



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Bear Creek Funeral Home (Organization)
Decision number (file number)	P2021-ND-224 (File #022457)
Date notice received by OIPC	July 28, 2021
Date Organization last provided information	September 17, 2021
Date of decision	November 12, 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 families of these 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”	<p>The incident involved medical statements of death and registrations of death which include:</p> <ul style="list-style-type: none">• full name,• date of birth,• date of death, and• social insurance numbers. <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 October 27, 2020, the Organization placed an envelope of documents and a small parcel of ashes in a Canada Post mailbox in Grande Prairie AB.• In November 2020, the Organization contacted Canada Post to see if the package had been scanned in yet.

	<ul style="list-style-type: none"> • Canada Post informed the Organization that the package had not been received at distribution and to check back. • On March 10, 2021, the Organization opened a ticket with Canada Post to investigate and on March 12, Canada Post emailed the Organization saying there would be no further investigation. • On July 5, 2021, the RCMP called the Organization to report finding the documents and ashes in a vehicle in High Prairie, Alberta. • The RCMP returned the documents to the Organization without knowing what they contained. The Organization made the RCMP aware of the contents and RCMP indicated they would check against their records of fraud and, as indicated, would contact the responsible persons for the deceased individuals.
Affected individuals	The incident affected 12 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Reported the incident to Vital Statistics and the OIPC. • Will use the post office instead of mailboxes for outgoing mail.
Steps taken to notify individuals of the incident	Families of the affected individuals were notified by letter on September 17, 2021.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<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 reported that “identity theft and fraud” were possible harms that may result from the breach.</p> <p>I agree with the Organization’s assessment. 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>
<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>	<p>In assessing the likelihood of significant harm resulting from this breach, the Organization reported,</p> <p style="text-align: center;"><i>unknown - we do not know who had possession of the information over the months it was missing.</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). Although the contents were recovered by the RCMP, the information was accessible to the thieves for approximately eight (8) months.</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 identity 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). Although the contents were recovered by the RCMP, the information was accessible to the thieves for approximately eight (8) months.

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

I understand the families were notified by letter on September 17, 2021. The Organization is not required to notify them again.

Jill Clayton
Information and Privacy Commissioner