



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Connect Society (Organization)
Decision number (file number)	P2019-ND-095 (File #011972)
Date notice received by OIPC	February 7, 2019
Date Organization last provided information	February 7, 2019
Date of decision	June 27, 2019
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”	<p>The Organization reported that it is incorporated under Alberta’s <i>Societies Act</i>. It therefore qualifies as a “non-profit organization” as defined in section 56(1)(b)(i) of PIPA.</p> <p>Pursuant to section 56(2), PIPA “does not apply to a non-profit organization or any personal information that is in the custody of or under the control of a non-profit organization”, except in the case of personal information that is collected, used or disclosed in connection with any commercial activity. This includes “the operation of a private school or an early childhood services program as defined in the <i>School Act</i>” [section 56(1)(a)(iv)].</p> <p>In this case, the information at issue was collected and used in connection with the operation of a preschool. To the extent this qualifies as an early childhood services program as defined in the <i>School Act</i>, PIPA applies.</p>
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved the following information:</p> <ul style="list-style-type: none">• name of child/parent,• telephone number,• address,• emergency contact name and telephone number.

	This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
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"> On January 28, 2019, an emergency backpack with first aid kit and emergency information for preschoolers was accidentally left at the school playground. The teacher who left the backpack at the playground discovered it was missing the next day when she returned to the playground. She searched the area where she had left it and could not find it.
Affected individuals	The incident affected 90 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Notified parents so they are aware and can take precautions with their children in their neighborhoods, and if they are contacted by unknown sources. Changed the identifying information on the emergency forms to have only first names and last initial to minimize harm if the information goes missing and put new protocols in place where the backpack must be in the possession of a responsible adult at all times.
Steps taken to notify individuals of the incident	Affected individuals were notified on January 30, 2019 by email and hard copy notices were put in children's back packs to be read when they arrived home.
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 reported “The person who took the back pack could use the information to contact the families, track their movements from their homes or for identity [sic] theft purposes. There also could have been information about lockdown protocols in the backpack that could be used to better understand the process in case of lockdown along with emergency critical [sic] contacts with the Calgary Board of Education. We are not sure if this information was in that particular [sic] back pack or not so can't confirm this.”</p> <p>I accept the Organization’s assessment that the information at issue in this case could be used to cause harm to the affected individuals in that it could be used to contact the families, track their movements, or for identity theft purposes. These are significant harms.</p>

<p>Real Risk</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 “It is unlikely that the person who stole the backpack took it for the purposes of malicious intent or identity [sic] theft and was likely a student. However, the information could be used in this way.”</p> <p>A reasonable person would consider that 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>
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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.

I accept the Organization’s assessment that the information at issue in this case could be used to cause harm to the affected individuals in that it could be used to contact the families, track their movements, or for identity theft purposes. These are 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.

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 affected individuals were notified on January 30, 2019 by email and hard copy notices were put in children's back packs to be read when they arrived home. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner