



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	College and Association of Registered Nurses of Alberta (CARNA) (Organization)
Decision number (file number)	P2018-ND-018 (File #001362)
Date notice received by OIPC	August 7, 2015
Date Organization last provided information	May 1, 2017
Date of decision	January 29, 2018
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 some of the following information about each of the affected individuals:</p> <ul style="list-style-type: none">• name,• address,• telephone number,• date of birth,• emergency contact information,• medical information (diagnosis, progress notes, neuro flow sheets), and• employment information (letters of discipline and complaint, performance appraisals, grievance and termination documents). <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p> <p>Additional, non-personal information was also involved in this incident, including shift routines and job descriptions, policy and procedure documents, minutes of nursing staff meetings, etc.</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"> • A package of documents containing the personal information at issue was couriered to the Organization on July 3, 2015. • The Organization confirmed with the sender on July 28, 2015 that the package had been sent. At the same time, the sender provided the courier tracking number. • The Organization is unable to locate the package of records. • Courier records indicate that the package was delivered to the Organization and signed off by an employee on July 6, 2015. • The Organization has a practice of recording the tracking numbers of received courier deliveries but has no record of receiving the package. The employee confirmed her signature on the courier’s tracking slip. • The Organization reported that it was possible or even likely that the package was still somewhere within its facility.
Affected individuals	There are four (4) affected individuals, including a registered member of the Organization and three (3) patients.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • The incident was investigated by the Organization. • A search for the package was conducted at the Organization’s facility. • The courier service conducted a search of the missing package.
Steps taken to notify individuals of the incident	On April 21, 2017, the Organization confirmed that it had contacted the affected individuals, or their next of kin/caregiver, by telephone, to notify them of the incident.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
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>The Organization did not specify the types of harm that might result from this incident.</p> <p>In my view, the identity information at issue could be used to cause the harms of identity theft and fraud. Sensitive employment and medical information could be used to cause the harms of hurt, humiliation, embarrassment and reputational damage. These are all 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 “It is possible, even likely that the package is still somewhere in the [Organization’s] building.”</p> <p>In my view, the likelihood of harm resulting from this incident is increased because the personal information was lost and has not been recovered. The Organization does not know if the package was lost within its own offices, or externally.</p>
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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 identity information at issue could be used to cause the harms of identity theft and fraud. Sensitive employment and medical information could be used to cause the harms of hurt, humiliation, embarrassment and reputational damage. These are all significant harms. The likelihood of harm resulting from this incident is increased because the personal information was lost and has not been recovered. The Organization does not know if the package was lost within its own offices, or externally.

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 that on April 21, 2017, the Organization confirmed that it had contacted the affected individuals, or their next of kin/caregiver, by telephone, to notify them of the incident.

Jill Clayton
Information and Privacy Commissioner