



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Rifco National Auto Finance Corporation (Organization)
Decision number (file number)	P2019-ND-004 (File #08047)
Date notice received by OIPC	March 15, 2018
Date Organization last provided information	March 15, 2018
Date of decision	January 3, 2019
Summary of decision	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify the individual 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”	The incident involved the following information: <ul style="list-style-type: none">• address,• telephone number, and• information about hospitalization. This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.
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 January 12, 2018, an unidentified woman contacted the Organization and identified herself as the sister of a client of the Organization. The caller said her sister was in the hospital, and the caller wanted to make a payment on her sister’s behalf. The Organization’s agent had no authorization to provide information to the caller, and did not.• On January 24, 2018, the Organization confirmed the client’s address had changed.

	<ul style="list-style-type: none"> On January 30, 2018, the Organization’s agent called a reference previously provided by the client (a family member) in an effort to contact the client. During the call, the agent disclosed the information at issue, including that the client was hospitalized. On January 30, 2018, the agent’s supervisor called the client. The client was upset that personal information had been disclosed to the reference by the agent.
Affected individuals	The incident affected one individual residing in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Providing privacy training to loan servicing agents who will need to pass a test that verifies they understand the requirement to safeguard client information. Disciplined the agent.
Steps taken to notify individuals of the incident	The affected individual was notified by telephone on February 7, 2018.
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.	The Organization reported “The potential harm is the possibility of damage to relationship as borrower had not intended to tell her mother about the hospitalization.” I agree with the Organization’s assessment. The health/medical information at issue (hospitalization) could be used to cause the significant harms of hurt, humiliation and embarrassment.
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.	The Organization reported that there is “No evidence to show malicious intent or purpose as agent attempted to locate borrower. The information was sensitive (sic) in nature to the borrower. The agent assumed that other family would be aware of the borrower’s hospitalization as the borrower’s sister had been aware and informed the agent.” The Organization reported that the affected individual was upset by the unauthorized disclosure of her personal information to a family member. Although the incident was a result of human error and not malicious intent, it appears that significant harm was realized.
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 individual.	

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I require the Organization to notify the affected individual in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individual by telephone on February 7, 2018 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner