



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	1724543 Alberta Ltd. (Organization)
File number	P2015-ND-53 (File #000217)
Date notice received by OIPC	January 26, 2015
Date Organization last provided information	March 9, 2015
Date of decision	August 19, 2015
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 34.1(1) of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is a respite agency providing services for individuals with special needs, including children. It is incorporated in Alberta. I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved the following information:</p> <ul style="list-style-type: none">• employee name, address, telephone number, signature, and future work schedule,• client name, and parents’ name and signature. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.</p>

DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none"> On January 22, 2015, a coordinator working for the Organization came out of a meeting and discovered someone had broken into her vehicle. The thief stole a sealed envelope containing employee timesheets and upcoming work schedules.
Affected individuals	A total of 10 individuals were affected, including 5 special needs youth, as well as employees of the Organization.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> The Organization notified the RCMP on January 23, 2015. The Organization notified the affected employees.
Steps taken to notify individuals of the incident	<ul style="list-style-type: none"> The Organization reported that affected employees were notified by telephone. On March 9, 2015, the Organization verbally confirmed that parents of affected children were notified about the incident. However, the Organization did not provide details as to how this notification met the requirements of section 19.1 of the <i>Personal Information Protection Act Regulation</i>.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury that could be caused to 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>The Organization reported that “there could be damage or loss of property to ... employees as their addresses and phone numbers were on each timesheet” and that “thieves” could possibly see when employees were scheduled to be working.</p> <p>I agree with the Organization that someone with malicious intent could use this information to gain access to the affected employees’ homes when no one is present. Further, signatures may be used for fraudulent purposes. The types of harm that could result to employees from this incident are fraud, theft, damage to and/or loss of property.</p> <p>The client information involved in this incident (name of client, parents’ names and signature) could also be used to cause harm. The clients in this case are special needs youth, who may be particularly vulnerable to such harms as embarrassment, hurt and/or humiliation.</p> <p>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 did not provide an explicit assessment of the likelihood of harm resulting from this incident. The Organization did, however, note that it was unsure who accessed the information (which was inside a locked vehicle) and that the information has not been recovered.</p> <p>In my view, the likelihood of harm resulting from this incident is increased because the personal information was stolen, indicating malicious intent. Further, the information has not been recovered. The clients involved are part of a vulnerable group, potentially increasing the likelihood that someone could take advantage of them. Finally, the harms of embarrassment, hurt and/or humiliation may be more likely to result, due to the small size of the community where the incident occurred.</p>
<p>DECISION UNDER SECTION 37.1(1) OF PIPA</p>	
<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.</p> <p>The personal information at issue could be used to cause the significant harms of fraud, theft, damage to and/or loss of property. In addition, the clients in this case are special needs youth, who may be particularly vulnerable to such harms as embarrassment, hurt and/or humiliation. The likelihood of harm resulting from this incident is increased because the personal information was stolen, indicating malicious intent. Further, the information has not been recovered. The clients involved are part of a vulnerable group, potentially increasing the likelihood that someone could take advantage of them. Finally, the harms of embarrassment, hurt and/or humiliation may be more likely to result, due to the small size of the community where the incident occurred.</p> <p>I require the Organization to notify all affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation) and notify me in writing it has done so on or before August 31, 2015.</p>	

Jill Clayton
Information and Privacy Commissioner