

## CONFIDENTIALITY GUIDANCE NOTE FOR PROTECTION EVENTS

*Note: I would like to thank to British Council for providing a Burmese version of a guidance note about keeping and managing confidential information. This guidance is developed base on the provided document.*

It is important for anyone dealing with cases such as abuses, exploitation or violence to keep information about such matters confidential. Why is confidentiality important? How to preserve it and with whom it can best be shared is provided in this guidance.

### What is confidentiality?

Confidentiality means keeping information provided by someone to a trusted person secure and secret from others, not sharing it to anyone else.

### What is confidential information?

In general, confidential information is an information that is useful for identifying, including contact, age, gender, address, job, school, physical marks or signs, date of meeting, place of meeting, and any other that can help people identify a person.

Information designated an organization as confidential is also regarded as confidential information, including any data or know-how that is meant to be private.

### Survivor

Survivor refers to a person who experienced violence act, exploitation and other abuses. The term 'victim' is also used in medical and legal fields to refer to 'survivor'. However, in the social and psychological fields, the term 'survivor' is more preferably and widely used in the sense that the term meaningfully reflects a person's strength and resilience.

### Criminal

A criminal refers to any individual or group or organization that directly engages in violence, abuse, or exploitation or advocates for them.

### Why keeping information confidential is important?

Absence of cover-up can have devastating effects on survivor, and often have dire consequences for those involved in the scheme. Examples of adverse effects that may result from inappropriate information sharing are given below:

- (a) At a meeting, someone discloses a plan to meet with sex workers, along with the exact location of where the dating is taking place; such non-consensual disclosure may lead to censure against women.
- (b) In child protection case, sending an information by email with the names a child's (survivor's) siblings; forwarding or sending such email to an authorized staff or staff not relating to the case would means revealing the child's identity and privacy information.

Keeping information confidential is important for a person who survived. By doing so, we contribute to preventing misuse of such information, including defamation and other potential abuses that may

be within or outside our control. A person who wrongly accused is often subject to hatred and defamation.

## **Maintaining Confidentiality**

### ***Documenting information***

Carry out discussion or talk in a safe and secure location or place. Never draw other involving people's attention to yourself too much. The information you revealed could later be used for an accusation or investigation.

Document information without the name of participants in discussion or talk and other personal identities, including name, address, gender, job and so on.

When documenting information, get consent from survivor first before written or recording any information in any form. In that way, avoid unnecessary consequences when transferring such survival to relevant department or protection unit.

### ***Storing information***

Store information in a secure and safe place or an organization's designated place or location. Use designated code, letter or number to store such information. Personal information and detail event records should be stored in a locked box or room, and key should also be kept with a designated and authorized staff. Access to such location or key should also be given to an authorized or designated person or staff.

Without authorized prior permission, no one should be allowed to have such personal information of survivor. Computerized information, information written in a note-book, copied documents and other information that is no longer necessary should be completely destroyed.

### ***Capacity Building***

The employment contract should consist of information staff's responsibility and obligation to follow policies and procedures for maintaining confidential information.

New staff should be introduced to relevant policies, and let them understand the important of maintaining confidentiality.

Develop a clear guidance and procedure on documenting privacy information, storing and using such information, and destroying such information, and make all incoming new staff are aware of such procedure.

### ***Sharing Confidential Information***

Never share information that could potentially jeopardize the survivor's well-being or privacy. Make sure that information is not leaked when sharing it verbally or via email or in other written form or any other form. Only authorized persons/staff themselves should take part in transferring or sharing such information.

Transferring electronic information from one location to another only in encrypted or password-protected file formats, and delete them once the information is transferred.

When sharing information verbally, it should be between two people, not among other people. Make sure to do it in a private place where it won't be overheard. Don't share information in group meetings.

***Who to share with?***

Get consent before sharing information about a survivor or safeguarding concern person or an information related to an accused perpetrator. The purpose of sharing such information should only be centered at the interest of a survivor, of the protection of survivor and supporting of survivor.

All concerned parties with whom information are shared in the interest of a survivor should strictly follow policies and procedures related to confidentiality and safeguarding.

Information can be sent to an authorized, designated person. For instance, an information related to an incident or safeguarding concern can be submitted to or shared to Safeguarding Focal Point/Person.