



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	FPInnovations (Organization)
Decision number (file number)	P2017-ND-79 (File #005829)
Date notice received by OIPC	June 13, 2017
Date Organization last provided information	June 13, 2017
Date of decision	June 19, 2017
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 operates in Alberta and 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">• name,• social insurance number, and• salary information for past five years. <p>The information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent personal information was collected in Alberta, I have jurisdiction in this matter.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On July 31, 2016, an employee of the Organization mistakenly saved an electronic spreadsheet containing the information at issue to an internal public server accessible to all employees of the Organization.

	<ul style="list-style-type: none"> • The spreadsheet was exposed for approximately one day from July 31, 2016 to August 1, 2016. • The incident was discovered on August 31, 2016. • The Organization reported at least two employees accessed the spreadsheet and shared the personal information with other employees, including local union representatives. The Organization later discovered that some employees printed and/or saved the spreadsheet, and shared it externally with their union association. • The Organization contacted the union association and requested the spreadsheet be destroyed and not further disseminated.
Affected individuals	The incident affected approximately 500 employees, including 10 Albertans.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Ensured test reports are generated in a secure and private (limited access) server/folder rather than a public server/folder and further restricted access rights of employees to the internal public server and group folders. • Retained an external firm to investigate the incident and took appropriate internal action. • Contacted the union association and requested the spreadsheet be destroyed and not further disseminated.
Steps taken to notify individuals of the incident	Affected individuals received written notice of the incident by letter on September 30, 2016.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>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>	<p>The Organization reported “that since employee names and SINS were disclosed in the Salary Spreadsheet, there is a risk of identity theft to those employees. Additionally, there is a risk of humiliation/damage to reputation to ... employees who had their salary information disclosed internally ... as typically only a limited number of employees would have access to such personal information such as ... Human Resources personnel and the particular employee's supervisor.”</p> <p>I agree with the Organization. The identity information at issue could be used to cause the harms of identity theft and fraud. Employment information (salary) could be used to cause the harms of hurt, humiliation and embarrassment. These are significant harms.</p>

<p>Real Risk</p> <p>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 assessed the likelihood of harm as “low to moderate” and noted that the information “was inadvertently disclosed and was not the result of malicious intent on the part of any person.” Regarding external disclosure to the union association, the Organization noted that the association “represents each of the employees who had their personal information disclosed and thus are unlikely to misuse any of the personal information regarding its members” and that salary ranges “are already public information which additionally limits the likelihood that humiliation or reputational damage would occur to employees as a result of the disclosure of salary information ...”.</p> <p>In my view, there is a real risk of harm resulting from this incident. Although the incident was not the result of malicious intent but rather an inadvertent disclosure, the information was accessed by individuals having a professional relationship with the affected individuals and was disclosed outside the Organization. It is not possible for the Organization to know how the information might be further used or disclosed.</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. The identity information at issue could be used to cause the harms of identity theft and fraud. Employment information (salary) could be used to cause the harms of hurt, humiliation and embarrassment. These are significant harms. Although the incident was not the result of malicious intent but rather an inadvertent disclosure, the information was accessed by individuals having a professional relationship with the affected individuals and was disclosed outside the Organization. It is not possible for the Organization to know how the information might be further used or disclosed.</p> <p>I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand affected individuals received written notice of the incident by letter on September 30, 2016. The Organization is not required to notify affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner