



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	The Manufacturers Life Insurance Company (Organization)
<b>Decision number (file number)</b>	P2019-ND-131 (File #011468)
<b>Date notice received by OIPC</b>	January 2, 2019
<b>Date Organization last provided information</b>	January 2, 2019
<b>Date of decision</b>	August 9, 2019
<b>Summary of decision</b>	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals 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 operates in Alberta and 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 the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• gender,</li><li>• date of birth,</li><li>• age,</li><li>• email address,</li><li>• telephone number,</li><li>• policy number,</li><li>• insurance policy amount and medical testing requested to be performed.</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<b>Description of incident</b>	<ul style="list-style-type: none"> <li>On November 14, 2018, a paramedical examiner's vehicle in Calgary was broken into and some personal items were stolen along with paramedical work orders.</li> <li>The Organization was notified of the breach on December 12, 2018 by its third party vendor.</li> </ul>
<b>Affected individuals</b>	The incident affected 2 individuals.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>Completed police report.</li> <li>Offered identity theft and credit monitoring to the client.</li> <li>Policy number to be changed.</li> <li>Retrained third party vendor examiners.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by letter on December 24, 2018.
<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 there is a "Possibility of identity theft based and [sic] negative effect on their credit score based on the type of personal information that was involved."  In my view, a reasonable person would consider that the contact, identity, insurance and health/medical information at issue could be used to cause the significant harms of identity theft and fraud, as well as hurt, humiliation and embarrassment.
<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 "Given the type of individually identifying information involved and since the information was stolen and not recovered, there is likelihood that identity theft and negative effect on their credit score could occur."  In my view, a reasonable person would consider that the likelihood of identity theft and fraud resulting from this incident is increased because the breach resulted from malicious action (theft). The information was not recovered.
<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 individuals.  A reasonable person would consider that the contact, identity, insurance and health/medical information at issue could be used to cause the significant harms of identity theft and fraud, as well as hurt, humiliation and embarrassment. The likelihood of identity theft and fraud resulting from this incident is increased because the breach resulted from malicious action (theft). The information was not recovered.	

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

I understand that individuals were notified by letter on December 24, 2018. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner