

“We trusted that all our information would be kept private and confidential.”



PRIVACY BREACH investigation

Under Manitoba's Personal Health Information Act (PHIA)

PRIVACY BREACHES

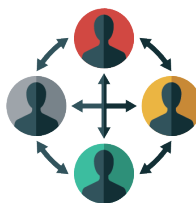
A privacy breach occurs when there is unauthorized collection, use, disclosure or disposal of personal or personal health information, such as when information is stolen, lost or mistakenly disclosed. Misdirected communication (fax, email, mail) that contains personal or personal health information is a privacy breach.



THE MISDIRECTED EMAIL

On August 26, 2020, the Children's disAbility Services (CDS) program of Manitoba Families unintentionally blind-copied about 100 recipients on an email with an encrypted

document containing personal health information of 8,900 children that was intended solely for the Manitoba Advocate for Children and Youth. A follow-up email with the password for the document was also blind-copied to the unintended recipients.



OMBUDSMAN INVESTIGATION

The ombudsman launched an investigation to review the circumstances of the breach, to examine the department's compliance with the requirements

of PHIA and to identify areas where administrative improvements related to the protection and security of personal health information in the care of Manitoba Families could be made.



PERSONAL HEALTH INFORMATION

The document attached to the email included personal health information such as the child's name, gender, date of birth, address, the nature of

their disability and dates and types of medical and psychological assessments that had been conducted.



INVESTIGATION OUTCOMES

The ombudsman made nine recommendations to the department about strengthening policies and procedures, enhancing training for employees about

privacy obligations, ensuring employees sign a pledge of confidentiality, and implementing a privacy management program. Read the report at

www.ombudsman.mb.ca/uploads/document/files/case-2020-1304-en.pdf

Under PHIA, the ombudsman investigates complaints, conducts audits to monitor and ensure compliance with the act, informs the public about the act and comments on the access and privacy implications of proposed legislation, programs or practices of public bodies.



**Manitoba
Ombudsman**

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UPHOLDING YOUR INFORMATION ACCESS AND PRIVACY RIGHTS