

West Virginia Executive Branch Privacy Policy: Individual Rights

FOIA vs. Individual Rights

Question:

Could someone FOIA my personal information?

Answer:

Both the Individual Rights Policy and the West Virginia Freedom of Information Act provide individuals with access to government records. Have you ever thought about how they differ?

FOIA provides all citizens with the right to access government records. FOIA requests can be used by a citizen to obtain his or her own records. The requests can also be used to provide broad access to many different types of government records, including information about government employees, department meetings and other documents that contain no personal information (PI) at all.

The Individual Rights Policy provides individuals with the right to access their own PI, even if FOIA is not applicable. For example, individuals cannot generally use FOIA requests to obtain human resources files for Executive Branch workers. But a worker could access her own file using the Individual Rights Policy.