



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Sun Life Assurance Company of Canada (Organization)
Decision number (file number)	P2017-ND-111 (File #006110)
Date notice received by OIPC	July 21, 2017
Date Organization last provided information	July 21, 2017
Date of decision	August 4, 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 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 an “organization” as defined in section 1(1)(i)(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">• name,• address,• date of birth,• contract number and value, and• social insurance number (in some cases). <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</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 Monday, July 10, 2017, a laptop belonging to an advisor with the Organization was stolen from the advisor’s vehicle parked at her residence.• The encrypted laptop was turned off and was password protected; however, the Windows and encryption software passwords were in a notebook in the same bag as the laptop.

	<ul style="list-style-type: none"> • The information at issue was stored on the laptop. • The laptop was recovered the next morning on July 11, 2017 when a stranger who found it abandoned at a nearby bus stop returned it to the advisor.
Affected individuals	The incident affected 136 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Reset passwords. • Placed an alert on each client's file for internal staff awareness, so that any requests for information can be addressed appropriately. • Offered free subscription to credit monitoring service. • Reported the incident to law enforcement.
Steps taken to notify individuals of the incident	Affected individuals were notified by telephone beginning July 20, 2017, and written notification was sent July 21, 2017.
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 "The information is sensitive and could be used to commit identity theft or fraud, resulting in financial loss, a negative impact on credit records, or damage to reputation."</p> <p>I agree with the Organization. The identity and financial information at issue could be used to cause the harms of identity theft, fraud, financial loss and negative effect on a credit record. 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 reported that "The individual who stole the laptop could have obtained access to the information during the time it was in their possession. Exposure to that information was limited to approximately 18 hours until passwords were reset." Further, affected individuals include "seniors and children".</p> <p>In my view, the likelihood of harm resulting in this case is increased as the incident resulted from malicious intent (theft). The information was exposed for 18 hours. Although the laptop was encrypted, the passwords were stored with the laptop.</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 identity and financial information at issue could be used to cause the significant harms of identity theft, fraud, financial loss and negative effect on a credit record. The likelihood of harm resulting in this case is increased as the incident resulted from malicious intent (theft). The information was exposed for 18 hours. Although the laptop was encrypted, the passwords were stored with the laptop.	

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 affected individuals were notified by telephone beginning July 20, 2017, and written notification was sent July 21, 2017. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner