



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	RSM Alberta LLP (Organization)
Decision number (file number)	P2019-ND-091 (File #012126)
Date notice received by OIPC	February 25, 2019
Date Organization last provided information	February 25, 2019
Date of decision	June 26, 2019
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) 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">• first and last name,• address,• social insurance number. This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
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 November 15, 2018, the Organization discovered that its Calgary office had been burglarized.• The Organization investigated and determined that a hard drive was stolen during the burglary on or around November 11, 2018.• The hard drive appears to have contained some electronic files relating to tax services the Organization provides to a handful of clients.

Affected individuals	The incident affected five individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Reported incident to law enforcement. • Arranged for the impacted individuals to receive 12 months of free fraud detection and identity theft protection.
Steps taken to notify individuals of the incident	Affected individuals were notified by mail on December 24, 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.	<p>The Organization did not specifically identify possible harms that might result from the breach, but reported that its notification to individuals provided information regarding steps they can take to protect themselves from fraud.</p> <p>In my view, a reasonable person would consider that the contact and identity information at issue could be used to cause the significant harms of identity theft and fraud.</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>The Organization did not specifically assess the likelihood of harm resulting from the breach but reported that it “...has no evidence to suggest that the individuals' personal information has been misused”.</p> <p>In my view, the likelihood of significant harm resulting from this incident is increased as it resulted from malicious intent (break-in and theft). The Organization did not report that the hard drive was encrypted, nor that the information was recovered.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<p>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. A reasonable person would consider that the contact and 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 increased as it resulted from malicious intent (break-in and theft). The Organization did not report that the hard drive was encrypted, nor that the information was recovered.</p> <p>The Organization is required to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation). I understand that affected individuals were notified by mail on December 24, 2018. The Organization is not required to notify the affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner