



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

## OFFICE OF GENERAL COUNSEL AND AGENCY OFFICE OF CHIEF COUNSEL NON-DISCLOSURE/CONFIDENTIALITY GUIDELINES FOR INTERNS AND EXTERNS

### GENERAL PRINCIPLES

Interns and externs within the Governor's Office of General Counsel and agency Offices of Chief Counsel must protect the confidentiality of information acquired in the course of their work, including information obtained from the Governor's Office of General Counsel, a Commonwealth agency including its Office of Chief Counsel, or the Office of the Governor. Confidentiality means protecting information from and not sharing information with unauthorized individuals, entities, or processes.

Interns and externs should not use or disclose any personal, sensitive, or confidential information, to which they have access or will have access, in conjunction with performing their internship or externship related work, to any third party or to employees or officials within the Office of the Governor, the Governor's Office of General Counsel, or other Commonwealth agencies including their Offices of Chief Counsel without specific authority, unless use or disclosure is in the normal course of business within the Governor's Office of General Counsel or the agency Office of Chief Counsel, or there is a legal or professional duty to disclose the information. Prior to disclosing confidential information, interns and externs must receive direction and approval from their supervisor confirming that a disclosure is permitted and appropriate, including the supervisor's express agreement that there is a business need or legal or professional duty to disclose the information, if applicable.

Confidentiality is an essential component of information security.

The Office of the Governor, the Governor's Office of General Counsel, and agency Offices of Chief Counsel expect all their interns and externs to adhere to principles of confidentiality in their written and oral communications.

### EXAMPLES OF CONFIDENTIAL INFORMATION

**Personal Information** – information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an

individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

**Sensitive Information** – personal information about an individual's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, health status (either physical or emotional), disability, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record.

**Confidential Information** also includes but is not limited to:

- information that is confidential by law (*e.g.*, Criminal History Information Act, Health Insurance Portability and Accountability Act);
- information associated with consideration of policy and legislative decisions, legal strategy, proprietary information, and personnel matters;
- information marked as confidential;
- information the confidential nature of which has been made known by the Governor's Office of General Counsel or an agency Office of Chief Counsel to the Signatory; and
- information that due to its character and nature, a reasonable person under like circumstances would treat as confidential.

## **USE AND DISCLOSURE OF CONFIDENTIAL INFORMATION**

Interns and externs within the Governor's Office of General Counsel and agency Offices of Chief Counsel must:

- Not disclose personal, sensitive, or confidential information unnecessarily or contrary to these guidelines.
- Not share information with external government agencies, organizations or other sources unless expressly directed to do so by their supervisor.
- Only access information they require for legitimate internship or externship work purposes.
- Ensure files and work areas are organized so that information is not inadvertently disclosed.

Interns and externs within the Governor's Office of General Counsel and agency Offices of Chief Counsel who inappropriately read, access, or discuss confidential information may be not only breaching the privacy and personal integrity of their colleagues, but also, depending on the information, be violating state or federal law.

## **CONSEQUENCES OF BREACH**

- Legal issues
- Discipline or loss of employment or internship/externship
- Release of inaccurate information
- Loss of public confidence

## **APPLICABILITY**

These non-disclosure/confidentiality guidelines apply to all interns and externs within the Governor's Office of General Counsel and agency Offices of Chief Counsel.

**ACKNOWLEDGEMENT**

I, \_\_\_\_\_, acknowledge that I have read and understand these confidentiality/non-disclosure guidelines and have been given an opportunity to discuss them with my supervisor within the Governor's Office of General Counsel or agency Office of Chief Counsel. I agree to guard the confidentiality of the personal, sensitive, and confidential information with diligence. I understand that any violation of the terms and conditions set forth herein could result in the imposition of disciplinary action, up to and including removal from the internship or externship and the commencement of legal action(s) consistent with Pennsylvania law in a court of competent jurisdiction.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date