



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Conner, Clark and Lunn Private Capital Ltd. (Organization)
Decision number (file number)	P2017-ND-02 (File #002819)
Date notice received by OIPC	April 1, 2016
Date Organization last provided information	April 1, 2016
Date of decision	January 3, 2017
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 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 extra-provincial corporation and is an “organization” as defined in section 1(1)(i)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The information involved in this incident includes:</p> <ul style="list-style-type: none">• name,• address,• social insurance number,• driver’s license number, and• financial information (including income, mortgage information, line of credit balances, account balances, and business loan information). <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.</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 March 18, 2016, the Organization contracted a courier service to deliver a new account documentation package to a client. On March 23, 2016, the Organization received a call from the courier service advising that the vehicle containing the package was broken into and the package was stolen. The package with documentation has not been recovered.
Affected individuals	The incident affected two individuals (a client and his spouse).
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Contracted courier service reported the incident to the RCMP. The Organization encouraged the affected individuals to purchase identity theft insurance.
Steps taken to notify individuals of the incident	The affected individuals were notified by telephone on March 23, 2016.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
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.	The Organization reported that “The theft of aforementioned personal information may result in identity theft and/or fraud, and possibly a break-in into the client's residence. The harm caused by any of the above would be significant.” I agree with the Organization’s assessment. The information involved includes identity and financial information that could be used to cause the harms of identity theft and fraud. These are significant harms.
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.	The Organization reported that “In our view, individuals who have broken into a parcel delivery vehicle have criminal intent which concerns us that they are likely to commit other crimes.” I agree with the Organization’s assessment. The likelihood of harm resulting in this case is increased as the incident was the result of malicious intent (deliberate vehicle break-in) and the information has not been recovered.
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. The personal information involved includes identity and financial information that could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting in this case is increased as the incident was the result of malicious intent (deliberate vehicle break-in) and the information has not been 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 the Organization notified the affected individuals via telephone on March 23, 2016, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner