

Frequently Asked Questions & Answers

Q. Must something actually happen to the child before a situation is considered abuse?

- A. For a report to be substantiated as abuse under the law, yes. In most instances there must be a condition or injury caused by a perpetrator, as defined by the law, to a child under the age of 18. The one exception would be for a case of imminent risk, where no harm has come to the child, but would have except for happenstance, the actions of the child, or the intervention of a third party. Cases of non-abuse may receive general protective services.

Mandated reporter, however, do not need to prove abuse has occurred to make a report; they must only have reasonable cause to suspect abuse.

Q. Am I mandated to report 24 hours a day, 7 days a week?

- A. No. The law only requires mandated reporters to make a report when they have reasonable cause to suspect, based on their training and experience, that a child *coming before them in their professional capacity* is a victim of abuse. However, in off-hours, anyone can be a permissive reporter; professionals who work with children are encouraged to report any instances of suspected abuse they become aware of inside or outside the professional environment.

Q. What if the parents figure out who made the report and threaten personal retaliation?

- A. The law requires the name of the mandated reporter to be kept confidential, and Children and Youth Services agents take that requirement VERY seriously. It is possible, perhaps even probable, that most parents will figure out where the report came from. Fears of retaliation can, unfortunately, be justified. Reporters should rely on the organizational policies that are in place to handle any potentially angry or violent client. For instance, a parent can be equally angry if their son “the star quarterback” is not allowed to play football because of a failing grade. Professionals have resources for protecting their safety; children who are abused often do not. Reporters are encouraged to try to appreciate the parent’s reactions and fears, and assure them you only have the best interest of their child in mind and will be glad to assist them in remedying the cause for concern however they can.

Q. Should/can I inform the parents when I make a report?

- A. The law offers no guidance on this issue. The decision to inform the parents is up to the organization and may be made on a case by case basis. Local Children and Youth agency personnel will often ask that you refrain from informing the parents before they have had a chance to speak with the child. This is to minimize the possibility of parental influence of testimony. This is especially important if there is a serious concern about the immediate safety of the child. It is important to remember, however, that the law requires a report be made immediately. Do not let a decision to inform the parents of a report become an opportunity for the parent to persuade you to the contrary.

Q. What if a caretaker shows up under the influence of drugs or alcohol to pick up their child?

A. Since no harm has yet come to the child, this would be at-best a General Protective Services referral. Children and Youth agency caseworkers do not have the authority to immediately intervene. The reporter's best course of action would be to contact the local police. It is advisable for an organization to consider this issue and incorporate appropriate procedures as a matter of policy, before a staff member is faced with the situation.

Q. At what age can a child stay home alone?

A. No set age limit exists, but consider these guidelines: the child's maturity level, how many children may be in the child's care, how long the child is left alone, and whether or not adults are nearby and available to assist the child if the child has a problem.

Q. What questions should I ask when I interview a child who I suspect has been abuse?

A. Once a mandated reporter has established a reasonable suspicion of abuse, no further questioning is necessary or recommended. If clarification is needed to establish reasonable suspicion, the following guideline can be suggested:

- Use age-appropriate language.
- Be sensitive to the child's possible apprehension.
- Ask open-ended versus leading questions such as, "Can you tell me how this happened?" "Where were you when it happened?" "Can you tell me more?"

Pennsylvania Family Support Alliance's "*What happened? Guide for Professionals Responding to Disclosures of Abuse*" offers more insight and discussion of this issue.

Q. Will the local Children and Youth Services agency contact me to let me know the results of their investigation?

A. Some local agencies send mandated reporters a notice informing them of the status determination assigned to their report, but many agencies do not. The mandated reporter who signed the CY-47 may contact the agency to find out the status determination of the case and any arranged for services. Contact the agency 30 days from the report. If the reporter is informed that the investigation is not complete, contact them again in another 30 days. The investigation must be completed in 60 days. The agency may prefer to call the reporter back at their work number with the information to verify it is actually the reporter calling.

Q. Can a child who is reported as abused or neglected be placed with a family member, or will the child be placed in foster care?

A. The county agency will assess the child's safety in the home. If they believe the child is in immediate danger, they will seek a court order to remove the child and place them with an able and appropriate relative. If the care of a relative is not available or appropriate, the county agency will make alternate placement arrangements for the child.

Q. What if the suspected perpetrator is not listed as one of those covered by the CPSL?

A. While there is no legal mandate to make a report if the perpetrator is not listed in the CPSL, professionals can always choose to make a criminal referral to the local police if circumstance warrant.

Q. Where do we report child abuse we suspect has occurred in another state?

A. Mandated reporters should make their reports to ChildLine, and let them guide the reporter on interstate matters. ChildLine will make the necessary decisions about jurisdictional lines, what needs to be done, and who will be involved. ChildLine has all the contact information for referrals to other states.