



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Suncor Energy Inc. (Organization)
Decision number (file number)	P2015-ND-62 (File #P2912)
Date notice received by OIPC	November 10, 2014
Date Organization last provided information	November 26, 2014
Date of decision	October 20, 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 the 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 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 all or some of the following information:</p> <ul style="list-style-type: none">• employee name,• ID number,• salary band,• annual salary,• bonus information,• performance ratings, and• succession data (i.e. readiness for next role), <p>This information is “personal information” as defined in section 1(1)(k) of PIPA and 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 November 4, 2014, a laptop bag containing a laptop computer, day-timer and two USB sticks were stolen from an HR employee’s vehicle. • The laptop computer was password protected and encrypted. The USB sticks were not encrypted. • Police were informed of the theft on the date it occurred.
Affected individuals	Approximately 440 individuals in Alberta were affected.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • The Organization reminded all employees of its policies with respect to using, transporting and safeguarding laptops and mobile devices and storage units. • One-year free credit monitoring was provided to affected employees. • The incident was reported to the police, as well as the Office of the Information and Privacy Commissioner of Alberta.
Steps taken to notify individuals of the incident	Notification sent to affected individuals by mail on November 20, 2014.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
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>The Organization reported that it is possible the personal information could be used to embarrass or humiliate employees.</p> <p>I agree with the Organization’s assessment. The information at issue could be used to cause hurt, humiliation or reputational damage. These are significant harms.</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>The Organization reported there is low risk of harm resulting from this incident as the ability to use the personal information at issue would require awareness or knowledge of the company's Human Resources systems, cycles and employees. Further, the Organization reported it is unlikely the information would be used to cause the harms of hurt or humiliation.</p> <p>In my view, there is a real risk of harm resulting from this incident. The information was stolen, indicating malicious</p>

	intent, and has not been recovered. A large number of employees were affected, and the information may have been further disclosed.
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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 at issue could be used to cause the significant harms of hurt, humiliation or reputational damage. The information was stolen and has not been recovered. These factors contributed significantly to my decision.

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).

I understand the Organization notified the affected individuals by letter dated November 20, 2014, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner