



**BOARD OF RETIREMENT AND BOARD OF INVESTMENTS POLICY  
BOARD MEMBER PROTECTION OF CONFIDENTIAL INFORMATION  
October 4, 2006**

**PURPOSE:**

LACERA is required by law to protect the privacy of its members' records. It is also required to safeguard the assets entrusted to its care through the exercise of appropriate security policies and legal actions. Members of LACERA's Boards are the primary custodians of LACERA's fiduciary duty to its members.

Pursuant to their shared fiduciary duty, the Board of Retirement and Board of Investments establish this policy for their members to follow in order to safeguard the confidential information in their possession.

**BOARD OF RETIREMENT AND BOARD OF INVESTMENTS POLICY:**

LACERA staff is required to observe the document control, privacy and security rules established to protect all manner of confidential information. In support of staff's efforts, the Board of Retirement, the Board of Investments, and their committees hereby adopt similar controls applicable to all forms of confidential information. Such information may be on paper, in electronic computer files, in audio and video recordings, or in any other medium.

**Identification**

Board members are to exercise due care to identify confidential information in accordance with LACERA's Privacy and Confidentiality Policy. Confidential information as defined in LACERA's Privacy and Confidentiality Policy includes:

- non-public personal information (PI) and protected health information (PHI)
- security information (SI), and
- legally privileged information (PRI).

Whenever practical, LACERA Staff will assist Board members by labeling as confidential those documents which contain confidential information.

**Storage**

Board members are required to protect any confidential information in their possession from inappropriate access as stated in LACERA's Privacy and Confidentiality Policy. This includes storing and transporting this information securely using reasonable safeguards, such as locked filing systems protected from misappropriation. Any electronic data should be protected using safeguards prescribed by LACERA's Security Officer.

**Usage by LACERA and its Associates**

Use of confidential information should be limited to the minimum amount necessary to achieve the authorized objective. For example, unless otherwise authorized,

confidential information connected with an application for disability may only be used by or discussed with those designated staff and associates of LACERA directly involved in the specific member's disability application process.

Any discussion or examination of confidential information should be conducted in a private environment away from unauthorized hearing or viewing. For instance, during Board of Retirement disability meetings, member personal information may only be discussed in a closed session.

### **Sharing with External Parties**

If any party outside of LACERA requests from board members any confidential information (even if it is a member inquiring about his or her own file), the board member should direct the requesting party to the appropriate LACERA staff so that any exchange of information is controlled and secured.

### **Copying**

To ensure the effectiveness of procedures established to secure confidential information, LACERA's board members may not copy for any purpose any confidential information in their possession. In addition, they may not copy or remove from LACERA's premises any electronic recordings of Board executive sessions.

### **Return of Records**

Board members must return confidential records intact in the Boardroom for proper accounting and destruction at the close of the board meeting in which the information is last used. If a Board member misses that meeting, the Board member must return the files at the next meeting of the same Board or committee, or must make alternative arrangements on an exception basis with designated LACERA staff.

### **Enforcement**

Board members who become aware of conditions which may increase the risk that confidential information can be compromised should immediately notify the appropriate LACERA Division Management, LACERA's Privacy Officer, or LACERA's Executive office so that appropriate steps may be taken to correct the condition or mitigate the risk.

LACERA's Boards may investigate and address any suspected violations of this policy in a manner consistent with LACERA's Privacy and Confidentiality Policy, LACERA's Code of Ethical Conduct, other policies regarding board member conduct and dispute resolution, and applicable laws.