2020 Privacy Assessment Survey

Introduction

RCW 43.165.360 requires the Office of Privacy and Data Protection to conduct an annual privacy review of agency practices. Your responses will help us measure privacy maturity across state agencies and develop resources and trainings where they are most needed. The goal is to establish a common understanding of current practices, not to measure compliance with specific laws or a specific set of standards. We understand that agency functions and privacy requirements vary. What is a best practice for one agency may not apply to another.

If your agency does not control any personal information about Washington residents, please complete the Agency Information section and indicate you do not control personal information. The rest of the assessment does not need to be completed. “Personal information” is information about a natural person that is identifiable to that specific individual.

You may use the Next and Previous buttons to skip through the form to fill out questions in any order.

Thank you for your time. Please feel free to send any questions to privacy@colo.wa.gov.

Survey Sections

<table>
<thead>
<tr>
<th>1. Agency Information</th>
<th>2. Types of Personal Information</th>
<th>3. Privacy Roles &amp; Staffing</th>
</tr>
</thead>
</table>

Agency Information Section:

2020 Privacy Assessment Survey

Agency Information

Agency Name*

For your Agency Code see the OFM website

Agency Code*

Person Submitting*

First Name  Last Name

Your email address*

A copy of your form submission will be sent to this address.

Save and Resume Later

« Previous  Progress  Next »
If you select the “No” answer to the screening question, it takes you to the Conclusion Section of the survey:

2020 Privacy Assessment Survey

Conclusion

This is the end of the privacy assessment form. Feel free to click the Previous button to review your answers.
When you click the SUBMIT button, you will be shown questions you forgot to answer.
A copy of this form submission will be sent to your email address
If you have any questions or comments, please contact privacy@ocis.wa.gov. We also appreciate a review of the form below.

Your comments about this form:

☐ I am ready to submit this form

Save and Resume Later

Submit Form
2020 Privacy Assessment Survey Screening Question – “Yes” answer takes you to the rest of the survey.

“Personal information” is information about a natural person that is identifiable to that specific individual. Information can include, but is not limited to, data, text, voice, and video.

<table>
<thead>
<tr>
<th>Does your agency maintain personal information about Washington residents?*</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Yes.</td>
</tr>
<tr>
<td>☐ No. My agency does not maintain any personal information about Washington residents?</td>
</tr>
</tbody>
</table>

Save and Resume Later
Types of Personal Information Section:
All questions are checkboxes and answers - no additional questions appear based on answers.

What type of information does your agency maintain about Washington residents? (Check all that apply)*
- Contact information
- Financial, billing, or account information
- Social security numbers
- Driver’s license numbers
- Other unique identifiers
- Date of birth
- Demographic information (e.g., race, ethnicity)
- Medical information
- Employment information
- Education information
- Justice information (e.g., criminal record)
- Familial information (e.g., household size, number of children)
- Immigration or citizenship information (e.g., place of birth, national origin, legal status)
- Specific geolocation information
- Biometrics
- Facial recognition templates
- Other:

How does your agency collect information? (Check all that apply)*
- From people directly
- From other WA state agencies
- From federal agencies
- From local governments or other states
- From data brokers or similar entities
- From organizations we regulate or license
- From service providers (e.g., health care provider)
- Automated systems, such as cameras or GPS
- Other:

Does your agency maintain any biometric identifiers?*
- We do not collect, capture, purchase or obtain any biometric identifiers
- We already have historical biometric data but do not currently collect biometric identifiers
- We do not have biometric identifiers but plan to collect them in the future
- We do collect biometric identifiers

Has your agency taken steps to comply with EOSSB 5497 (2019), the Keep Washington Working Act? (Check all that apply)*
- We have reviewed our policies as a result of the law
- We have made necessary updates to our policies or determined no updates are necessary
- We are already in compliance with the law
- The law does not apply to us
- Other:
If “Yes” answer – Explanation box appears.

Does your agency use privacy impact assessments, risk registers, or other tools to assess privacy risks when beginning new projects that involve personal information? *

- Yes  - No

If yes, explain*  

If “No” answer – nothing appears.

Does your agency use privacy impact assessments, risk registers, or other tools to assess privacy risks when beginning new projects that involve personal information? *

- Yes  - No

Privacy Roles & Staffing Section:

If you select the “No” Answer – an additional question and text field appear.

2020 Privacy Assessment Survey

Privacy Roles & Staffing

Choose the option that best describes who works on privacy in your agency:* 

- We have a person designated to set policy and handle questions for our agency, whose primary function is privacy and related issues
- We have a person designated to set policy and handle questions for our agency, but privacy is not their primary function
- We have a group of people who tend to work on privacy issues, according to their expertise
- We do not have a dedicated person or group, but tend to give these questions to internal staff such as the CIO or risk manager as appropriate
- We do not have internal staff with expertise, but we call outside experts when necessary

Do you have a person designated to set policy and handle privacy questions?*

- Yes
- No

What positions work on privacy issues in your agency?  

- [Text field]

Save and Resume Later

< Previous  Progress  Next >
2020 Privacy Assessment Survey

Privacy Roles & Staffing

Choose the option that best describes who works on privacy in your agency:*
- We have a person designated to set policy and handle questions for our agency, whose primary function is privacy and related issues
- We have a person designated to set policy and handle questions for our agency, but privacy is not their primary function
- We have a group of people who tend to work on privacy issues, according to their expertise
- We do not have a dedicated person or group, but tend to give these questions to internal staff such as the CIO or risk manager as appropriate
- We do not have internal staff with expertise, but we call outside experts when necessary

Do you have a person designated to set policy and handle privacy questions?*
- Yes
- No

Name*
First Name
Last Name

Email of designee*

Title*

Place in organizational structure *
e.g., legal, risk management, information governance, IT

What other positions work on privacy issues in your agency?

Save and Resume Later

Training and Policies Section:

If you select “Yes” or “No” or “Other” answer – no additional questions appear

Training and Policies

Does your agency have formal policies and procedures that address privacy?*
- Yes
- No
- Other:
If you select first or second answer the additional checklist appears:

<table>
<thead>
<tr>
<th>Does your agency have formal policies or procedures, or other standards, that address heightened protections for particularly sensitive subsets of information?*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes, we have formal policies or procedures that address heightened protections for particularly sensitive information</td>
</tr>
<tr>
<td>We have standards that address protections for particularly sensitive information, but they do not rise to the level of formal policies or procedures</td>
</tr>
<tr>
<td>We maintain some subsets of particularly sensitive information but do not have policies, policies, or standards that address heightened protections</td>
</tr>
<tr>
<td>We do not maintain this type of information</td>
</tr>
</tbody>
</table>

What types of information do the policies, procedures, or standards address? (Check all that apply)*

- Participants in the address confidentiality program
- Particularly sensitive health information (e.g., substance use, mental health, sexually transmitted infection, reproductive planning)
- Specific geolocation information
- Immigration or citizenship information
- Biometric information
- Other:

If you select the third or fourth answer no additional questions or checklist appears.

Does your agency have formal policies or procedures, or other standards, that address heightened protections for particularly sensitive subsets of information?*  
- Yes, we have formal policies or procedures that address heightened protections for particularly sensitive information  
- We have standards that address protections for particularly sensitive information, but they do not rise to the level of formal policies or procedures  
- We maintain some subsets of particularly sensitive information but do not have policies, policies, or standards that address heightened protections  
- We do not maintain this type of information

If you select “Yes” or “No” or “Other”– no additional questions appear.

Does your agency have a formal policy to minimize data collection, use, and disclosure?*  
- Yes  
- No  
- Other:

Does your agency offer employees privacy training? (Check all that apply)*

- Agency-specific privacy training is available to staff  
- Generic privacy training is available to staff  
- Training is mandatory for all staff  
- Training is mandatory for certain staff  
- We do not offer privacy training  
- Other:

[Save and Resume Later]

[Previous]  [Next >]
Transparency Section:

If you select “Yes” – additional question appears

2020 Privacy Assessment Survey

Transparency

Do you have a website privacy policy that addresses information you track or gather on your website?*

☐ Yes
☐ We have a website, but we do not have a website privacy policy
☐ We do not have a website

How current is your website privacy policy?*

☐ Updated or reviewed in the past year
☐ Updated or reviewed in the last 5 years
☐ More than 5 years since last update or review

If you select the other two answers regarding a website policy – No additional questions appear:

2020 Privacy Assessment Survey

Transparency

Do you have a website privacy policy that addresses information you track or gather on your website?*

☐ Yes
☐ We have a website, but we do not have a website privacy policy
☐ We do not have a website

If you select “No” - No additional questions appear:

Does your agency have an external-facing privacy notice or policy that explains how you collect, use, and disclose personal information?*

☐ Yes
☐ No

This type of notice is separate from a website privacy policy that address information you track or gather on your website.

Save and Resume Later

Next »
If you select “Yes” – Additional questions appear:

**Does your agency have an external-facing privacy notice or policy that explains how you collect, use, and disclose personal information?**

- Yes
- No

This type of notice is separate from a website privacy policy that addresses information you track or gather on your website.

**How is your privacy notice or policy provided to people? (Check all that apply)**

- In-person
- Mail
- E-mail
- Posted on agency website
- Other: 

**What does your privacy notice or policy include? (Check all that apply)**

- The types of information gathered
- The purposes for which the information will be used
- Who will use the information
- How the information will be shared
- An explanation of a person’s ability to access or control their information
- Who to contact for more information

Individual Participation Section:

If you answer “No” – no additional questions appear:

**2020 Privacy Assessment Survey**

**Individual Participation**

**Does your agency have policies and/or procedures that address a person’s request to control their personal information?**

- Yes
- No
If you answer “Yes” – an additional checklist appears:

2020 Privacy Assessment Survey

Individual Participation

Does your agency have policies and/or procedures that address a person’s request to control their personal information?*

☒ Yes ☐ No

Which types of requests do the policies and/or procedures address? (Check all that apply)*

☐ Requests to access or receive information
☐ Requests to correct information
☐ Requests to delete information
☐ Requests for information to be shared or sent to another person
☐ Requests for a restriction in how information is used or shared
☐ Other: ____________________________

Save and Resume Later
### Accountability Section:

All questions are checkboxes that don’t create additional questions, except “Yes/No” question highlighted. If you select “No” – No additional questions appear.

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has your agency experienced any data incidents in the past year?</td>
<td>- We are not aware of any data incidents in the past year</td>
</tr>
<tr>
<td></td>
<td>- We experienced one or more data incidents which did not rise to the</td>
</tr>
<tr>
<td></td>
<td>level of requiring notification. (Check all that apply)*</td>
</tr>
<tr>
<td></td>
<td>- We experienced one or more data incidents which required breach</td>
</tr>
<tr>
<td></td>
<td>notification</td>
</tr>
<tr>
<td>In the past year, have third parties your agency shares data with</td>
<td>- We are not aware of any data incidents in the past year</td>
</tr>
<tr>
<td>experienced any data incidents that involved agency data? (Check all</td>
<td>- Third parties experienced one or more data incidents that involved</td>
</tr>
<tr>
<td>that apply)*</td>
<td>agency data but did not rise to the level of a breach that required</td>
</tr>
<tr>
<td></td>
<td>notification</td>
</tr>
<tr>
<td></td>
<td>- Third parties experienced one or more data incidents involving agency</td>
</tr>
<tr>
<td></td>
<td>data that required breach notification</td>
</tr>
<tr>
<td>What controls does your agency have in place to identify and respond to</td>
<td>- A designated person or persons to make breach determinations</td>
</tr>
<tr>
<td>data incidents? (Check all that apply)*</td>
<td>- Specific data breach procedures that identify roles and responsibilities</td>
</tr>
<tr>
<td></td>
<td>- Data breach procedures that identify roles and responsibilities, within</td>
</tr>
<tr>
<td></td>
<td>a more general incident response plan</td>
</tr>
<tr>
<td></td>
<td>- Agency policies that require staff to report potential breaches</td>
</tr>
<tr>
<td></td>
<td>- Staff are trained on incident reporting responsibilities</td>
</tr>
<tr>
<td></td>
<td>- Data breach assessment templates or tools to document and guide breach</td>
</tr>
<tr>
<td></td>
<td>determinations</td>
</tr>
<tr>
<td></td>
<td>- System monitoring or automated alerts</td>
</tr>
<tr>
<td></td>
<td>- Insurance that covers data breach response, such as notifications,</td>
</tr>
<tr>
<td></td>
<td>credit monitoring, and legal counsel</td>
</tr>
<tr>
<td></td>
<td>- Other:</td>
</tr>
<tr>
<td>Is your agency subject to data breach notification requirements other</td>
<td>- Yes  No</td>
</tr>
<tr>
<td>than RCW 42.56.590?</td>
<td>(Washington’s data breach notification law)</td>
</tr>
<tr>
<td>What type of security protections does your agency have in place to</td>
<td>- Physical safeguards (e.g., key card access)</td>
</tr>
<tr>
<td>protect the privacy of personal information? (Check all that apply)*</td>
<td>- Technical safeguards (e.g., encryption)</td>
</tr>
<tr>
<td></td>
<td>- Administrative safeguards (e.g., policies and procedures)</td>
</tr>
<tr>
<td></td>
<td>- Other:</td>
</tr>
</tbody>
</table>
If you select “Yes” – An additional text box appears.

<table>
<thead>
<tr>
<th>Is your agency subject to data breach notification requirements other than RCW 42.56.590?*</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes  ☐ No</td>
</tr>
<tr>
<td>Sec RCW 42.56.590 (Washington's data breach notification law)</td>
</tr>
</tbody>
</table>

Please list or briefly describe other data breach notification requirements you must comply with (e.g. HIPAA, SSA, GLBA, etc.)*
Data Sharing Section:

All questions are checkboxes that don’t create additional questions, except “Yes/No” question highlighted. If you select “No” – No additional questions appear.

Data sharing, third party management, and data publishing

Who does your agency share personal information with? (Check all that apply)*
- Other state and local agencies
- Federal agencies
- Law enforcement (as part of our data sharing relationship)
- Law enforcement (on ad hoc basis, as required)
- Researchers
- Vendors working on agency’s behalf
- Data brokers
- Service providers (e.g., health care provider)
- Other: 

Does your agency sell personal information?*
- Yes
- No
- Not sure

How are requests to establish new data sharing relationships vetted? (Check all that apply)*
- Individuals make decisions based on program needs
- Individuals make decisions pursuant to established policies
- Only designated individuals can approve data sharing
- There is a review process to ensure contracting, privacy, and security are considered before establishing new data sharing relationship
- The agency has a formal committee to approve data sharing requests
- Other: 

Which elements are part of your agency’s data sharing agreements? (Check all that apply)*
- Confidentiality terms and conditions
- Notice of data breaches
- Notice of data incidents, regardless of whether they are a breach that requires notification
- Data security requirements
- Attestation of appropriate privacy and security practices
- Data security audits
- Data use audits
- Permissible uses
- Data breach insurance coverage
- Non-disclosure or confidentiality agreements
- Training for people who will have access to data
- Other: 

Does your agency have standards or processes to minimize the risk of re-identification when information is publicly disclosed? (Check all that apply)*
- De-identification standards
- Small numbers standard
- Privacy review of published data
- Other: 

Save and Resume Later

< Previous 

Progress: 

Next >
If you select “Yes” or “Not Sure” an additional text box appears:

**Does your agency sell personal information?**
- Yes
- No
- Not sure

**Data inventory, retention, and destruction Section:**

This section does not change based on your answers.
Future Planning Section:
This section does not change based on your answers.

How important is privacy for your agency this year?
Rate this on a scale of 1-10 with 10 being essential to the agency strategic plan, and 1 being not relevant for the coming year.

Over the last two years, has the importance of strong privacy protections for your agency:
- Increased
- Decreased
- Stayed about the same

What privacy tasks is your agency planning to work on in the next year? (Check all that apply)*
- Review and/or update privacy policies
- Update or create privacy training
- Review and/or update privacy notices
- Review and/or update data sharing agreements
- Create or update data map or inventory
- Other:

What developments or projects most improved your agency’s privacy posture in the past year?

What resources would benefit your privacy work in the coming year?

What training topics would be the most helpful to your agency?
Conclusion Section:
The extra check box to submit must be checked to submit the survey.