

Office of General Counsel Department of Records and Information Management

Privacy Breach FAQ

What is a Privacy Breach?

A privacy breach occurs when the personal information of an identifiable individual is used, transmitted, disclosed, or disposed of in an unauthorized manner. The Office of the Privacy Commissioner of Canada clearly states that a privacy breach occurs when "there is unauthorized access to or collection, use, disclosure, or disposal of personal or health information".

What is Personal Information?

The Freedom of Information and Protection of Privacy Act defines personal information as "recorded information about an identifiable individual.

It can also relate to anything that uniquely identifies an individual. It is important to ensure the safeguarding of personal information. This can be achieved by adhering to records and information management principles.



Who or what can cause a Privacy Breaches?

While privacy breaches can occur as a result of malicious acts, it is more likely that a breach will take place due to a mistake or to human error. Examples of privacy breaches can include:

- Mistaken disclosure (an email sent to the wrong person)
- Accidental retrieval (a fax picked up by an unauthorized user)
- Stolen or misplaced personal information (a lost laptop, mobile, or USB device)
- Lost personal information (a misplaced file electronic or paper)
- Inconsistent use of personal information 1 (unauthorized transmission for business purposes)
- Inconsistent use of personal information 2 ("snooping", "gossip")

Are Privacy Breaches serious?

Privacy breaches are a very serious matter. Sheridan's activities are regulated by federal and provincial legislation which includes but is not limited to: the Freedom of Information and Protection of Privacy Act (FIPPA) and the Personal Health Information Protection Act (PHIPA). These pieces of legislation provide strict guidelines for the appropriate management of personal information. Personal Health Information (PHI) is particularly sensitive and its collection, use, and disclosure is highly regulated. The Information and Privacy Commissioner of Ontario oversees the management of personal information in this province and intervenes should complaints arise.

What harm can arise from a Privacy Breach?

Examples of harm to individuals:

- Identity Theft
- Loss of trust in Sheridan
- Emotional trauma
- Damage to reputation

Examples of harm to Sheridan:

- Monetary penalties
- Employee termination
- Investigation by IPC / police
- Damage to reputation

What should you do in the case of a Privacy Breach?

- REPORT the breach to the Office of General Counsel
- CONTAIN the breach and conduct a preliminary assessment
- **EVALUATE** the risks associated with the breach
- NOTIFY any and all affected individuals
- **PREVENT** a future breach by adopting mitigation strategies

Where can I find the required documents?

All required documents can be found on Access Sheridan under Office of General Counsel. Documentation includes:

- Privacy Breach Report Form
- Guidelines for Reporting Privacy Breaches at Sheridan

You can also view Sheridan's Privacy and Records and Information Management Policies and Procedures by clicking on the Policy Viewer on Access Sheridan.

For more information, please contact:

Office of General Counsel privacy@sheridancollege.ca

Department of Records and Information Management Records-mgmt@sheridancollege.ca