



**PERSONAL INFORMATION PROTECTION ACT  
Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	Oakhampton Court Corporation CDC1 (Organization)
<b>Decision number (file number)</b>	P2019-ND-047 (File #010111)
<b>Date notice received by OIPC</b>	October 22, 2018
<b>Date Organization last provided information</b>	November 18, 2018
<b>Date of decision</b>	March 7, 2019
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	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 all or some of the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• salary,</li><li>• benefits,</li><li>• WCB information, and</li><li>• medical information.</li></ul> <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• The Organization reported that, during a Board meeting, an employee’s salary, benefits, WCB and medical information was discussed as part of assessing the employee’s continued employment.</li></ul>

	<ul style="list-style-type: none"> <li>• An individual, who was a Board member at the time of the meeting, shared the employee’s information with previous Board members, as well as the employee.</li> <li>• The Organization said it warned the individual not to discuss “classified” information outside of the Organization’s current Board members.</li> <li>• The Organization reported the incident occurred on October 16, 2018, and was discovered the same day.</li> </ul>
<b>Affected individuals</b>	The incident affected one individual.
<b>Steps taken to reduce risk of harm to individuals</b>	The Organization reported that it “must subcontract out all of our services”.
<b>Steps taken to notify individuals of the incident</b>	The affected individual was not notified.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<b>Harm</b> 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 that “If the information were to be known [the employee] would be unemployable.”  In my view, a reasonable person would consider that the contact, financial and medical information at issue could be used to cause the significant harms of humiliation, damage to reputation, and loss of professional opportunities.
<b>Real Risk</b> 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 the employee “...is being assessed for continued employment and now knows his job may be gone.”  In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased because the information at issue was disclosed to individuals with whom the affected individual may have a persona/professional reputation.
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
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 contact, financial and medical information at issue could be used to cause the significant harms of humiliation, damage to reputation, and loss of professional opportunities. The likelihood of harm resulting from this incident is increased because the information at issue was disclosed to individuals with whom the affected individual may have a persona/professional reputation.	

I require the Organization to notify the affected individual in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation) and **confirm to my office in writing within ten (10) days of the date of this decision, that it has done so.**

Jill Clayton  
Information and Privacy Commissioner