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BRAC Guidelines when Communicating with Victim/Survivor

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Purpose

Through the implementation of the Safeguarding and supporting policies, BRAC seeks to uphold a safe working environment for all employees and beneficiaries. If incidents, contrary to the policies, occur, victim/survivors must feel safe and have trust for the process. This document compiles and sets out the guidelines intake, investigations, and necessary steps that involved personnel should follow when handling the complaint.

Guiding Principles

Dignity: The dignity of the victim/survivors must be preserved at all times. Language must not degrading, victimizing or shaming.

Accuracy: The details of the incident reported must not be manipulated or sensationalized in any way. The documentation should capture the facts and details, as recounted by the victim/survivor.
Individuals should be able to give their own account of the incident.

Confidentiality: The details of the complaint should remain confidential through the entire process. The victim/survivor should be advised of the confidential nature, as well as in what circumstances certain details may have to be revealed, to ensure fairness of the investigation process.

Complaint Process

Currently at BRAC, Safeguarding related complaints are governed by the overarching Safeguarding policy and subsequent policies, namely the Anti-bullying, Code of Conduct, Whistleblowing, Adults with Special Needs, and the Child Protection policy. The direct complaint channels currently are through the Sexual Harassment Redressal Committee (SHRC) and the Grievance Management Team (GMT) hotlines. After the complaints are lodged at intake level, a complaint with merit, progresses to an investigation. Below are specific guidelines for personnel handling the complaints, through the sexual harassment or grievance helplines.

Response Guideline for Intake/Call Operator

Helpline numbers of SHRC and GMT have been disseminated to all the BRAC offices, all over the country, so that every employee, beneficiary of BRAC may call, seek help, complain and receive advice.

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A team is assigned at the head office, to receive the call (intake staff/ call operators). The assigned intake personnel for the SHRC helpline are female, which is a conscious effort to make female victims/survivors, who may have sensitive matters to discuss, feel more comfortable. The call operators are especially oriented on how to properly respond to the potential survivors.

When a call is received, the call operator complies with the below procedure when compiling the initial intake information with victim/survivor:

1. Greet the caller with empathy.
2. Ask the caller if they are safe, assess whether they are currently in a dangerous situation and in need of support of emergency services e.g. police.
3. Ask if the caller is injured, and in need of medical attention.
4. Ask if there are others in a dangerous or injured situation.
5. Inform the caller that her/his identity will be kept strictly confidential, and would only be channeled to the appropriate authority.
6. Encourage the caller to explain his/her issue in details, and listen to her/him with full attention.
7. Will not interrupt while the caller explains the issue in detail.
8. Encourage the caller to speak out about what remedies she/he wants for the sufferings, which she/he has experienced.
9. Describe the necessary steps to the caller, which s/he needs to take, but respect the victim/survivors wish, regarding next steps.
10. If the issue or the complaint is sexual in nature, call operator will request the caller to send a written complaint if possible. Describe whom to address in the written complaint, and how to send it via email or courier or by post. **If the victim/survivor does not want to send in a written complaint, his/her details shall be kept, and someone from the SHR/GM team shall contact the victim/survivor for further details, and present to the SHRC/Grievance Management Committee (GMT) Chair/Head to place before SHRC/GMC.**
11. At the end of the conversation, the call operator will ask the caller if s/he has any other queries, and answer them with clarity.
12. As the conversation ends, call operator will again thank the caller for seeking assistance, and will ensure that the appropriate authority will know about this issue, and also the decision will be revealed later on.

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Interviewing Guideline for Investigators

Interviewing requires skills, and certain basic principles should be followed, to ensure survivor's dignity, and their rights of the individual are respected.

Before Interview:

- **Informed Consent**: In relation to interviews, informed consent extends beyond how the information may be used. It includes explaining what subjects are likely to be covered in the interview, and clarifying the survivor's right to withdraw their consent at any point.
- **Provision of support:** There should be someone else present during the interview, with whom the survivor is familiar. Wherever possible, the survivor should be given a choice regarding who supports them during the interview.

- **Respecting the right to say NO:** Be clear before you start the interview, that the survivor only has to talk if they are comfortable in doing so, and they can stop and withdraw their consent at any point.

- **Sensitivity:** If you are likely to talk about potentially unsettling or emotional issues, the survivor must be aware of, and give consent for these subjects being raised. The interviewer needs to pay close attention to the survivor's body language and responses, and offer to stop the interview, if the survivor appears to be uncomfortable or upset at any point.

- **Gender:** Consider the different needs of boys and girl,s and whether they would be more comfortable to talk to a man or a woman. Gender must also be considered when deciding what topics may be discussed.

- **Respecting the right to information:** If you are going to take notes, or record the interview in another way, you must explain this to the survivor, and verbally ask their permission to do so.

During the interview:

- **Respect Agreements:** It is not appropriate to delve into new areas that the survivor has not agreed to talk about. This is a breach of trust, and may be harmful to the survivor.

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- **Body language:** Try and ensure that your body language helps to put the survivor at ease – position yourself on the same level, to address power imbalances; make eye contact, but don't stare; smile. Also, be aware of the survivor's body language, and acknowledge that they may be finding things a little difficult or strange – these show that you are listening, and are sensitive to their needs.

- **Style of questioning:** Ask non-leading open-ended questions, do not make assumptions or fill in words, or finish sentences. Clarify your understanding, if you are not clear, and don't make assumptions.

- **Non-Judgmental:** Do not make judgements, regarding survivor's responses, or impose your values and understanding of the world on the survivor. Be aware that judgements can be conveyed non-verbally, and attempt to manage your reactions carefully. Do not comment on probable outcomes on the investigation.

Interviewing a Child/Minor

Before initiating any interview with a child (either victim or witness), the parents/guardians must be informed, and when the child is invited for an interview, s/he must be accompanied by one/more family members. Interviews must be conducted in a location, which is safe and child friendly (entailing considerations of comfort, toilet, availability of safe water, toys, food etc). Information provided by a child/minor can either be tape recorded or documented, but must be approved and acknowledged by the parents/guardians. All documented evidences (holding testimony of the child) need to bear either thumbprint or signature of the parent/guardian of the child interview. Depending on the nature of investigation, experts (e.g. psychosocial counselor) may be consulted before designing an interview with a child.

While interviewing a child, it's important to consider the following:

- Assessment of the child's social, emotional and cognitive development
- Assumption of associated risk, that the child may tend to give false information to please the interviewer
- Use of age appropriate drawings or toys, to help put the child at ease
- Care must be taken in framing question
- Use of 'consent form'(to be signed by parent/guardian)

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