



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

| | |
|--|---|
| Organization providing notice under section 34.1 of PIPA | Calgary French & International School (Organization) |
| Decision number (file number) | P2019-ND-090 (File #012116) |
| Date notice received by OIPC | February 22, 2019 |
| Date Organization last provided information | February 22, 2019 |
| Date of decision | June 26, 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” | The incident involved all or some of the following information: <ul style="list-style-type: none">• social insurance number 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 28, 2019, the Organization mailed a T4 to a former employee.• On January 30, 2019, the Organization received an email from the former employee stating that she had received, in a window envelope, what she believed to be her T4 for 2018. She reported that her Social Insurance Number (SIN) was visible to others because of the use of the window envelope.• The former employee returned the envelope, unopened, to the Organization. |

| | |
|--|---|
| | <ul style="list-style-type: none"> The Organization reviewed the envelope and reported that it was possible to see the number “12” and a nine-digit number through the window. |
| Affected individuals | The incident affected one (1) individual. |
| Steps taken to reduce risk of harm to individuals | <ul style="list-style-type: none"> All future mailings that contain personal information will be sent using "solid" (non-window) envelopes. Contacted the Canada Revenue Agency (CRA). Reported the incident to the Board of Directors. |
| Steps taken to notify individuals of the incident | The Organization reported that the affected individual reported the incident to the Organization. |
| 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 “There is a potential for financial loss on the part of the former employee, due to identity theft, which could have a negative impact on the individual's credit history. There is also the potential for personal stress to the former employee.”</p> <p>In my view, a reasonable person would consider that the identity information at issue could be used to cause the significant harms of identity theft and fraud.</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:</p> <p><i>The letter was sent out via Canada Post, so the SIN could potentially have been visible under specific circumstances to any Canada Post employee who handled the letter. A SIN is highly sensitive personal information, and was potentially exposed for a maximum of three days before being delivered to the former employee.</i></p> <p><i>It should be pointed out that in order to see the former employee's SIN, one would have had to pull up on the edge of the cellophane window of the envelope and peer at an angle. The person doing this would not have necessarily known that the nine-digit number (which was not separated by spaces) was a SIN. The words, "Social Insurance Number" were unable to be read - all one could see is "12" and the nine-digit number. (The "12" refers to "Box 12" on the T4.)</i></p> <p><i>There is no evidence of any malicious intent or purpose on the part of the person who put the T4 into the window envelope.</i></p> |

| | |
|--|---|
| | <p>In my view, the likelihood of significant harm resulting from this incident is decreased as it did not result from malicious intent. Nonetheless, sensitive identity information was exposed, possibly for as much as three days. It is not known how many individuals may have accessed the information. Given the time of year of the mailing, anyone handling the envelope might reasonably have assumed the nine digit number was a social insurance number.</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 information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of significant harm resulting from this incident is decreased as it did not result from malicious intent. Nonetheless, sensitive identity information was exposed, possibly for as much as three days. It is not known how many individuals may have accessed the information. Given the time of year of the mailing, anyone handling the envelope might reasonably have assumed the nine digit number was a social insurance number.

The Organization is required to notify the affected individual in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

The Organization reported that the affected individual reported the incident to the Organization. **I require the Organization to confirm to my office in writing, within 10 days of the date of this decision, that it has notified the affected individual in accordance with the Regulation.**

Jill Clayton
Information and Privacy Commissioner