

Mandated Reporter's Failure to Report**22-1-3****Policy**

The Department of Children and Families (DCF) shall notify the Chief State's Attorney whenever the Commissioner or designee has reason to believe that a mandated reporter has:

- failed to make a report of suspected child neglect or abuse within the time period prescribed
- or
- intentionally or unreasonably interfered with a Careline report of suspected child abuse or neglect.

Legal references: C.G.S. sections 17a-101o, 17a-28(g)(9)

Notification to Chief State's Attorney

When a report is received at Careline and there is reason to believe that a mandated reporter failed to make a report in the time period prescribed, Careline shall refer the matter to the Chief State's Attorney with a brief description of the basis for the reason to believe there was a failure to report and include a recommendation that any resolution of the matter include on-line mandated reporter training.

If DCF has reason to believe that multiple mandated reporters employed by the same entity may have been aware of the same incident of suspected abuse or neglect, and no Careline report was received from any of the mandated reporters, DCF will notify the Chief State's Attorney of each mandated reporter's name.

Assessment Prior to Referral to Chief State's Attorney

Prior to the referral to the Chief State's Attorney's Office, DCF shall conduct an assessment of the alleged failure to report.

The assessment will include:

- whether the mandated reporter had reasonable cause to suspect or believe that a child may have been neglected or abused or placed in imminent risk of serious harm
- whether the mandated reporter did not report in good faith
- if known, actions taken by the mandated reporter to ensure the child's safety and well-being
- if known, actions taken by the mandated reporter in response to the alleged failure to report.

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Mandated Reporter's Failure to Report**22-1-3****Notification to Careline by DCF Employee of Failure/Interference by an External Mandated Reporter**

Whenever a person employed by DCF suspects an external mandated reporter has failed to make a report within the time period prescribed or intentionally or unreasonably interfered with a Careline report regarding an incident of suspected child abuse or neglect, the DCF employee shall:

- ensure that a report regarding the suspected child abuse or neglect has been made to the Careline, including calling the Careline themselves to file the report if necessary
- report the external mandated reporter for failure to report by contacting the Careline via the DCF FTR NOTIFICATION mailbox (DCFFTRNOTIFICATIONS@ct.gov) with the following information:
 - date report made (suspected abuse and neglect)
 - reporter's name
 - reporter's employer
 - name of mandated reporter who failed to report within the time period prescribed
 - mandated reporter's employer
 - approximate date mandated reporter should have been aware of abuse/neglect/imminent risk
 - type of incident
 - Case Name
 - LINK/CT-KIND #
 - CPS Report #
 - description or rationale of why this is a suspected failure to report.

Notification to Labor Relations of Failure/Interference with Report by DCF Employee

Whenever a person employed by DCF suspects another DCF employee has failed to make a report within the time period prescribed or intentionally or unreasonably interfered with a Careline report regarding an incident of suspected child abuse or neglect, the DCF employee shall:

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Mandated Reporter's Failure to Report**22-1-3****Notification to Labor Relations of Failure/Interference with Report by DCF Employee,**
continued

- ensure that a report regarding the suspected child abuse or neglect has been made to the Careline, including calling the Careline themselves to file the report if necessary
- report the mandated reporter for failure to report by contacting the Careline via the DCF FTR NOTIFICATION mailbox (DCFFTRNOTIFICATIONS@ct.gov) with the following information:
 - date report made (suspected and neglect)
 - reporter's name
 - reporter's employer
 - name of DCF employee who failed to report within the time period prescribed
 - approximate date DCF employee should have been aware of abuse/neglect/imminent risk
 - type of incident
 - Case Name
 - LINK #
 - CPS Report #
 - description or rationale of why this is a suspected failure to report.

The Careline shall forward the notification to the Agency Labor Relations Manager and respective Area Office Director. The Careline Director or designee will assess the suspected failure to report with the Agency Labor Relations Manager and Area Office Director for determination of next steps, including whether a referral to the Chief State's Attorney is necessary.

Review by Labor Relations and Notification to Chief State's Attorney

In determining whether it is appropriate to notify the Chief State's Attorney, Labor Relations will consult with the DCF Office of Legal Affairs and review the information noted above. If the DCF Office of Legal Affairs determines there is a legal basis for notification to the Chief State's Attorney or designee, the Commissioner, or Commissioner's designee, shall promptly send a letter to that office and provide relevant information about the incident. The letter shall be entered into the failure to report database.

In the event of a referral to the Chief States' Attorney, the matter shall be referred to Labor Relations for an internal administrative investigation.

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Mandated Reporter's Failure to Report

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Information will be entered into a database:

- name of the mandated reporter who allegedly failed to report with the time period prescribed
- the mandated reporter's employer
- the date when the reporter should have been aware of the suspected abuse, neglect or imminent risk of harm
- the date the report was made to Careline and by whom.
- whether a legal consult was held
- when/if the Chief State's Attorney or designee was notified by DCF.

**Trend
Review**

The Careline shall review the failure to report database at least quarterly and report any trends or clusters related to failure to report or delay in reporting child abuse and neglect to the Commissioner for appropriate follow-up activities, including but not limited to, offering mandated reporter training to those individuals or entities that will benefit from such training.

**On-Line
Reports**

On-line reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. However, it will **not** be considered a failure to report if an on-line report is made and it is later determined that the report concerned an emergent situation. The reporter may be referred for further training regarding the appropriate use of on-line reporting.
