



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	ARCH Psychological Services (Organization)
Decision number (file number)	P2021-ND-304 (File #019122)
Date notice received by OIPC	November 17, 2020
Date Organization last provided information	November 17, 2020
Date of decision	March 3, 2022
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 whose personal information was collected in Alberta, 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 all or some of the following information:</p> <ul style="list-style-type: none">• name,• home address, and• date of session being invoiced for. <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent the information was collected in Alberta, PIPA applies.</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 November 12, 2020, the Organization sent an invoice by email which contained a client’s name and address to another client in error (unintended recipient).• The breach was discovered on November 16, 2020 when the unintended recipient informed the Organization that she received an invoice for someone other than herself.• The Organization requested that the unintended recipient delete the information received in error.

Affected individuals	The incident affected one (1) individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Created a written policy and procedure for sending any type of attachment to emails. Triple checking document attachments and reviewing intended recipients' email addresses.
Steps taken to notify individuals of the incident	The affected individual was notified by email on November 16, 2020.
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.	In notifying my office of this incident, the Organization reported "n/a" in the section for describing possible harms that may result from the breach. In my view, a reasonable person would consider that the information at issue, including the fact that the affected individual is a client with the Organization, could be used to cause the significant harms of hurt, humiliation and embarrassment if disclosed to an unintended recipient.
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.	In notifying my office of this incident, the Organization reported "n/a" in the section for assessing the likelihood of significant harm resulting from this breach. In my view, a reasonable person would consider that the likelihood of harm resulting from this breach is reduced because the incident was the result of human error and not malicious intent and the information was disclosed in error to a known recipient. However, even though the Organization requested that the unintended recipient delete the email, it is not clear whether the Organization received confirmation that this was done.
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 information at issue, including the fact that the affected individual is a client with the Organization, could be used to cause the significant harms of hurt, humiliation and embarrassment if disclosed to an unintended recipient. The likelihood of harm resulting from this breach is reduced because the incident was the result of human error and not malicious intent and the information was disclosed in error to a known recipient. However, even though the Organization requested that the unintended recipient delete the email, it is not clear whether the Organization received confirmation that this was done.	

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 Organization notified the affected individual by email on November 16, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner