



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Southgate Medallion Family Day Homes Ltd. (Organization)
Decision number (file number)	P2021-ND-032 (File #018784)
Date notice received by OIPC	December 18, 2020
Date Organization last provided information	January 27, 2021
Date of decision	February 23, 2021
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 operates in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved some or all of the following information:</p> <ul style="list-style-type: none">• name,• address,• place of work,• staff pay for November 2020,• staff year-to-date earnings. <p>This information is about identifiable individuals 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">• On December 12, 2020, one of the Organization’s staff members was the victim of a carjacking.• At the time, the staff member was transporting documents and a non-encrypted USB drive to the Organization’s office. No personal information was stored on the USB device.

	<ul style="list-style-type: none"> On January 13, 2021, the vehicle was found in Kelowna B.C.; however, the vehicle’s contents were not recovered.
Affected individuals	The incident affected 168 residents of Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Reviewed all records to determine what information was contained on the USB device at the time of the theft. Prepared a list of staff whose personal information was contained on the USB device. Gave staff encrypted USB sticks to ensure protection of all digital information moving forward. Reviewed policies and procedures regarding the removal of print materials from office premises. Instituted a policy requiring that all work be completed on an encrypted SharePoint platform or on encrypted USB devices. Implementing a paperless web-based system to decrease (and eventually eliminate) the need to remove paper files from the office.
Steps taken to notify individuals of the incident	Affected individuals were notified of the incident on January 26, 2021.

REAL RISK OF SIGNIFICANT HARM ANALYSIS

<p>Harm</p> <p>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...</p> <p><i>...staff pay stubs disclose the employee's name, address and place of work which can be harmful in the hands of individuals engaged in criminal activity.</i></p> <p>In my view, a reasonable person would consider that the contact and employment information at issue could be used to cause the significant harms of identity theft and fraud.</p>
<p>Real Risk</p> <p>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>It is unknown whether the personal information is in the hands of the threat actor and therefore difficult to assess the likelihood of harm...There is nevertheless [sic] a real risk of significant harm to the affected individuals and notification has been provided.</i></p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased as it was the result of malicious intent (theft of vehicle with documents inside) and the documents were not 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 individuals.

A reasonable person would consider that the contact and employment information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased as it was the result of malicious intent (theft of vehicle with documents inside) and the documents were not recovered.

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

I understand the Organization notified the affected individuals on January 26, 2021 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner