



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	W.J. Stelmaschuk & Associates, Ltd. (Organization)
Decision number (file number)	P2022-ND-054 (File #022322)
Date notice received by OIPC	April 23, 2021
Date Organization last provided information	April 23, 2021
Date of decision	August 30, 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 pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization’s head office is in Maple Ridge, British Columbia. The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The incident involved all or some of the following information: <ul style="list-style-type: none">• the Medication Administration Record (name, medications and the dosages), and• the Communication Book (name, contact information, phone number, and address). This information is about 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.
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 April 21, 2021, a staff member parked their vehicle at the visitor parking of the client's apartment complex and went inside to collect the client for an outing.• The staff member kept an office bag with the client's medication administration sheet and communication book with

	<p>client information in the vehicle (staff are required to take this information with them on outings because they need to deliver personalized services during the outing).</p> <ul style="list-style-type: none"> • The staff member and the client returned to the staff member's vehicle and discovered that it had been broken into and the office bag was gone. The vehicle had been locked. • The information has not been recovered.
Affected individuals	The incident affected one (1) individual whose personal information was collected in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Provided information to the individual about what individuals can do if their personal information is at risk (such as credit monitoring and contacting banks) and what to do if suspicious activity is discovered. • Contacted the RCMP. • Avoid this parking lot and park in less secluded, better lit area in future. • Purchase back packs for staff so that they can carry this information with them rather than leaving it unattended in the vehicle. • Remind staff to keep anything that looks valuable out of view.
Steps taken to notify individuals of the incident	The affected individual was notified verbally on April 21, 2021, and by letter on February 8, 2022.
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 of the breach are:</p> <p><i>If the individual who stole the office bag holds on to the documents inside, they will know the address of the client, that they are a vulnerable person, and what medications they take.</i></p> <p>In my view, a reasonable person would consider that the contact, and medication information at issue could be used to cause hurt, humiliation 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>We are not able to confirm who committed the break-in or why they took the binder, whether it was targeted or not. We have no grounds to believe that it was targeted to this staff member or client. We do not know if the individual will try to make use of any of the documents in the office bag or will discard them. It is a relatively secluded parking lot in a low-income area, it is</i></p>

	<p><i>more likely to have been a crime of opportunity looking for valuables rather than information. RCMP are investigating.</i></p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is increased because the breach is the result of malicious intent (vehicle break-in and theft). In this case, the affected individual is a member of a vulnerable population who receives services from the Organization.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<p>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.</p> <p>The contact, and medication information at issue could be used to cause hurt, humiliation and embarrassment. These are all significant harms.</p> <p>The likelihood of harm resulting from this incident is increased because the breach is the result of malicious intent (vehicle break-in and theft). In this case, the affected individual is a member of a vulnerable population who receives services from the Organization.</p> <p>I require the Organization to notify the affected individual in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the affected individual was notified on April 21, 2021 in accordance with the Regulation. The Organization is not required to notify the individual again.</p>	

Cara-Lynn Stelmack
Assistant Information and Privacy Commissioner