



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

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| <b>Organization providing notice under section 34.1 of PIPA</b> | Sun Life Assurance Company of Canada (Organization)   |
| <b>Decision number (file number)</b>                            | P2016-ND-39 (File #000962)  |
| <b>Date notice received by OIPC</b>                             | May 29, 2015  |
| <b>Date Organization last provided information</b>              | May 29, 2015  |
| <b>Date of decision</b>   | August 16, 2016   |
| <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 federally incorporated and licenced under the <i>Alberta Insurance Act</i> to carry on business in Alberta. I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i) of PIPA.  |
| <b>Section 1(1)(k) of PIPA “personal information”</b>           | <p>The incident involved the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• address,</li><li>• email address</li><li>• date of birth,</li><li>• social insurance number (SIN),</li><li>• policy information,</li><li>• medical 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>   |  |
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| <input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure   |  |
| <b>Description of incident</b>   | A brief case, containing documents with the personal information at issue, was stolen on May 8, 2015 from an employee’s locked truck. The theft was discovered on May 9, 2015.   |
| <b>Affected individuals</b>  | A total of three individuals were affected by the incident and are residents of Alberta.   |
| <b>Steps taken to reduce risk of harm to individuals</b>   | <ul style="list-style-type: none"> <li>• Issued a reminder across Canada to all managers, associated advisors and staff about these types of incidents to raise awareness of the need to be vigilant about protecting personal information.</li> <li>• Advisors required to take annual training/refresher courses on privacy and security. Last completed on December 9, 2014 (privacy course) and December 10, 2014 (security course).</li> <li>• Reported to law enforcement authorities on May 9, 2015.</li> <li>• Affected individuals were advised to review their credit records and report suspicious activities.</li> <li>• A free credit report and a one-year credit monitoring subscription was provided to affected individuals.</li> </ul> |
| <b>Steps taken to notify individuals of the incident</b>   | Written notifications were mailed to affected individuals on May 27, 2015. Phone call to the individuals occurred on May 9, 2015.  |
| <b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>  |  |
| <b>Harm</b><br>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 affected individuals were at risk of identity theft or fraud.</p> <p>I agree with the Organization’s assessment. The personal information includes sensitive identity and medical information that could be used to cause the harms of identity theft, fraud and/or hurt and humiliation. These are significant harms.</p>   |

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| <p><b>Real Risk</b><br/>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>In assessing the likelihood of harm resulting from this incident, the Organization noted that it was the result of malicious intent (theft) and the information has not been recovered.</p> <p>In my view, the likelihood of harm resulting from this incident is increased because the briefcase was stolen, indicating malicious intent, and has not been recovered.</p> |
| <p><b>DECISION UNDER SECTION 37.1(1) OF PIPA</b></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. The personal information involved includes sensitive identity and medical information that could be used to cause the significant harms of identity theft, fraud and/or hurt and humiliation. The incident resulted from a theft, indicating malicious intent, and the information has not been recovered.</p> <p>I require the Organization to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified the individuals who were affected, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individuals again.</p> |   |

Jill Clayton  
Information and Privacy Commissioner