

8100-G131: Guidelines for Handling Sensitive and/or Confidential Records

I. PURPOSE

The State of Wyoming has a responsibility to safeguard sensitive and/or confidential information with which it has been entrusted. The proper handling of any confidential information within the State's control is a paramount concern. This responsibility requires the continuing diligence of all employees to limit the potential for mishandling or losing confidential information. Accordingly, the following guidelines should be implemented by all executive agencies.

II. SCOPE

These guidelines apply to all executive agencies, boards and commissions (collectively referred to as agencies)

III. DEFINITION

For the purpose of these guidelines, sensitive and/or confidential records are any records that contain personally-identifiable information such as, but not limited to: Social Security Number, Date of Birth, Driver's License Number, medical information, financial information, and home address.

IV. GUIDELINES

A. Record Storage

The following procedures should be observed for storing confidential records:

1. All hardcopy confidential records maintained by an agency should be stored in a secured area accessible to only those employees whose job function requires them to handle such records. A secured area includes a locked drawer, cabinet, or room. Access to these areas should be controlled and monitored.
2. All electronic confidential records maintained by an agency should be safeguarded against possible misuse by complying with all applicable state and federal laws, all applicable state IT security policies and any agency specific directives with regard to safeguarding confidential information.

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B. Record Processing

Business needs frequently require that confidential records be removed from secured areas in order to perform necessary job functions. The following guidelines should be followed when such records are in possession of an employee in the course of his/her job duty.

1. When in an unsecured area, confidential records should not leave the employee's immediate control. Records of this nature cannot be left unsupervised while physical controls are not in place.
2. When in an unsecured area, precautions should be taken to obscure the confidential information from view, such as by means of an opaque file folder or envelope. Confidential information should not be left in plain view.
3. Confidential records should be inspected thoroughly to ensure they do not contain any misfiled confidential information from other files.
4. To protect electronic confidential records, all employees should leave their computers in a 'locked or 'logged off' state when not in immediate vicinity of his/her work area.

C. Record Shipping

1. Shipping to an Individual Business functions frequently require that confidential information be mailed to external destinations. When in transit these materials are not in our immediate control and should be secured to the best of our ability beforehand. The following guidelines should be observed when shipping confidential records:
 - a. Preparation of Records
 1. Records should be packaged in such a way as to not have any confidential information viewable.
 2. All destination addresses should be inspected thoroughly and confirmed to avoid delivery to a wrong address or person.
 3. Ensure that the correct return address is provided in the event the package is undeliverable.
 4. Contents of shipments should be verified to contain only appropriate information for the intended recipient.

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b. Packaging

1. Ensure the container is the appropriate size and material to accommodate the secure and safe delivery of contents and adequately secure all seams of the package.
2. Be sure the shipping label includes a complete recipient name, address, and telephone number (for businesses); and, that it also includes the sender name, return address and telephone number. The telephone numbers provide a means of contact when/if for some reason the package is misrouted or damaged during the shipping process.
3. Make sure the entire label is securely affixed to the center front of package and it is clearly visible.
4. DO NOT MARK THE PACKAGE CONFIDENTIAL.

c. Shipping Method

1. Where appropriate packages containing confidential material are to be sent by method(s) that provide for complete shipment tracking and history, and signature confirmation of delivery ex. FedEx, UPS, Bonded Courier, or registered mail.

2. Transferring Sensitive Records

All files and records being shipped between agency offices or between agencies and external associates should employ all of the above procedures and the following:

a. Inventory of Confidential Records

1. Shipper is to inventory and document all records being shipped prior to shipping.
2. The inventory record includes, at a minimum, the name and, if applicable, document tracking number of the record(s) being shipped, the destination, the sender name and contact number, the recipient name, the date shipped and a place to record the date of when the shipment reaches its destination.
3. An electronic copy of this inventory should be emailed to the intended recipient notifying them of the pending arrival.

b. Timely Acknowledgement

1. Shipper is to include a copy of the record inventory in the shipping container so that the recipient can verify contents of shipment upon arrival and acknowledge to sender that all record(s) were received.

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2. If a shipment has not been acknowledged by a recipient within 24 hours, shipper will follow-up with the recipient office and/or shipping organization as appropriate.

D. Transfer of Confidential/Restricted Inactive and Permanent Records to the State Archives

Transfers to the State Records Center or the Archives are accomplished per the instructions on the State Archives' website, URL <http://wyoarchives.state.wy.us/RecMan/index.asp>.

E. Breach Notification and Incident Reporting

If records containing confidential information are improperly disclosed, lost, or reported as not received, the following procedures should be immediately followed:

1. An employee should notify his/her supervisor, and an incident-report should be completed and submitted within 24 hours of discovery of the incident. The submitted report is to contain a detailed account of the incident, events leading to the incident, and steps taken/to be taken in response to the incident.
2. The supervisor will communicate the situation to the Agency Head and coordinate with those that regularly field calls from the public so that they are prepared to answer phone inquiries by individuals who have been notified of the loss or disclosure of their records.

F. Consequences

It is the responsibility of agency heads to ensure their staff's compliance with these guidelines. Failure to comply with these guidelines may result in disciplinary action, ranging from a corrective action memorandum to dismissal.

CIO Approved Date: 03/03/2010