



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Alberta College of Social Workers (Organization)
Decision number (file number)	P2021-ND-274 (File #021042)
Date notice received by OIPC	March 17, 2021
Date Organization last provided information	November 23, 2021
Date of decision	February 14, 2022
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the 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 serves as the regulatory body for the profession of social work in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved form letters identifying steps required to avoid having a registration cancelled. The letters were mailed to members of the Organization, and also included name and home address.</p> <p>This information is about a identifiable individuals 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 3, 2021, the Organization mailed form letters, identifying steps required to avoid having a registration cancelled, to the wrong recipients.• On March 9, 2021, one of the recipients telephoned the Organization to report the error.• The Organization reported, “One letter was returned to the Organization’s office and the second letter was confirmed destroyed by the member.”

Affected individuals	The incident affected 2 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Reviewed processes. • Shared results of the review and outcomes with affected individuals. • Revised mailing processes. • Reviewing envelope contents by an additional team member prior to mail out.
Steps taken to notify individuals of the incident	The affected individuals were notified by voice mail on March 9, 2021 and formal letter March 17, 2021.
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.	The Organization reported, <i>The name and home address of one member was shared with another. Loss of trust with [the Organization] to ensure privacy of information.</i> In my view, a reasonable person would consider that the individual’s contact information (name and address), in conjunction with the form letter, could be used to cause the harms of hurt, humiliation and embarrassment, as well as damage to reputation.
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.	The Organization reported “The likelihood of harm to the individual (sic) is minimal.” In my view, a reasonable person would consider the likelihood of significant harm resulting from this incident is decreased because it did not result from malicious intent, but rather human error. The unintended recipient(s) are known to the Organization, reported the breach to the Organization and either returned the letter to the Organization or confirmed the letter was destroyed. However, the fact the affected individuals are members of the same profession increases the likelihood the harms of hurt, humiliation and embarrassment, as well as damage to reputation may result.
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 the individual’s contact information (name and address), in conjunction with the form letter, could be used to cause the harms of hurt, humiliation and embarrassment, as well as damage to reputation.	

The likelihood of significant harm resulting from this incident is decreased because it did not result from malicious intent, but rather human error. The unintended recipient(s) are known to the Organization, reported the breach to the Organization and either returned the letter to the Organization or confirmed the letter was destroyed. However, the fact the affected individuals are members of the same profession increases the likelihood the harms of hurt, humiliation and embarrassment, as well as damage to reputation may result.

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 the Organization notified the affected individuals by voice mail on March 9, 2021 and formal letter March 17, 2021, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner