



## Mandatory Reporting: A Checklist for Victim Service Providers

Mandatory reporting of abuse and neglect of children, elders, and adults with disabilities, among others, can help protect community members. This reporting, however, usually requires sharing private information, with or without a survivor's permission. The Victim Rights Law Center developed this checklist to help you navigate mandatory reporting and protect survivors' confidentiality. Please contact our privacy technical assistance team at [TA@victimrights.org](mailto:TA@victimrights.org) with any questions about this checklist or other privacy issues that come up with your work.

- Know the mandatory reporting laws for your jurisdiction.
- Establish an organizational policy on mandatory reporting. Incorporate the policy into staff and volunteer orientations and regular, ongoing training.
- Make sure that everyone at your organization knows which staff and volunteers are mandatory reporters in your or any other jurisdiction. Require staff and volunteers to inform your executive director immediately when anyone's reporting status changes.
- Develop programmatic protocols on:
  - Who may access client information.
  - What written records will be kept.
  - Where information will be stored and how it will be secured.
  - Who will purge paper and electronic records, how often, and how.
- Set up a schedule to periodically review your policies on reporting and record keeping to make sure they align with current law in your jurisdiction.
- Tell a survivor about your mandatory reporting obligations before they disclose information that could trigger a report.
- Remember that the Violence Against Women Act (VAWA) requires grant recipients and sub-recipients who are statutorily required to make a report to:
  - Make reasonable attempts to provide notice to victims affected by the disclosure of information; and
  - Take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

- Be clear about whether minors may consent to your services and the extent to which their communications with you are confidential. Under VAWA, a minor who may legally consent for services may also sign a release of information without a signature from their parent or guardian.
- Keep in mind that under VAWA, a survivor's personally identifying information may only be released if:
  - The survivor has signed a written, time-limited, informed release of information;
  - A statutory mandate, e.g., a mandatory reporting statute, requires the release; or
  - A court mandate, including case law, requires the release.

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