



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Syncrude Canada Ltd. (Organization)
Decision number (file number)	P2014-ND-07 (File #P2552)
Date notice received by OIPC	January 01, 2014
Date Organization last provided information	June 10, 2014
Date of decision	September 2, 2014
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals 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 registered as an Alberta corporation. I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The following information was involved in this incident: <ul style="list-style-type: none">• employment offer letter,• references,• education verification,• social insurance number (SIN),• benefit sign up forms containing:<ul style="list-style-type: none">○ insurance health care,○ dental,○ pension,○ savings plan benefit,○ emergency contact information, and○ beneficiary name.• performance appraisals• disciplinary action (if any)• exit appraisal checklist• salary position change forms containing:

	<ul style="list-style-type: none"> ○ name, ○ employee identification number, ○ position title, ○ effective dates, and ○ salary changes. <p>The following financial information may also be involved for some individuals:</p> <ul style="list-style-type: none"> ● date of birth, ● dates of employment, ● home address, ● home phone number, ● banking information such as: <ul style="list-style-type: none"> ○ copy of void cheque, ○ copies of manual cheques. ● position title and department, ● record of employment, ● leave absence notifications, and ● any overpayment information and letters to employee. <p>This information is “personal information” as defined in section 1(1)(k) of PIPA and was collected in Alberta.</p>
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DESCRIPTION OF INCIDENT

loss

 unauthorized access

 unauthorized disclosure

Description of incident	<ul style="list-style-type: none"> ● On May 2012, the Organization requested the recall of 47 boxes of files from a document storage company (the vendor). ● In July 2012, 46 boxes were delivered. ● In the fall of 2013 the missing box came to the notice of the Organization. ● The missing box contained 10 personnel files. ● The courier who collected the boxes from the vendor’s storage facility states that, according to the computer records, only 46 boxes were collected. ● The vendor stated its computer records show 47 boxes were checked out.
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Affected individuals	10 individuals were affected by the incident.
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Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> ● The Organization has made numerous enquiries and is undertaking a full investigation. ● A review of the Organization’s record retention policy is underway. ● The Organization is in the process of changing vendors.
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Steps taken to notify individuals of the incident	Notification sent by mail on January 7, 2014.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>Harm Some damage or detriment or injury that could be caused to the 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 investigated the incident and concluded that there was little risk of improper disclosure.</p> <p>In my view, the personal information involved is highly sensitive. It contains name, home address, home phone number SIN number, banking information and education verification. The personal information may also include disciplinary records. The types of harm that could result from unauthorized access to the personal information in this instance are identity theft and fraud, and in relation to disciplinary records, hurt and humiliation. In my view, these are 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 that, based on the courier’s documentation, there is no evidence of access to or misuse of the personal information.</p> <p>Despite the Organization’s position, I believe there is a “real risk” of significant harm in this case as the box of records has not been recovered.</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 individuals. The personal information involved includes sensitive identity information, such as name, address, phone number, banking information and social insurance number, as well as sensitive employment records. The risk of harm is increased because the box has not been recovered.</p> <p>I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the Personal Information Protection Act Regulation (Regulation).</p> <p>I understand the Organization notified the affected individuals in a letter dated January 7, 2014, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner