



**PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision**

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| Organization providing notice under section 34.1 of PIPA | Farrel Greenspan Psychology (Organization) |
| Decision number (file number) | P2017-ND-96 (File #002850) |
| Date notice received by OIPC | April 8, 2016 |
| Date Organization last provided information | May 19, 2016 |
| Date of decision | July 18, 2017 |
| Summary of decision | 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). |
| 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">• name,• location,• date of birth,• contact information, and• progress notes regarding discussions in sessions. <p>This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA.</p> |
| DESCRIPTION OF INCIDENT | |
| <input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure | |
| Description of incident | <ul style="list-style-type: none">• Sometime between April 5, 2016 and April 6, 2016, a laptop was stolen from a locked office.• The laptop was password protected but not encrypted.• Files containing client information stored on the laptop were password protected but not encrypted. |

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| | <ul style="list-style-type: none"> • The folder containing client information was synchronized to a Dropbox account. • Following the theft of the laptop, the Organization changed the password to the Dropbox account and removed the laptop from Dropbox which disabled the synchronization process between the folder containing the clients' information and the Dropbox account. |
| Affected individuals | This incident affected ninety-three (93) individuals, including some minors. |
| Steps taken to reduce risk of harm to individuals | <ul style="list-style-type: none"> • Changed the password and removed the computer from Dropbox. • Implemented policies regarding laptop storage. • Reported matter to the College of Alberta Psychologists. |
| Steps taken to notify individuals of the incident | Affected individuals were notified by telephone, email and/or mail on or before May 17, 2016, except for one individual who did not have a mailing address and whose telephone number was no longer in use. |
| 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 "The type of harm that could result of a breach [sic] would be damage to a persons [sic] reputation or relationships, disclosure of personal information including address and contact information."</p> <p>I agree with the Organization. The medical information involved could be used to cause the harms of hurt, humiliation, embarrassment and damage to reputation or relationships. Identity information could be used to cause the harms of identity theft and fraud. 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 that "There are security measures in place through encryption and password protection of my case files. There is no evidence of malicious intent or purpose and I have not noticed or been made aware of any access that may have happened regarding my files. The information has been recovered or secured by way of me changing the password to access the files stored in dropbox. My files stored on my computer were for 93 individuals. Some of my clients were minors, however most of my clientele are adults."</p> |

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| | In my view, the likelihood of harm resulting from this incident is increased because the laptop was stolen, indicating malicious intent. In addition, the laptop was not encrypted and has not been recovered. Some of the affected individuals are members of a vulnerable population. |
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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 medical information involved could be used to cause the harms of hurt, humiliation, embarrassment and damage to reputation or relationships. Identity information could be used to cause the harms of identity theft and fraud. These are significant harms. The likelihood of harm resulting from this incident is increased because the laptop was stolen, indicating malicious intent. In addition, the laptop was not encrypted and has not been recovered. Some of the affected individuals are members of a vulnerable population.

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

I understand affected individuals were notified by telephone, email and/or mail on or before May 17, 2016, except for one individual who did not have a mailing address and whose telephone number was no longer in use. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner