



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	College of Registered Dental Hygienists of Alberta (Organization)
Decision number (file number)	P2021-ND-151 (File #020839)
Date notice received by OIPC	May 3, 2021
Date Organization last provided information	May 3, 2021
Date of decision	June 8, 2021
Summary of decision	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify the individual 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,• address,• email address, and• items outstanding to complete application to professional Organization (identifies that jurisprudence exam results had not been submitted and a mandatory e-learning course certificate had not yet been submitted). <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On March 9, 2021, the Organization sent an email to an applicant and included an email addressed to a different applicant in the body of the text.

	<ul style="list-style-type: none"> • The incident occurred as a result of using a previously sent email as a template. • The breach was discovered on March 16, 2021 when the recipient reported the error to the Organization.
Affected individuals	The incident affected one (1) individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Requested the unauthorized recipient delete the email from their inbox and sent folder, remove it from "deleted items", and confirm there were no other copies of the email. The unauthorized recipient confirmed by email that all copies of the email had been deleted. • Will develop policy to prevent similar errors from occurring in the future. • Debriefed staff on and advised of steps to prevent this from happening in the future.
Steps taken to notify individuals of the incident	The affected individual was notified by email on March 17, 2021.
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 possible harms that may occur as a result if the breach are "Phishing (from email disclosure) ...Reputational harm/embarrassment (from disclosure of information around incomplete application)."</p> <p>I agree with the Organization's assessment. A reasonable person would consider that the contact information, including email address, particularly in conjunction with professional membership information could be used to send unsolicited emails and for phishing purposes, leading to an increased risk of identity theft and fraud. Contact information and professional membership application information could be used to cause reputational harm and embarrassment. 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:</p> <p><i>No real likelihood of harm - the breach involved disclosure to 1 person who brought the information forward. This individual is applying to be a regulated health professional and is familiar with privacy legislation in Alberta and their Code of Ethics.</i></p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is decreased as the breach resulted from human error and not malicious intent. The unintended recipient reported the breach to the Organization and confirmed that the email and all copies were deleted. The fact the</p>

	<p>unintended recipient is a member of the Organization reduces the likelihood of phishing. The likelihood of reputational harm and embarrassment to the affected individual is increased, however, given the unintended recipient and affected individual are both members (or may both be members) of the same professional organization.</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 individual.

A reasonable person would consider that the contact information, including email address, particularly in conjunction with professional membership information could be used to send unsolicited emails and for phishing purposes, leading to an increased risk of identity theft and fraud. Contact information and professional membership application information could be used to cause reputational harm and embarrassment. These are all significant harms.

The likelihood of harm resulting from this incident is decreased as the breach resulted from human error and not malicious intent. The unintended recipient reported the breach to the Organization and confirmed that the email and all copies were deleted. The fact the unintended recipient is a member of the Organization reduces the likelihood of phishing. The likelihood of reputational harm and embarrassment to the affected individual is increased, however, given the unintended recipient and affected individual are both members (or may both be members) of the same professional organization.

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

I understand the affected individual was notified by email on March 17 2021. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner