

**EXECUTIVE ORDER NO. 143**

**TO:** All Departments and Agencies Under the Mayor

**FROM:** Michael B. Hancock, Mayor

**DATE:** February 16, 2018

**SUBJECT:** Protected Data Privacy Policy

**PURPOSE:** This Executive Order establishes the protected data privacy policy (“Privacy Policy”) for the City and County of Denver and authorizes the formation of the Information Governance Committee to provide guidance and oversight for the policy’s implementation and information governance.

**BACKGROUND:** The City and County of Denver routinely uses information that either falls under regulatory rules, contractual terms or recognized standards for data privacy and security. Policy and oversight are required to ensure compliance and protection of data.

**1.0 Applicable Authority.** The applicable authority relevant to the provisions and requirements of this Executive Order is found in 2.2.10 (A) and (C) of the Charter of the City and County of Denver.

**2.0 Definitions.**

**2.1 Protected Data.**

**2.1.1 Personally Identifiable Information.** Refers to information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

**2.1.2 Regulated Data.** Refers to information protected by applicable regulatory rules or recognized standards that require implementation of privacy and data security safeguards. These include, but are not limited to, information protected by the Health Insurance Portability and Accountability Act (HIPAA), Payment Card Industry (PCI), and Criminal Justice Information Services (CJIS).

**2.1.3 Proprietary and/or Confidential Information.** Refers to information provided to the City in a commercial vendor relationship where the information is clearly marked “CONFIDENTIAL” or “PROPRIETARY” at the time of disclosure or designated in a City contract as confidential or proprietary or information that constitutes a trade secret under Colorado law or where the right of inspection is denied under Colorado law.

**3.0 Policy:** It is the policy of the City and County of Denver to comply with applicable regulatory rules, contractual terms or recognized standards for data privacy and security for personally identifiable information, regulated data, and confidential and/or proprietary information (“Protected Data”) according to the guidance and oversight of the Information Governance Committee (IGC), as described below. All Departments and Agencies are required to:

3.1 Provide a representative to participate in IGC meetings.

3.2 Provide subject matter experts or interested parties as needed to participate in working groups to develop policies, standards, procedures, etc.

3.3 Adopt and adhere to the policies, standards, procedures, etc., issued by the IGC.

3.4 Maintain records or demonstrate compliance with this Executive Order and its related policies, standards, procedures, etc., to the IGC upon request.

**4.0 Information Governance Committee.** The IGC shall be formed to provide guidance and oversight for the development, adoption, and revision of policies, standards, procedures, etc., to meet regulatory rules, contractual terms or recognized standards for data privacy, security, and information governance.

**4.1 Governance.** Oversight of the IGC shall be provided by leaders from the Mayor’s Office (Chief Performance Officer), Technology Services (Chief Information Officer), and a senior attorney from the City Attorney’s Office.

4.1.1 **Formation.** The composition and overall process guiding the IGC shall be defined through an attached memorandum to this Executive Order.

4.1.2 **Authority.** All policies, standards, procedures, etc., approved and published by the IGC shall have the full authority of this Executive Order.

**5.0 Memorandum Attachments.** The procedures for implementing this Executive Order shall be defined by Memorandum Attachments or policies, standards, procedures, etc., of which the IGC is authorized to issue through the Executive Order Committee which shall become a part of the Executive Order.

Approved for Legality:

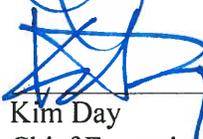


Kristin M. Bronson  
City Attorney for the City and County  
of Denver

Approved:



Michael B. Hancock  
MAYOR



Kim Day  
Chief Executive Officer of Aviation



Robert M. McDonald  
Executive Director of Environmental Health



Murphy Robinson  
Executive Director of General Services



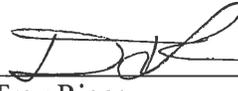
Allegra "Happy" Haynes  
Executive Director of Parks & Recreation



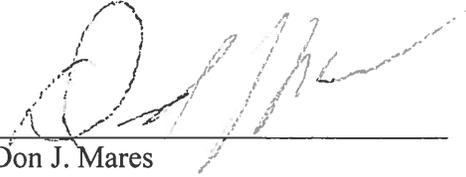
Eulois Cleckley  
Executive Director of Public Works



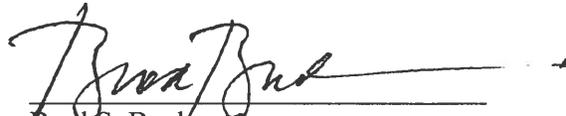
Brendan J. Hanlon  
Chief Financial Officer



Troy Riggs  
Executive Director of Safety



Don J. Mares  
Executive Director of Human Services



Brad S. Buchanan  
Executive Director of Community Planning  
and Development

**MEMORANDUM NO. 143-A**

**TO: All Departments and Agencies Under the Mayor**

**FROM: Michael B. Hancock, Mayor**

**DATE: February 16, 2018**

**SUBJECT: Information Governance Committee**

This Memorandum shall be attached to and become part of Executive Order No. 143 dated, February 16, 2018, subject "Protected Data Privacy Policy."

- 1.0 Charter.** The charter of the Information Governance Committee (IGC) shall be to provide guidance and oversight for the development, adoption, and revision of policies, standards, procedures, etc., to meet regulatory rules, contractual terms or recognized standards for data privacy, security, and information governance.
- 2.0 Participants.** The IGC shall invite representatives and subject matter experts from departments and/or agencies as participants to help develop privacy policies, standards, procedures, etc.
- 3.0 Process.** The IGC shall establish and document a process for developing policies, standards, procedures, etc. ("Privacy Practices"). The process document shall be published and available for review by interested parties. The process shall address:
  - 3.1 Identifying and prioritizing Privacy Practices.
  - 3.2 Inviting input and assigning people from affected departments and agencies to form working groups.
  - 3.3 Defining roles and responsibilities of working group participants.
  - 3.4 Defining minimum components of Privacy Practices to include adoption periods, compliance exceptions, and a method for receiving comments and feedback on effectiveness.
  - 3.5 Maintaining meeting minutes, voting procedures, and records.
  - 3.6 Reviewing and approving Privacy Practices by the City Attorney for legality.
  - 3.7 Allowing for review and comment by agencies before implementation of Privacy Practices.
  - 3.8 Communicating Privacy Practices as necessary throughout the City, published in a manner accessible by the public or stored in a way to protect confidentiality as appropriate.

- 3.9 Periodic review of Privacy Practices to ensure their currency and relevance over time.
- 3.10 Identification and regular reporting of performance metrics to the Chief Performance Officer on the implementation and effectiveness of Privacy Practices.