NOTICE TO THE COMMISSION D'ACCÈS À L'INFORMATION

CONCERNING A CONFIDENTIALITY INCIDENT INVOLVING PERSONAL INFORMATION THAT PRESENTS A RISK OF SERIOUS INJURY

Act respecting Access to documents held by public bodies and the Protection of personal information

Act respecting the protection of personal information in the private sector

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Purpose of this form

The purpose of this form is to enable organizations[1] to notify the Commission d'accès à l'information (the Commission) of any confidentiality incident involving personal information in its possession that poses a risk of serious injury.

A "confidentiality incident" is defined as:

- access not authorized by law to personal information;
- use not authorized by law of personal information;
- communication not authorized by law of personal information;
- loss of personal information or any other breach of the protection of such information.

Please ensure that you do not provide personally identifiable information on this form or in any other document you provide to the Commission.

Please be advised that the information on this form is subject to the Act respecting Access to documents held by public bodies and the Protection of personal information. For example, certain information, including the name of your organization and the fact that an incident occurred involving it, could be disclosed publicly.

If you run out of space in any of the fields, attach a schedule with your entire answer when you submit the form to the Commission and write "See schedule" in the appropriate field.

You can send the form and attached documents by email, mail or fax to the following address:

[1] An "organization" is defined as a public body, a person carrying on an enterprise, a professional order, a political party, an independent Member or independent candidate, a union, an association, a non-profit organization, a self-employed worker or a freelancer.

Commission d'accès à l'information

525, René-Lévesque Boulevard Est, Bur. 2.36

Québec (Qc) G1R 5S9

Telephone: 418-528-7741 – Toll-free: 1-888-528-7741 – Fax: 418-529-3102

Email: cai.communications@cai.gouv.qc.ca

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Obligations of the organization

- Assess whether a confidentiality incident represents a risk of serious injury[2] to the persons affected by the confidentiality incident.
- Take reasonable measures to reduce the risk of injury and to prevent similar incidents from occurring. Reporting a confidentiality incident to the Commission does not relieve an organization of this obligation.
- Notify any individual whose personal information has been compromised by a confidentiality incident if there is a risk that serious injury will be caused. If the organization fails to notify the persons concerned, the Commission may order it to do so.
- Promptly notify the Commission of a confidentiality incident involving personal information held by the Commission where the incident poses a risk of serious injury to the individuals concerned.
- Provide the Commission, as soon as possible, with any additional information that it becomes aware of after sending it this notice.
- Record the reported incident in its confidentiality incident register and send the register to the Commission upon request.

More information about your obligations concerning confidentiality incidents involving personal information can be found on our website at https://www.cai.gouv.qc.ca/english/

Role of the Commission with regard to confidentiality incidents

- The Commission ensures that the organization meets its legal obligations when a confidentiality incident occurs and that it puts in place the necessary measures to prevent similar incidents from occurring in the future.
- The Commission does not assist the organization in managing confidentiality incidents.
- The Commission does not validate the measures taken by the organization to reduce the risk of injury or to prevent similar incidents from occurring in the future.
- Notifying the Commission of a confidentiality incident cannot be used to establish compliance of an organization's practices with its legal obligations.

[2] Serious injury need not have occurred. It may only be likely to occur.

1. Identification of the organization involved in the confidentiality incident (Please complete Section A for a public body or Section B for an enterprise)

A. Identification of the public body

Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Contact person for the incident

Name: Click or tap here to enter text. Function: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

Privacy officer ☐**Same as above**

Name: Click or tap here to enter text. Function: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

B. Identification of the enterprise

Name: Click or tap here to enter text.

Head office address: Click or tap here to enter text.

Quebec enterprise number (according to the Registraire du Québec): Click or tap here to enter text.

Chief Executive Officer

Name: Click or tap here to enter text. Title/function: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

Contact person for the incident ☐ **Same as above**

Name: Click or tap here to enter text. Function: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

Privacy officer ☐ **Same as above**

Name: Click or tap here to enter text. Function: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

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2. Date and period of the confidentiality incident

Date of the incident: Click or tap here to enter text.

Date the incident was discovered: Click or tap here to enter text.

The incident occurred over a period of: Click or tap here to enter text.

3. Type of confidentiality incident

☐ Access not authorized by law to personal information

☐ Use not authorized by law of personal information

☐ Communication not authorized by law of personal information

☐ Loss of personal information or any other breach of the protection of such information

3.1 Causes and circumstances of the confidentiality incident

Depending on the type of incident selected above, identify the cause(s) of the incident:

☐ Deliberate alteration	☐ Accidental communication	☐ Deliberate communication without authorization	☐ Unauthorized consultation
☐ Cyberattack (virus, spyware, etc.)	☐ Technical failure	☐ Accidental destruction	☐ Intentional destruction without authorization
☐ Accidental disclosure	☐ Deliberate disclosure without authorization	☐ Human error	☐ Phishing
☐ Social engineering	☐ Loss of access to information	☐ Loss of information	☐ Ransomware
☐ Incompatible use	☐ Theft of information	☐ Other Specify: Click or tap here to enter text.	

Depending on the type of incident selected above, describe the circumstances of the incident:

Click or tap here to enter text.

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On what medium (media) was the personal information stored at the time of the incident:

☐ Desktop computer

☐ Paper

☐ Server

☐ Audio tape

☐ Cloud

☐ Video surveillance recording

☐ Photo

☐ Removable electronic device

- ☐ USB memory stick
- ☐ CD
- ☐ Cell phone
- ☐ Tablet
- ☐ Laptop

☐ Other

Specify: Click or tap here to enter text.

4. Description of the personal information covered by the confidentiality incident

☐ Family name

☐ First name

☐ Home phone number

☐ Home address

☐ Cell phone number

☐ Date of birth or

☐ Year ☐ Month ☐ Day ☐ Age

☐ Personal email address

☐ Driver's licence number

☐ Health insurance number

☐ Salary

☐ Social insurance number

☐ Passport number

☐ Function/Occupation

☐ Employee, client or beneficiary information

Specify: Click or tap here to enter text.

☐ Medical Information

Specify: Click or tap here to enter text.

☐ Genetic information

Specify: Click or tap here to enter text.

☐ School/Academic Information

Specify: Click or tap here to enter text.

☐ Banking information / account number / institution / investments / mortgage

Specify: Click or tap here to enter text.

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☐ Credit card number	☐ Personal identification number (PIN)	☐ Name of holder	☐ Three-digit security code
☐ Debit card number	☐ Personal identification number (PIN)	☐ Name of holder	

☐ Other personal information

Specify: Click or tap here to enter text.

☐ Unable to provide a description of the personal information involved

Explain: Click or tap here to enter text.

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5. Persons affected by the confidentiality incident

Number of persons affected by the incident: Click or tap here to enter text.

Number of persons affected by the incident residing in Quebec: Click or tap here to enter text.

If possible, break down the number of persons affected by the incident according to their relationship to the organization, whether they are current or former employees, customers, students, patients, members, volunteers, suppliers, etc.:

Click or tap here to enter text.

6. Assessment by the organization that there is a risk of serious injury to the individuals affected by the confidentiality incident

Describe the elements that lead the organization to conclude that there is a risk of serious injury to the persons concerned. This risk may be due to the fact that sensitive personal information is involved or the possibility that this information may be used for malicious or injurious purposes. In this case, state the anticipated consequences of its use for the persons concerned.

Click or tap here to enter text.

Explain why there is a risk of serious injury to the individuals affected by the incident.

Click or tap here to enter text.

Was the privacy officer in your organization consulted in conducting the risk of injury assessment?

☐ Yes ☐ No

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7. Notice from the organization to the persons concerned

(You can attach a copy of the notice sent to the persons concerned)

Has the organization notified the individuals affected by the confidentiality incident?

☐ No

☐ Yes. The notice was given by:

☐ Letter sent by mail ☐ Email ☐ Text message

☐ Verbal (e.g. telephone) ☐ In person ☐ Other Specify: Click or tap here to enter text.

Notice date: Click or tap here to enter text.

If the persons concerned have not yet been notified, what steps will the organization take to do so?

☐ Letter sent by mail ☐ Email ☐ Text message

☐ Verbal (e.g. telephone) ☐ In person ☐ Other Specify: Click or tap here to enter text.

Expected notice date: Click or tap here to enter text.

☐ No notification of the incident to the persons concerned is planned.

Explain: Click or tap here to enter text.

7.1 Content of the notice to the persons concerned

Select the items contained in the notice sent by the organization to the persons concerned.

☐ A description of the personal information covered by the incident

☐ A brief description of the circumstances of the incident

☐ The date or period when the incident occurred

☐ A brief description of the measures that the organization has taken or intends to take as a result of the incident to reduce the risk of injury

☐ Measures that the organization suggests the person concerned take to reduce the risk of injury them or to mitigate such injury

☐ Contact information enabling the person concerned to obtain more information about the incident

Are there individuals affected by the incident who will not be notified by the organization?

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☐ No.

☐ Yes. How many: Click or tap here to enter text.

Explain: Click or tap here to enter text.

7.2 Public notice to the persons concerned

Was the notification of the persons concerned done, exceptionally, via a public notice?

☐ No

☐ Yes. Select the applicable reason:

☐ Sending such notice may cause greater harm to the person concerned.

Explain: Click or tap here to enter text.

☐ Sending such notice is likely to cause undue hardship for the organization.

Explain: Click or tap here to enter text.

☐ The organization does not have contact information for the person concerned.

Explain: Click or tap here to enter text.

How was the public notice given?

☐ A notice in the media

Specify the media: Click or tap here to enter text.

Publication date: Click or tap here to enter text.

☐ A press release

Issue date: Click or tap here to enter text.

☐ A notice on the organization's website

☐ A press conference

Location: Click or tap here to enter text.

Date: Click or tap here to enter text.

☐ A social media post

Specify the social media: Click or tap here to enter text.

☐ Other

Specify: Click or tap here to enter text.

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Has the organization notified other privacy authorities outside of Quebec?

☐ Privacy Commissioner of Canada

☐ Office of the Information and Privacy Commissioner of Alberta

☐ Office of the Information and Privacy Commissioner for British Columbia

☐ Information and Privacy Commissioner of Ontario

☐ Other

Specify: Click or tap here to enter text.

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8. Obligation to reduce the risk of injury

What actions were taken immediately upon discovery of the incident, particularly to reduce the risk of injury to the persons concerned?

Click or tap here to enter text.

How quickly were these measures taken?

Click or tap here to enter text.

Were any measures taken after the incident was discovered to prevent similar incidents from occurring in the future?

☐ No

☐ Yes: Specify: Click or tap here to enter text.

Are there any planned measures that have not yet been taken?

☐ No

☐ Yes: Specify: Click or tap here to enter text.

Indicate the date when these measures will be implemented: Click or tap here to enter text.

An organization must provide the Commission with any information concerning a confidentiality incident that it becomes aware of after sending it this notice. The additional information must then be provided as soon as possible after becoming aware if it.

Will additional information be provided to the Commission concerning the reported incident?

☐ No

☐ Yes: Specify which information and when it will be provided:

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Click or tap here to enter text.

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9. Signature:

First name: Click or tap here to enter text. Family name: Click or tap here to enter text.

Function: Click or tap here to enter text. Location/City: Click or tap here to enter text.

Date form sent to the Commission: Click or tap here to enter text.

On behalf of: ☐ the organization ☐ the enterprise

I declare that the information concerning the confidentiality incident provided in this declaration is complete and factual.

Signature: Click or tap here to enter text.

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