



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

<b>Organization providing notice under section 34.1 of PIPA</b>	Discovery Time Preschool Ltd. (Organization)
<b>Decision number (file number)</b>	P2018-ND-084 (File #006873)
<b>Date notice received by OIPC</b>	October 19, 2017
<b>Date Organization last provided information</b>	June 7, 2018
<b>Date of decision</b>	July 18, 2018
<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 operates in Alberta and 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 all or some of the following information:</p> <ul style="list-style-type: none"><li>• name of child,</li><li>• name of parent,</li><li>• address,</li><li>• daytime contact telephone number for parent,</li><li>• email address,</li><li>• emergency contact name,</li><li>• emergency contact telephone number, and</li><li>• health information including Alberta Health Care Number and any medical conditions and allergies.</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.</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>• Sometime between the afternoon of October 13, 2017 and October 16, 2017, one of the Organization’s emergency backpacks went missing.</li> <li>• The incident was discovered on October 16, 2017 when a teacher went to retrieve the backpack from its regular location and it was not there.</li> <li>• It is possible the backpack was mistakenly left outside at a playground at the end of the day on October 13, 2017.</li> <li>• The backpack contained paper copies of the Organization’s Enrollment and Registration package which included the personal information at issue.</li> </ul>
<p><b>Affected individuals</b></p>	<p>The Organization reported the incident affected 52 families.</p>
<p><b>Steps taken to reduce risk of harm to individuals</b></p>	<ul style="list-style-type: none"> <li>• Conducted a search for the backpack.</li> <li>• Sent an initial email to all families notifying them of the breach.</li> <li>• Sent an email to all families notifying them that the police were contacted, and a breach report was sent to the OIPC.</li> <li>• Sent a follow up email to all families to advise that teachers will carry the information in a smaller bag that can be on their person at all times when outside. During other times, the bag will be stored on a locked location to which only teachers will have access.</li> </ul>
<p><b>Steps taken to notify individuals of the incident</b></p>	<p>Affected individuals were notified by email on October 17 and October 18, 2017.</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 type of harm that might result from the breach was “...potentially identity theft as names, addresses, phone numbers, email addresses and health card information is missing”. Further, “...the type of information...included on the forms may already be readily available to anyone looking up the information on the public internet. The only items that might not be readily available is [sic] the health card particulars of the preschool children.”</p> <p>In my view, the contact and identity information at issue could be used to cause the harms of identity theft and fraud. Email addresses could be used for phishing purposes. Medical information could be used to cause hurt, humiliation or embarrassment. These are all significant harms.</p>

<p><b>Real Risk</b></p> <p>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 “(A)s the compromised information contains general personal information that may already be readily available to anyone looking for it on the internet (health card particulars being excepted), the risk of harm is likely low.” The Organization also said “As we cannot be certain of where and when this bag went missing, it is possible that a member of the general public could have obtained this information. This is paper information so no hacking or malware could have been used. ...It is unlikely that any of the compromised information could be used for fraudulent or criminal purposes.”</p> <p>In my view, the likelihood of harm resulting from this incident is increased because it appears the personal information was compromised due to the malicious action of an unknown third party (theft). To date, the information has not been recovered. Some of the affected individuals are children, and therefore a particularly vulnerable population.</p>
<p><b>DECISION UNDER SECTION 37.1(1) OF PIPA</b></p>	
<p>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.</p> <p>The contact and identity information at issue could be used to cause the harms of identity theft and fraud. Email addresses could be used for phishing purposes. Medical information could be used to cause hurt, humiliation or embarrassment. These are all significant harms. The likelihood of harm resulting from this incident is increased because it appears the personal information was compromised due to the malicious action of an unknown third party (theft). To date, the information has not been recovered. Some of the affected individuals are children, and therefore a particularly vulnerable population.</p> <p>I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified affected individuals in an email on October 17 and October 18, 2017 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.</p>	

Jill Clayton  
Information and Privacy Commissioner