Notes:

Welcome to the training module titled, "Destruction of Confidential Records." This training is offered by the State of Michigan, Records Management Services.

Records Management Services

- MCL 18.1287 requires DTMB, Records Management Services to provide:
  - Education, training, and information about each phase of records management
  - Safeguards against unauthorized or unlawful disposal, removal, or loss of state records
  - For the security of records

DTMB   HELP. CONNECT. SOLVE.

Notes:
Michigan law requires Records Management Services (RMS) to provide education, training, and information about each phase of records management.

RMS must also instruct on how to safeguard against unauthorized or unlawful disposal, removal or loss of state records and to provide for the overall security of the records in general.

Why Protect Confidential Information?

- To prevent violating state and federal laws
- To protect and maintain the privacy of individuals
- To maintain the public's trust in government
- To prevent identity theft, financial theft and fraud
- To avoid costs associated with compromising confidentiality
  - Fines
  - Individual notification
  - Credit monitoring
- To prevent legal action and/or disciplinary action against employees

DTMB   HELP. CONNECT. SOLVE.

Notes:
It's important that you understand your role as a State of Michigan employee when it comes to protecting confidential information.

First, employees need to ensure they are not violating any State or Federal laws in their daily practices.

Employees need to protect and maintain the privacy of individuals, to maintain the public's trust in government.

Employees also need to prevent identity theft, financial theft and/or fraud, and the costs associated with compromising confidential information.

Some of these costs include fines from the courts, the cost to notify each individual whose information was compromised, and the cost to monitoring each of those individuals credit for up to 2 years.

It is also important to prevent legal or disciplinary action against the employee. Employees can be personally held accountable for their actions.

Examples of Confidential or Personal Information

- Information that identifies a unique individual or that is private
  - Social Security, credit card, bank account numbers, credit reports, banking information,
  - Physical or mental health profiles, diagnosis or treatment records, medication information, psychological records
  - Certain Law enforcement records
  - Records that document security measures for public institutions (penal and mental institutions, technology and utility infrastructure, etc.), such as blueprints or anti-terrorism and emergency response plans

DTMB · HELP. CONNECT. SOLVE.

Notes:
The definitions for confidential or personal information vary, depending on the specific law.

Many laws declare information to be confidential if it identifies an individual, and contains personally identifiable information (PII), or information that is considered to be private about the person (like financial or health information).

Other records are confidential because they relate to public safety, like certain law enforcement records, and records that document security measures, such as blueprints or emergency response plans.

Privacy Laws

- Many state and federal laws identify confidential or sensitive information that must be protected
- There are too many applicable laws to list
- Agency management is responsible for identifying applicable laws for each business function and for informing affected employees
- Each law has different penalties for violations

DTMB   HELP. CONNECT. SOLVE.

Notes:
There are too many state and federal privacy laws to list all of them in this training.

Each government agency needs to identify the applicable laws that govern the information that they create or manage. Agency management needs to ensure that the proper procedures are in place to inform the employees of what is confidential, and to protect the information.

If you are unsure if a record is confidential, ask your supervisor. Also, it does not hurt to ask yourself, "If this was my information, how would I want it to be protected?"

Remember, there are numerous penalties for violating privacy laws, regardless of whether the violation was intentional or not.

Destroying Records

- Multiple methods are available for destroying records
- Each destruction method provides a different level of security for the material
- It is important to select the destruction method that is appropriate for the records

DTMB

HELP. CONNECT. SOLVE.

Notes:

Multiple methods are available for destroying records and information. Each destruction method provides a different level of risk and security.

Each office is responsible for destroying of its records appropriately, depending up on whether or not the records contain confidential or sensitive information.

Notes:

The State of Michigan offers 3 choices for destroying physical records, like paper and microfilm. They are trash, recycling and the confidential destruction service. This training will explain the differences of each method.

Notes:
Trash is the least secure destruction method.

Trash bins and dumpsters are not secured. The containers are not locked to prevent dumpster divers from digging through the container. The contents are exposed to the environment when the container is dumped into the truck, or as is goes down the road. Drivers may not go through any security screenings or have background checks performed.

Trash is taken to an open landfill that could be located in another state or country. It could be accessed by anyone. Records should not be put in the trash. Trash is for coffee cups and banana peels.

Recycling

- Bins are not locked
- Material is taken to an open warehouse for processing and baling
  - During transit the material is often not secured
  - Truck drivers and handlers may not go through security screenings or background checks
  - Material is hand sorted according to paper grades
- Information in the records is accessible until it is destroyed at the paper mill
- DO NOT RECYCLE CONFIDENTIAL RECORDS!

DTMB

HELP. CONNECT. SOLVE.

Notes:

Recycling is good for the environment, but it does not protect confidential records. The bins and cardboard containers that are used to collect items for recycling are often not locked or monitored. In some locations these containers are easily accessed by anyone walking by.

Once the material is picked up, it is taken to a warehouse. During transit the material is often not secured, and the drivers and handlers may not have to go through any security or background screenings.

The items that will be recycled are not destroyed until they are actually utilized by a paper mill. The materials are separated at the warehouse by paper grade, and are baled intact, which means the information can still be read by anyone who sees the records. Recycling does not protect confidential records.

Bales of Recycled Material

- Recycled materials are sent to a paper mill that could be located in another state or country for re-purposing
- Information stays intact through out the process, and could be accessed by anyone, until they are actually utilized at a paper mill

Notes:

These pictures show a typical bale of recycled paper. The material is typically pressed together, and then wrapped with wire. As the material is compressed, it slides back together almost like a ream of paper. The majority of the documents on the exterior are completely exposed and are fully intact. A person can literally pull entire documents out of the bale. These bales are then accumulated prior to being shipped to the paper mills.

Unfortunately, the majority of these mills are located outside of Michigan, in other states, or countries. Security is not a concern for the paper brokers who move these bales all over the world. The information in these bales can be easily accessed by anyone as it travels throughout this process.

Do not utilize recycling to dispose of confidential records.

Shredding May Not Be Good Enough

- Strip cut shreds can still reveal full lines of text
- Shredded records can be reconstructed
- Be aware of how the shreds will be disposed of to prevent reconstruction

DTMB   HELP. CONNECT. SOLVE.

Notes:
Be aware that strip cut shreds can still reveal complete lines of text.

In addition, there is software that can be used to electronically put shreds back together. The software works on strip shreds, cross-cut shreds and hand ripped shreds.

A key component to the destruction process is how the material is disposed of after it shredded. For example, if the shreds from an office shredder are put into a plastic bag which is then tossed into the trash, the office created a convenient carrying bag for the dumpster diver.

However, if the information is disbursed in small quantities throughout a large volume of material as it is destroyed, it is harder to reconstruct.

Not All Shreds are Equal

strip cut shred compared to grinder shred

comparing different particle sizes

Notes:

Not all shreds are equal. The image on the left shows the difference between strip cut shreds and shreds that comply with the State of Michigan's confidential records destruction contract. This contract requires that records be destroyed to 1mm x 5mm particle size. The image on the right shows examples of different destruction particle sizes.

Confidential Destruction

- Prevents reconstruction of materials
- Prevents inappropriate release of information
- State of Michigan contract requirements
    - Paper: 1mm x 5mm particle size
        - Can be accomplished with pulverization or grinding
        - Material is recycled
    - Film, computer hard drives and disks: 1/35 inch particle size
        - Accomplished with grinding
    - Meets IRS requirements
- SECURELY DESTROY ALL CONFIDENTIAL RECORDS

DTMB   HELP. CONNECT. SOLVE.

Notes:
Paper records that are destroyed utilizing the State of Michigan's Confidential Destruction contract are ground to a 1mm x 5mm particle size. This is basically about the size of your smallest fingernail. This size meets the IRS requirements, and it prevents the reconstruction or inappropriate release of material or information.

To ensure that non-paper material like microfilm, microfiche and computer disc cannot be read, this material is ground to a 1/35" particle size.

The contract also has provisions to destroy other items.

Vital Records Control (VRC)

- Statewide Confidential Destruction Service
  - Locked bins are available for storing records until they are picked up for destruction
  - Employees are bonded and have background checks
  - Transportation and processing areas are secured
  - Must destroy records within 24 hours of pickup
  - Flexible scheduling for pickup of materials
  - Each bin is linked to an agency's index code for billing
- Contact VRC:
  - 616-735-2900
  - https://vitalrecordscontrol.com

DTMB

HELP. CONNECT. SOLVE.

Notes:
The current vendor is VRC. All containers used for destruction are locked.

Rapid Shred's employees are bonded, fingerprinted and passed MSP background checks.

All vehicles and processing areas that used by the vendor are secured, and access is restricted.

VRC is required to destroy all records within 24 hours of pickup.

VRC offers flexible scheduling, but offices are encouraged to wait until bins are full before requesting a pick up.

The bins are linked to the agency's billing codes.

To establish an account, contact VRC at 616-735-2900.

Notes:

These are pictures of the Rapid Shred bins (*top left*) and equipment. Including the scale (*top right*), grinding machine (*bottom left*), and the bale that is sent to a paper mill for recycling (*bottom right*).

Non-paper material is ground or pulverized, and it is put in a sealed container for transportation to an incinerator. (*no picture is available*)

Destroy Records Appropriately

- **Trash:** used for materials that are not records
  - Material is sent to an open landfill
- **Recycling:** used for records that do not contain confidential or sensitive information
  - Material is not destroyed until it is re-purposed
- **Confidential Destruction:** used to prevent inappropriate release of material that may contain confidential or personal information
  - Material is too small to re-construct

DTMB   HELP. CONNECT. SOLVE.

Notes:
Please destroy records appropriately. Trash should only be used for items that are not records. Recycling should only be used for records that do <u>not</u> contain any confidential or sensitive information. The Confidential Destruction contract should be used for confidential records.

Summary

- Everyone is responsible for protecting confidential information to
  - Prevent violating state and federal laws
  - Protect and maintain privacy of individuals
  - Maintain public's trust in government
  - Prevent identity theft and its associated costs
  - Prevent financial theft and fraud
  - Prevent lawsuits against employees
  - Prevent legal action and/or disciplinary action against employees
- Do not browse or divulge confidential information
- Report all breaches to supervisors
- Destroy confidential records appropriately

HELP. CONNECT. SOLVE.

Notes:

In summary, it is important to protect confidential information. Do not violate any State or Federal laws by failing to protect and maintain the privacy of individuals. The State of Michigan needs to maintain the public's trust in government.

Prevent identity theft, financial theft and/or fraud, and the associated costs. Prevent lawsuits, or other legal and disciplinary actions. Do not browse or divulge confidential information and report all breaches to a supervisor immediately.

Make sure confidential records are destroyed appropriately.

We can help!

Records Management Services
3400 N. Grand River Ave.
Lansing, Michigan 48909
517-335-9132
recordscenter@michigan.gov
inside.michigan.gov/recordsmanagement

DTMB

Notes:

If you have any questions, please feel free to contact Records Management Services for additional assistance or visit our website for more information about records management and additional training opportunities.

You can contact RMS by calling 517-335-9132, or you can visit RMS online *inside.michigan.gov/recordsmanagement*.

Thank you.