



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Syncrude Canada Ltd. (Organization)
Decision number (file number)	P2019-ND-036 (File #007720)
Date notice received by OIPC	February 8, 2018
Date Organization last provided information	August 16, 2018
Date of decision	February 19, 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 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">• name,• address,• date of birth,• employee bank account information,• social insurance number, and• employee identification number. <p>This information is about an identifiable individual 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">• During a new hire onboarding process, the Organization collected documents from the employee in order to input data into the payroll and benefits systems.

	<ul style="list-style-type: none"> • The documents were divided into two separate paper files (one for benefits and the other for payroll). The payroll file is then to be hand delivered to the payroll office for use in processing an employee’s pay. • At some point during this process, the payroll file was misplaced. • On December 14, 2017, a member of the Organization’s payroll team discovered the file was missing from the batch of new hire files that had been delivered to the payroll office. • The missing documents have not been recovered.
Affected individuals	The incident affected one (1) individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Implemented a control sign-off process to enhance tracking of these employee documents going forward. • Notified the Organization’s Privacy Advisor.
Steps taken to notify individuals of the incident	The affected individual was notified via email on December 19, 2017, and by phone call on December 20, 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 that the harm for the employee is, “Financial loss, fraud, identity theft, negative impacts on a credit record.”</p> <p>I agree with the Organization’s assessment. A reasonable person would consider that the identity and financial information at issue could be used to cause the significant harms of financial loss, fraud, identity theft, and negative impact on a credit record.</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 likelihood is high that harm could occur to the affected employee, based on the lost documents containing the individual's banking information and Social Insurance Number. The documents have not been located after a search by HR Benefits and Payroll personnel. There is no evidence suggesting malicious intent, but the information could be used for criminal purposes, specifically identity theft or fraud, if the documents fell into the wrong hands.”</p> <p>I agree with the Organization. The likelihood of harm resulting from this incident is increased because the documents containing the personal information were lost and the Organization has not been able to determine what happened to the documents. The documents have not been recovered.</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 individual.

A reasonable person would consider that the identity and financial information at issue could be used to cause the significant harms of financial loss, fraud, identity theft, and negative impact on a credit record. The likelihood of harm resulting from this incident is increased because the documents containing the personal information were lost and the Organization has not been able to determine what happened to the documents. The documents have not been recovered.

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 in an email dated December 19, 2017 and by phone on December 20, 2017, in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner