	Agency Name	Department of Social Services (DSS)
	Chapter No./Name	DSS Policy Manual
	Part No./Name	6/Legal
	Section No./Name	6-04/Reporting Suspected Abuse, Neglect, or Exploitation of Children
	Document No./Name	6-04/Reporting Suspected Abuse, Neglect, or Exploitation of Children
	Effective Date	March 15, 2007

I. PURPOSE AND SCOPE

The purpose of this policy is to ensure that Department of Social Services (DSS) employees are aware of the proper procedures for reporting suspected cases of abuse, neglect, or exploitation of children.

The Louisiana Children’s Code, Title 6, [Article 612](#), mandates the responsibility for investigating reports of child abuse and/or neglect to the Office of Community Services (OCS), specifically the Child Protection Investigation (CPI) Program. This program is charged with protecting children who are at risk of harm and ensuring their safety through protective investigation, social services provision and legal intervention to remove them when their environment seriously threatens their safety and well being.

Children’s Code [Article 609](#) provides for the reporting of child abuse and neglect by both mandated and permitted reporters (refer to Part III, Definitions). All OCS Child Protection Investigation Workers, OCS Family Services Workers, and other OCS social work staff are **mandated reporters** by law and must immediately report to their CPI Intake Unit any suspected case of child abuse and/or neglect of which they become aware, whether working for the agency or while off duty.

Although by definition, a **permitted reporter** is not required by law to report suspected abuse, DSS policy requires that, **if in the performance of their duties**, any other DSS employees (OS, OFS, LRS, OMF, and OCS workers who are not mandated reporters) have cause to believe that a child’s physical, mental, or emotional health and safety are endangered as a result of abuse or neglect, they must immediately report such suspected abuse to OCS. Refer to Section IV, Procedures for Reporting Abuse/Neglect for complete reporting requirements.


II. APPLICABILITY

This policy applies to all DSS employees, other than those OCS employees designated as mandated reporters. Responsibilities for mandated reporters in OCS are set forth in [OCS Policy 4-105](#).

III. DEFINITIONS

Abuse ([Children’s Code Article 603](#)) – Any one of the following acts which seriously endanger the physical, mental, or emotional health and safety of the child:

- The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.
- The exploitation or overwork of a child by a parent or any other person.
- The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent or the caretaker of the child’s sexual involvement with

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any other person or of the child's involvement in pornographic displays, or any other involvement of a child in sexual activity constituting a crime under the laws of this state.

Caretaker ([Children's Code Article 603](#)) – Any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster home parent, an employee of a public or private day care center, an operator or employee of a family child day care home, or other person providing a residence for the child.

Child ([Children's Code Article 603](#)) – A person under eighteen years of age who, prior to juvenile proceedings, has not been judicially emancipated under Civil Code Article [385](#) or emancipated by marriage under Civil Code Articles [379](#) through [384](#).

Mandated Reporter ([Children's Code Article 603](#))– Professionals who may work with children in the course of their professional duties and consequently **are required to report** all suspected cases of child abuse and neglect. Of the groups of mandated reporters defined in Children's Code Article 603, one group, "Mental Health/Social Service Practitioner," includes all OCS Child Protection Investigation Workers, Family Services Workers, and other agency social work staff in OCS.

Neglect ([Children's Code Article 603](#)) – The refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health and safety is substantially threatened or impaired. This includes prenatal illegal drug exposure caused by a parent, resulting in the newborn being affected by the drug exposure or withdrawal symptoms.

Permitted Reporter ([Children's Code Article 609](#)) – A person who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect, and consequently **may report** the suspected case of abuse or neglect. DSS Policy requires that all DSS employees, other than those defined as mandated reporters, suspecting abuse while performing their duties **must** report the suspected abuse to OCS themselves or refer to OCS the person who provided the information to them.


IV. PROCEDURES FOR REPORTING ABUSE/NEGLECT

A. Mandated Reporters – Certain OCS Employees Only

Responsibilities for mandated reporters in OCS are set forth in [OCS Policy 4-105](#)

B. All DSS Employees Other Than Mandated Reporters

1. DSS employee has cause to believe that child has been abused or neglected.

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If, while performing duties as an employee of DSS, the DSS employee has cause to believe that abuse or neglect of a child may have occurred, a substantial risk of harm is present and the child's physical, mental, or emotional health and safety is seriously endangered as a result of the action or inaction of the child's caretaker, or abuse or neglect may have been a contributing factor in a child's death, they must immediately contact the local OCS Child Protective Services Unit in their area by calling the appropriate Child Protection Hotline number. (Refer to Part V for the Hotline telephone numbers in each parish.) Louisiana law ([R.S. 46:56](#)) provides that the reporter's name shall not be revealed. However, if the matter becomes the subject of court action, the reporter may be subpoenaed as a witness and could be identified as the reporter. The DSS employee shall provide all information known when making the report and shall provide any assistance necessary in the investigation or protection of the child.

Louisiana law ([Children's Code Article 611](#)) further provides that anyone participating in good faith in making a report of child abuse and who has reasonable grounds for making the report shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to such a report.

2. DSS employee is contacted by someone who has cause to believe that child has been abused or neglected.

If, while performing duties as an employee of DSS, the DSS employee is contacted by someone else who has cause to believe that abuse or neglect of a child has occurred, the DSS employee must:

- advise the person that they are not the proper DSS staff member to officially receive the report;
- transfer the call to the Child Protection Hotline number of the local OCS Child Protective Services Unit, or
- provide the hotline number to the person making the report and encourage them to call.
- If the person does not wish to make the call to OCS, the DSS employee should attempt to obtain as much factual information as possible about the child, the alleged perpetrator, the family, the abuse/neglect incident, address or location of the child, and a way to contact the person making the report to DSS.
- The DSS employee must then immediately report the information to the appropriate OCS Child Protective Services Unit.

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More information about reporting child abuse or neglect can be found on the [DSS Website](#).

V. TRAINING REQUIREMENTS FOR PERMITTED REPORTERS

DSS shall make this policy available to all employees who are considered permitted reporters and shall document receipt of the policy by each employee. Each permitted-reporter employee is also required to view the training presentation [Reporting Suspected Abuse, Neglect, or Exploitation of Children Training Program](#) available on the DSS on-line policy management system.

Upon receipt of the policy and completion of the training, each employee must sign the [Reporting Suspected Abuse, Neglect, or Exploitation of Children Policy Acknowledgement Form](#), which includes the following statement: *I hereby acknowledge that I have received a copy of DSS Policy 6-04 Reporting Suspected Abuse, Neglect, or Exploitation of Children, and have received training regarding my responsibilities as a DSS permitted reporter. I understand that as a DSS permitted reporter, if I suspect abuse while performing my duties, I must report the suspected abuse to OCS or refer to OCS the person who provided the information to me.* The signed copy shall be retained in the employee's personnel file, in accordance with Office guidelines.

The [Reporting Suspected Abuse, Neglect, or Exploitation of Children Training Program](#) must be added to the new employee orientation packet.

VI. CHILD PROTECTION HOTLINE NUMBERS

Child Protection services are available day and night by calling the Child Protection hotline or the local parish office of the Office of Community Services at the appropriate [Child Protection phone number](#) provided on the DSS Website.