

Approved: March 24, 2022  
Resolution No. 22-28

**A. Purpose**

This policy is intended to provide Ogemaw County employees with a basic understanding of their responsibilities to protect and safeguard the confidential information to which they have access as a result of their employment.

**B. Definition**

*Confidential information* means information that has been obtained by a public servant in the course of acting as a public servant, that may be exempted from release to members of the public pursuant to the Michigan Freedom of Information Act, being MCL 15.231 et seq., or pursuant to other law, regulation, policy or procedure recognized by law, and that the public servant is unauthorized to disclose, including:

1. Any written information, whether in document or in electronic form, which could be exempted from disclosure pursuant to state law or to other pertinent law, regulation, policy or procedure recognized by law, unless the public servant disclosing the information is permitted by such authority to make disclosure; and
2. Any non-written information which, if written, could be exempted from disclosure pursuant to state law or to other pertinent law, regulation, policy or procedure recognized by law, unless the public servant disclosing the information is permitted by such authority to make disclosure; and
3. Information which was obtained in the course of or by means of a written or electronic record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing the information is authorized by state law to make disclosure, or unless the public servant disclosing the information has been properly authorized to make disclosure pursuant to an applicable law, regulation, policy or procedure, except that when such information is available through channels which are open to the public, this provision does not prohibit public servants from disclosing the availability of those channels.

**C. Policy**

Security and privacy of confidential information is of the utmost importance. It is the responsibility of every employee to respect and maintain the security and privacy of confidential information. A violation of this policy may result in disciplinary action.

Each employee shall have the following responsibilities under this policy:

1. During employment and after employment separation, an employee will hold all confidential information in trust and confidence, and will only use, access, store, or disclose confidential information, directly or indirectly, as appropriate in the performance of the employee's duties for Ogemaw County. Employee must comply with all applicable state and federal laws and Ogemaw County policies relating to access, use, and disclosure of confidential information.
2. Employees shall not remove materials or property that contain confidential information from the employee's department or program area unless it is necessary in the performance of job duties. Any and all such materials, property, and confidential information are the property of Ogemaw County. If materials or property that contain confidential information are removed, the employee must safeguard the materials/property and control access as necessary. This responsibility to safeguard and control access to materials and property similarly applies to any telework/remote access situation. Upon termination of any assignment or as requested by an employee's supervisor, the employee shall secure all such materials/property and copies thereof or return all such materials/property and copies to the employee's supervisor or supervisor's designee.
3. Employees shall not seek to obtain any confidential information involving any matter which does not involve or relate to the employee's job duties. Confidential information or county records, documents, or other information may not be maliciously tampered with, altered, or destroyed.
4. In case of a health or safety emergency, relevant confidential information may be disclosed as necessary to appropriate individuals such as, law enforcement, first responders, etc.
5. Question related to appropriate use or disclosure of confidential information shall be directed to the employee's supervisor or other appropriate Ogemaw County personnel.
6. Employee shall promptly report to the employee's supervisor any known violation of this policy, other Ogemaw County confidentiality or privacy policies, or federal or State confidentiality or privacy laws.