



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	Assured Psychology (Organization)
<b>Decision number (file number)</b>	P2021-ND-210 (File #019942)
<b>Date notice received by OIPC</b>	January 7, 2021
<b>Date Organization last provided information</b>	January 7, 2021
<b>Date of decision</b>	November 1, 2021
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved information about an individual’s appointment with the Organization, including the name of the individual, appointment time, purpose of visit, and that the session was to include the individual’s adult children.</p> <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• The Organization sent a series of emails to a new client, related to scheduling an appointment.</li><li>• On December 31, 2021, the Organization discovered that the emails were sent to the wrong email address.</li><li>• The Organization reported the incident occurred between December 22, 2020 and December 31, 2020.</li></ul>
<b>Affected individuals</b>	The incident affected 1 individual.

<p><b>Steps taken to reduce risk of harm to individuals</b></p>	<ul style="list-style-type: none"> <li>• Sent an email to the unintended recipient instructing them to delete the three (3) emails the Organization sent as soon as possible.</li> <li>• Determined the unintended recipient had not accessed the online booking system.</li> <li>• Removed all private information from the client’s account that was set up with the wrong email address.</li> <li>• Will use the NATO phonetic alphabet when gathering an email from a client over the phone.</li> <li>• Asked the client to email the Organization if there is any confusion about their email address.</li> </ul>
<p><b>Steps taken to notify individuals of the incident</b></p>	<p>The affect individual was notified by email on January 1, 2021.</p>
<p><b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b></p>	
<p><b>Harm</b> 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 the possible harms that may occur as a result of the breach are “Hurt/embarrassment”.</p> <p>I agree with the Organization’s assessment. A reasonable person would consider that the contact and medical information at issue could be used to cause the significant harms of embarrassment, hurt, humiliation, and stress.</p>
<p><b>Real Risk</b> 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 that the likelihood that significant harm will result is “Low”.</p> <p><i>Hurt or embarrassment (sic) is most likely to result when the person who was incorrectly disclosed private information is known to the person whose information was disclosed. There is no indication that the owners of the two email addresses are at all connected.</i></p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is decreased because it resulted from human error and it is not likely the unintended recipient and the affected individual are known to each other. However, the likelihood of significant harm resulting is increased because the unintended recipient did not contact the Organization despite efforts made by the Organization.</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 the contact and medical information at issue could be used to cause the significant harms of embarrassment, hurt, humiliation, and stress. The likelihood of harm resulting from this incident is decreased because it resulted from human error and it is not likely the unintended recipient and the affected individual are known to each other. However, the likelihood of significant harm resulting is increased because the unintended recipient did not contact the Organization despite efforts made by the Organization.

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 affected individual was notified by email on January 1, 2021. The Organization is not required to notify the individual again.

Jill Clayton  
Information and Privacy Commissioner