

## **EXECUTIVE ORDER NO. 143**

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

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

**DATE:** April 9, 2021

**SUBJECT:** Information Governance Policy

**PURPOSE:** This Executive Order establishes the Information Governance 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, for data and records governance throughout the City and County of Denver. Executive Order No. 143, "Protected Data Privacy Policy," dated February 16, 2018, is hereby superseded by this Executive Order No. 143.

**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 City and County Data.** All written and electronic documents, papers, communications, letters, sound or video recordings, or other materials that would constitute a "record" under the Colorado Open Records Act, (*see* C.R.S. §§ 24-72-201 through 206) or "criminal justice record" under the Colorado Criminal Justice Records Act, (*see* C.R.S. §§24-72-301 through 309) , regardless of physical form, created or received by the City and County of Denver.

**2.2 Information Governance.** The practices, policies and technologies employed by the City and County of Denver to manage and use City and County Data most efficiently and productively while minimizing cost and risk. The term includes the development of records retention schedules; management of filing and information retrieval systems; protection of essential and permanent records; storage of inactive records; creation, revision, and distribution of forms, reports, and correspondence; policies and tools for searching, reviewing, and retrieving City and County Data; the management of electronic records, databases, and systems; and ensuring security and privacy of Protected Data.

### **2.3 Protected Data.**

**2.3.1 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.

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2.3.2 **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).

2.3.3 **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:** The policy of the City and County of Denver is to manage the creation, distribution, organization, maintenance, use, preservation and disposition of City and County of Denver Data in an effective and efficient manner. The Information Governance Policy requires comprehensive procedures for information management, consistent with legal requirements and accepted best practices for records management, data security and privacy, and government transparency, 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, 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.

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**5.0 Memorandum Attachments.** The procedures for implementing this Executive Order may 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.

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Approved for Legality:


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Kristin M. Bronson  
City Attorney for the City and County  
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Approved:

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Michael B. Hancock  
MAYOR

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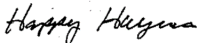
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Executive Director of Public Works

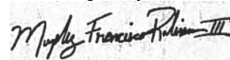
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Murphy Robinson  
Executive Director of Safety

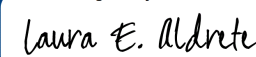
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