



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

<b>Organization providing notice under section 34.1 of PIPA</b>	Affinity Psychology Group Corporation (Organization)
<b>Decision number (file number)</b>	P2015-ND-69 (File #P2757)
<b>Date notice received by OIPC</b>	June 13, 2014
<b>Date Organization last provided information</b>	June 13, 2014
<b>Date of decision</b>	November 2, 2015
<b>Summary of decision</b>	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals 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 registered as an Alberta corporation and qualifies as an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The following information was involved in this incident:</p> <ul style="list-style-type: none"><li>• student/client name,</li><li>• date of birth,</li><li>• psychological assessment reports, including age and school at time of assessment, reason for referral, details of assessment, summary and recommendations.</li></ul> <p>This information is about identifiable individuals and qualifies as “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<p><b>Description of incident</b></p>	<ul style="list-style-type: none"> <li>• On June 5, 2014, a psychologist working with the Organization’s clients reported the theft of an external hard drive that contained client assessment reports.</li> <li>• The theft occurred between May 29 and May 30, 2014 when the psychologist’s home and garage were burglarized. The hard drive was in a briefcase in the trunk of the psychologist’s vehicle.</li> <li>• The hard drive contained a system backup of the psychologist’s laptop. It was not password protected, nor encrypted, but would require technical knowledge and effort to access the contents.</li> </ul>
<p><b>Affected individuals</b></p>	<p>Twenty-two (22) minor students and clients were affected.</p>
<p><b>Steps taken to reduce risk of harm to individuals</b></p>	<p>The psychologist notified police on May 30 and June 2, and notified the Organization in writing on June 5, 2014.</p>
<p><b>Steps taken to notify individuals of the incident</b></p>	<p>The affected individuals were notified by telephone and in writing on June 6, 2014.</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 the 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 information at issue is highly sensitive and involved minors who are considered to be a vulnerable population. The information could be used to cause the harms of hurt, humiliation, or damage to reputation or relationships. It was noted, however, that no addresses, telephone numbers, or Alberta Health care numbers were involved.</p> <p>I agree with the Organization’s assessment. The information at issue is sensitive information of a vulnerable population. It could be used to cause the harms of hurt, humiliation, or damage to reputation or relationships. These are significant harms</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 police investigation was ongoing and the hard drive, which was not password protected nor encrypted, had not been recovered. However, the files on the hard drive could only be accessed with specialized programs and some technical knowledge. Additional items stolen from the vehicle (the psychologist’s driver’s license, credit and debit cards) were discarded and recovered by police, and no attempts had been made to use them.</p> <p>In my view, the risk of harm resulting from this incident is increased because of malicious intent (theft), the hard drive was not recovered, and it was not encrypted.</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 individuals. The personal information at issue is sensitive information of a vulnerable population. It could be used to cause the significant harms of hurt, humiliation, or damage to reputation or relationships. The risk of harm resulting from this incident is increased because of malicious intent (theft), the hard drive was not recovered, and it was not encrypted.

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

I understand the Organization notified the affected individuals by telephone and in writing on June 6, 2014. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner