



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

<b>Organization providing notice under section 34.1 of PIPA</b>	The Country Day School (Organization)
<b>Decision number (file number)</b>	P2021-ND-044 (File #016598)
<b>Date notice received by OIPC</b>	August 4, 2020
<b>Date Organization last provided information</b>	August 4, 2020
<b>Date of decision</b>	March 2, 2021
<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 whose personal information was collected in Alberta, 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 a private school located in King, Ontario, 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,</li><li>• contact information (including email address in some cases),</li><li>• date of birth (for alumni and current students only),</li><li>• history of individual’s relationship with the Organization, such as donations, awards, events attended, committees.</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent the personal information was collected in Alberta, PIPA applies.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On July 16, 2020, the Organization was notified of a security incident by Blackbaud, a third-party provider of cloud computing services for educational institutions and other not-for-profit organizations.</li></ul>

	<ul style="list-style-type: none"> <li>• The Organization uses Blackbaud’s customer relationship management (CRM) platform to support its data for alum, parents, students and the broader community.</li> <li>• Blackbaud informed the Organization that its database backup had been affected by a security incident, which began in February 2020, but that they discovered in May 2020.</li> <li>• Blackbaud informed the Organization that it successfully prevented the cybercriminal from blocking Blackbaud’s system access and fully encrypting files, and ultimately expelled them from the system. Nonetheless, the cybercriminal removed a copy of a subset of data from Blackbaud’s self-hosted environment, including the Organization’s backup.</li> <li>• Blackbaud paid the cybercriminal’s demand with confirmation that the copy had been destroyed.</li> <li>• Blackbaud indicated that based on the nature of the incident, its research, and third party (including law enforcement) investigation, it has no reason to believe that any data went beyond the cybercriminal, was or will be misused, or will be disseminated or otherwise made available publicly.</li> </ul>
<b>Affected individuals</b>	The incident affected 20 residents of Alberta.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Working with Blackbaud to ensure that all measures are taken to ensure the ongoing security of the database and timely updates are provided.</li> <li>• Currently renegotiating contract with Blackbaud to include additional security provisions.</li> <li>• Requesting that Blackbaud complete a third-party privacy and security assessment to ensure that Blackbaud continues to protect the Organization’s data with appropriate security safeguards.</li> <li>• Assessing all the data fields in its database to determine if certain fields should be removed or modified.</li> <li>• Reported the incident to Canadian privacy commissioners.</li> <li>• Recommended that affected individuals remain alert for any communications from third parties referencing their relationship with the Organization and review bank and credit card account statements for suspicious or unauthorized activity..</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by email on July 24, 2020 and by letter beginning on August 5, 2020.

**REAL RISK OF SIGNIFICANT HARM ANALYSIS**

<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,</p> <p align="center"><i>Considering the nature of the information compromised,[the Organization] has identified two types of risk: (i) phishing for individuals with an email address in the database and (ii) fraud for individuals with a date of birth in the database.</i></p> <p>In my view, a reasonable person would consider that contact, identity and donor information could be used to cause the harms of identity theft, fraud and financial loss. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are all significant harms.</p>
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<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 it “...believes that the risk of harm is low considering that the cybercriminals objective was to receive a ransom from Blackbaud, not to further misuse personal information removed.”</p> <p>In my view, a reasonable person would consider the likelihood of significant harm resulting from this incident is increased because the personal information was compromised due to a deliberate unauthorized intrusion by a cybercriminal who demanded a ransom. The Organization reported that the cybercriminal both accessed and stole the personal information at issue. The Organization can only assume that cybercriminal did not or will not misuse, disseminate or otherwise make available publicly the personal information at issue. The Organization can only speculate as to the cybercriminals’ objective. Finally, the personal information may have been exposed for approximately three (3) months.</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.

A reasonable person would consider that contact, identity and donor information could be used to cause the harms of identity theft, fraud and financial loss. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are all significant harms. The likelihood of significant harm resulting from this incident is increased because the personal information was compromised due to a deliberate unauthorized intrusion by a cybercriminal who demanded a ransom. The Organization reported that the cybercriminal both accessed and stole the personal information at issue. The Organization can only assume that cybercriminal did not or will not misuse, disseminate or otherwise make available publicly the personal information at issue. The Organization can only speculate as to the cybercriminals’ objective. Finally, the personal information may have been exposed for approximately three (3) months.

I require the Organization to notify the affected individuals whose personal information was collected in Alberta, in accordance with section 19.1 of the Personal Information Protection Act Regulation (Regulation).

I understand the Organization notified the affected individuals on July 24, 2020 and by letter beginning on August 5, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner