WV Executive Branch Privacy Tip

Privacy Principles

The West Virginia Executive Branch Privacy Program balances the individual's right of privacy against another's need and right of access to Personally Identifiable Information (PII). The Privacy Program is based upon the following six principles, consistent with law and policy:

ACCOUNTABILITY Each Department shall assign roles and responsibilities to ensure application of privacy principles to personally identifiable information (PII).

CONSENT Each Department shall provide individuals with a reasonable opportunity to object to the collection and use or disclosure of their PII. A Department does not collect, use or disclose PII in a manner inconsistent with its notice, unless it has first obtained the individual's additional consent for the use or disclosure, or the additional use is required by law.

INDIVIDUAL RIGHTS Whenever possible and appropriate, a Department shall rely first on the PII it collects directly from the individual. An individual should be afforded the ability to access and copy his or her PII that a Department acquires or maintains, request an amendment of the information an entity maintains and, if such amendment is not undertaken, request that the information be notated. Departments shall provide appropriate means of individual redress which include, at minimum, institutional mechanisms to ensure that individuals have a simple and effective way to have their questions answered and concerns addressed.

MINIMUM NECESSARY AND LIMITED USE Departments shall limit the collection and disclosure of PII to their legal authority. Additionally, Departments should only collect or disclose those elements of PII that are reasonably needed to accomplish a legitimate Departmental objective, except where law or public policy directs otherwise.

NOTICE Departments shall be open regarding the authority for collecting PII, the purpose of the collection, the location of the entity maintaining the PII, with whom the PII may be shared and why, rights an individual has to PII, and the Department's policies, procedures, standards and practices with regard to PII.

SECURITY SAFEGUARDS A Department shall implement the appropriate management, operational, physical and technical controls to preserve the privacy, confidentiality, integrity and accessibility of PII. The security safeguards shall be designed to protect the PII from (i) anticipated threats of hazards and (ii) unauthorized access, use or disclosure. In each case, the Department will strive to provide security that is proportional to the sensitivity of the PII being protected, with the greatest effort being focused on protecting PII from a compromise that could result in substantial harm or inconvenience to the individual.

In the following months, we will be issuing tips based upon these principles to help you understand the WV Executive Branch Privacy Polices, and how they affect your everyday work life. If you have questions, every department has a designated Privacy Officer who can help you. For additional information, please visit the Privacy Office website at www.privacy.wv.gov.