



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

<b>Organization providing notice under section 34.1 of PIPA</b>	AgeCare Seton (Organization)
<b>Decision number (file number)</b>	P2021-ND-095 (File #020216)
<b>Date notice received by OIPC</b>	March 19, 2021
<b>Date Organization last provided information</b>	March 24, 2021
<b>Date of decision</b>	March 30, 2021
<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 the 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 all or some of the following information:</p> <ul style="list-style-type: none"><li>• first and last name,</li><li>• full time equivalents (FTEs), and</li><li>• investigation notes regarding staff issues.</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>• A bag was left in an employee’s car overnight on February 6, 2021. The bag contained a list of staff members, their FTE, and investigation notes from conversations with 4 employees.</li><li>• The breach was noticed the same day.</li><li>• The documents have not been recovered.</li></ul>

<b>Affected individuals</b>	The incident affected 43 individuals.
<b>Steps taken to reduce risk of harm to individuals</b>	Going forward, work related documents and items will not be left in vehicles overnight
<b>Steps taken to notify individuals of the incident</b>	The affected individuals were 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 “Staff full names were shared and where they work.”  In my view, a reasonable person would consider that the contact and employment information in the investigation notes could be used to cause the harms of hurt, humiliation and embarrassment. These are all significant harms.
<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 “likely no harm will occur”.  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 (vehicle break-in and theft). The personal information was stolen and has not been recovered.
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
<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.</p> <p>A reasonable person would consider that the contact and employment information in the investigation notes could be used to cause the harms of hurt, humiliation and embarrassment. These are all significant harms. The likelihood of harm resulting from this incident is increased as it was the result of malicious intent (vehicle break-in and theft). The personal information was stolen and has not been recovered.</p> <p>I require the Organization to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation) and <b>confirm to my Office in writing, within ten (10) days of the date of this decision, that this has been done.</b></p>	

Jill Clayton  
Information and Privacy Commissioner