



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	Blackboard Canada Incorporated (Organization)
<b>Decision number (file number)</b>	P2014-ND-16 (File #P2630)
<b>Date notice received by OIPC</b>	March 12, 2014
<b>Date Organization last provided information</b>	March 12, 2014
<b>Date of decision</b>	November 10, 2014
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	The following information is at issue: <ul style="list-style-type: none"><li>• name</li><li>• address</li><li>• phone number</li><li>• social insurance number</li><li>• compensation information</li></ul> <p>This information is “personal information” as defined in section 1(1)(k) of PIPA and was collected in Alberta.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	

<b>Description of incident</b>	The Organization’s payroll provider printed and emailed T4 summaries to 43 employees of the Organization. The T4 summaries contained two employee records per page. This resulted in 43 employees receiving their own T4 summary information along with a second employee’s information.
<b>Affected individuals</b>	<ul style="list-style-type: none"> <li>• 43 affected individuals across Canada, including 22 Albertans</li> </ul>
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Organization is offering free credit monitoring for one year to all affected individuals.</li> <li>• Organization has retrained staff involved in the T4 development process.</li> <li>• Organization has implemented additional safeguards for this process.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Direct notification by email followed by letters sent in March 2014 to all affected individuals.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<p><b>Harm</b> 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 recognized the affected individuals may be at risk for identity theft as well as the harm related to co-workers learning confidential information about them.</p> <p>In my view, the personal information involved is highly sensitive. It contains social insurance numbers and the names of the affected individuals. The types of harm that could result from unauthorized access to the personal information in this instance are identity theft and fraud. In addition, there is the potential for harm in the form of humiliation or embarrassment. In my view, these are significant harms.</p>
<p><b>Real Risk</b> 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 the incident did not involve nefarious intent. Although the risk that known recipients would steal the identity of one of the affected individuals is likely very low, in some cases individuals would have learned confidential information about their co-workers or former co-workers.</p> <p>I agree with the Organization’s assessment of the likelihood of harm resulting from this incident.</p>

**DECISION UNDER SECTION 37.1(1) OF PIPA**

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 could be used to cause harm in the form of identity theft/fraud, as well as humiliation or embarrassment. Although the risk that known recipients would steal the identity of one of the affected individuals is likely very low, in some cases individuals would have learned confidential information about their co-workers or former co-workers.

I require the Organization to notify the affected individuals in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified all affected individuals by email followed by letters sent in March 2014. The notification was in accordance with section 19.1 of the Regulation. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner