



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Alberta College of Social Workers (Organization)
Decision number (file number)	P2021-ND-160 (File #018479)
Date notice received by OIPC	August 14, 2020
Date Organization last provided information	August 14, 2020
Date of decision	August 25, 2021
Summary of decision	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify the individual pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved the following information:</p> <ul style="list-style-type: none">• first and last name,• day and month of birth, and• academic transcript information. <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On July 22, 2020, an academic transcript was received and uploaded to a database but was attached to the wrong member profile.• The breach was discovered on August 3, 2020, when a member found the document attached to their member profile and reported the error to the Organization.

Affected individuals	The incident affected one (1) individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Removed access to the document immediately. • Notified both the reporter of the incident and the affected individual. • Reviewed internal processes and added additional steps to ensure the upload of personal information is multileveled and double-checked by a unique identification number being assigned to the scanned document and a verification confirmation completed prior to uploading.
Steps taken to notify individuals of the incident	The affected individual was notified by letter on August 13, 2020.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.</p>	<p>The Organization reported that the possible harm that may occur as a result of the breach is “Knowledge of the day and month of birth with first name and last name by another individual.”</p> <p>In my view, a reasonable person would consider that contact information along with academic transcript information could be used to cause hurt, humiliation and embarrassment, particularly if there are personal or professional relationships involved. These are significant harms.</p>
<p>Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.</p>	<p>The Organization reported:</p> <p style="padding-left: 40px;"><i>We assessed that the information was available for a short period of time and reported. The information was removed immediately and do not assess any additional harm other than the release of name and partial birth date.</i></p> <p>In my view, a reasonable person would consider that the likelihood of harm is reduced because the incident resulted from human error and not malicious intent. However, although the Organization removed the information from the incorrect account, and the unintended recipient notified the Organization of the error, the Organization did not report confirming that the unintended recipient did not copy or otherwise re-distribute the information. The information was already accessed by the unintended recipient, which increases the likelihood of hurt, humiliation, embarrassment or damage to relationships in this case, particularly as both the unintended recipient and affected individual are members of the same profession.</p>

DECISION UNDER SECTION 37.1(1) OF PIPA

Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individual.

A reasonable person would consider that contact information along with academic transcript information could be used to cause hurt, humiliation, embarrassment and damage to relationships, particularly if there are personal or professional relationships involved. These are significant harms.

The likelihood of harm is reduced because the incident resulted from human error and not malicious intent. However, although the Organization removed the information from the incorrect account, and the unintended recipient notified the Organization of the error, the Organization did not report confirming that the unintended recipient did not copy or otherwise re-distribute the information. The information was already accessed by the unintended recipient, which increases the likelihood of hurt, humiliation, embarrassment or damage to relationships in this case, particularly as both the unintended recipient and affected individual are members of the same profession.

I require the Organization to notify the affected individual in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individual by letter on August 13, 2020, in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner