



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Sedgwick Canada, Inc. (the Organizations)
Decision number (file number)	P2021-ND-138 (File #017213)
Date notice received by OIPC	September 8, 2020
Date Organization last provided information	May 6, 2021
Date of decision	May 25, 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 those individuals whose personal information was collected in Alberta 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 based in Ontario, 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 all or some of the following information:</p> <ul style="list-style-type: none">• name,• address,• telephone number,• email address,• date of birth,• Social Insurance Number or other government ID number,• financial account information,• health related information,• insurance / medical ID numbers, and/or• other related employment records. <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 type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<p>Description of incident</p>	<ul style="list-style-type: none"> • On July 31, 2020, the Organization detected that data on a limited number of servers within its network environment was subject to a cybersecurity incident. • The Organization immediately launched an investigation and engaged a forensics firm to assist with its response. • By August 2, 2020, the affected servers had been restored. • On August 20, 2020, the investigation identified that personal information of a limited number of current and former employees had been acquired without authorization during the incident. • The Organization immediately launched a comprehensive review of that data with outside e-discovery experts, which concluded in December 2020.
<p>Affected individuals</p>	<p>The incident affected 436 Alberta residents.</p>
<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • Investigated and engaged a forensics firm to assist. • Offered all potentially affected individuals credit monitoring and identity theft protection services. • Restored systems. • Increased the security of the affected network environment. • Conducted a credential reset.
<p>Steps taken to notify individuals of the incident</p>	<p>The Organization notified affected individuals by email on August 25, 2020, August 28, 2020, and December 22, 2020.</p>
<p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p>	
<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’s report of this incident did not provide an assessment of the type of harm that could be caused to affected individuals but did say the Organization was providing “credit monitoring and identity theft protection” to affected individuals.</p> <p>In my view, a reasonable person would consider the contact, identity, financial, employment and insurance information at issue could be used to cause the significant harms of identity theft and fraud. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. Health-related information could also be used to cause hurt, humiliation and embarrassment. These are all significant harms.</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</p>	<p>The Organization did not specifically provide an assessment of the likelihood that significant harm would result from this incident.</p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (deliberate intrusion). The Organization was</p>

between the incident and the possible harm.	able to restore data and functionality; however, personal information was acquired without authorization during the incident.
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.</p> <p>A reasonable person would consider the contact, identity, financial, employment and insurance information at issue could be used to cause the significant harms of identity theft and fraud. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. Health-related information could also be used to cause hurt, humiliation and embarrassment. These are all significant harms.</p> <p>The likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (deliberate intrusion). The Organization was able to restore data and functionality; however, personal information was acquired without authorization during the incident.</p> <p>I require the Organization to notify the affected individuals whose personal information was collected in Alberta, in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified affected individuals by email on August 25, 2020, August 28, 2020, and December 22, 2020, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner