROI so you could share information with the school therapist that the student is participating in your program. The student calls you up and says she doesn't want you sharing any more information. The therapist calls you to ask you some questions on notes that you sent a few weeks ago. Can you talk with the therapist?

Can't share information
unless...law requires it.

Mandatory Reporting of Child Maltreatment

Minn.Stat.260E

Who is a mandatory
reporter?

What is child
maltreatment?

How do you report?

Who is a mandatory reporter?

- Mental health worker/Health care worker
- Childcare
- Education
- GALs
- Corrections
- Law Enforcement
- Social services/social workers
- (clergy)

Questions

Are advocates mandatory reporters?

If I am a licensed social worker but work as an advocate is there anything different about me as a reporter?

I work in administration and do no advocacy, but I have information about child abuse, do I have to report?

Note

Anyone can voluntarily make a child maltreatment report.



Mandatory reporters must make child maltreatment reports.

Know or have reason to believe a child is being maltreated or has been maltreated within the preceding three years...

What must be reported?

Maltreatment defined:

Physical abuse

Sexual abuse

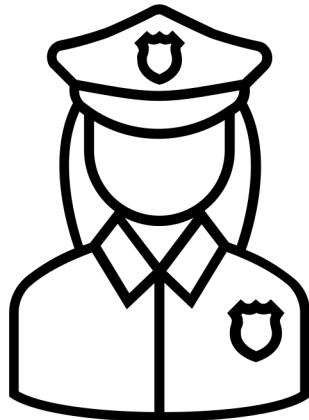
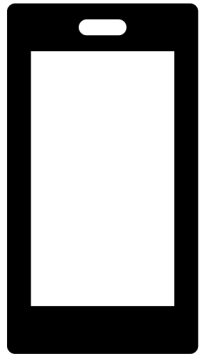
Substantial
child
endangerment

Threatened
injury

Mental injury

Know or have reason to know...

- ❖ Child Maltreatment
- ❖ Within past 3 years
- ❖ Know of have reason to know
- ❖ Have information because you are a mandatory reporter
 - ✓ How do you have this information
 - ✓ Why do you believe this information
 - ✓ Is it child maltreatment
 - ✓ Did it happen in the past three years



Where do I make the report?

- If Emergency – to law enforcement
- If Non-emergency – either local law enforcement OR child welfare
- If uncertain, call local child welfare

How do you
make a report?



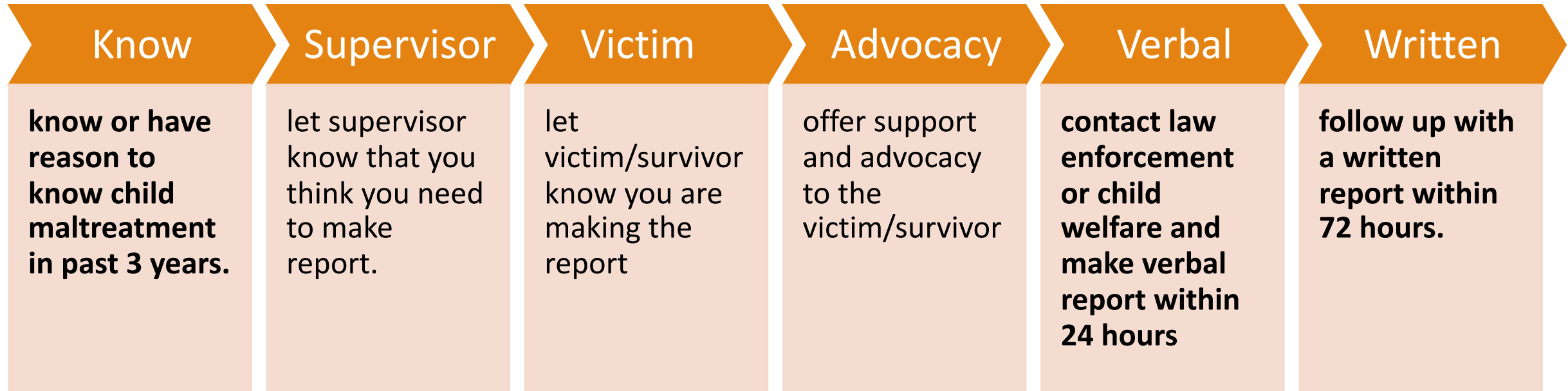
Verbally report within 24 hours



Written report within 72 hours

Steps in the reporting process

Let the people you serve know that you are a mandatory reporter of child maltreatment.



Advocacy continues after you report

Common Questions

Law enforcement already knows about the child maltreatment, they responded to the call about child sexual assault. Do I still need to make a report?

I spoke with my supervisor and she is going to call child protective services.
Do I still need to report?

I've been worked with this person for the last 6 months. They just disclosed that they were sexually assaulted by their stepfather about 1 year ago. Do I have to report?

What if the sexual abuse was from 4 years ago?

Young person that I am working with was beaten by their boyfriend. Do I need to report?

Does it matter if the boyfriend is under 18 years old?



Questions



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Standpoint
