



**PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision**

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| Organization providing notice under section 34.1 of PIPA | Servus Credit Union Ltd. (Organization) |
| Decision number (file number) | P2017-ND-03 (File # 002823) |
| Date notice received by OIPC | April 25, 2016 |
| Date Organization last provided information | April 25, 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 “organization” as defined in section 1(1)(i) of PIPA. |
| Section 1(1)(k) of PIPA “personal information” | <p>The incident involved the following information:</p> <ul style="list-style-type: none">• name,• bank account number, and• listing of account transactions. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.</p> |
| DESCRIPTION OF INCIDENT | |
| <input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure | |
| Description of incident | <ul style="list-style-type: none">• A bank account number and transactional information was given to an unauthorized person in error. This caused unauthorized transactions to occur on the account. Both members in question have the same first and last names. |

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| | <ul style="list-style-type: none"> • The incident was discovered on April 6, 2016 when the unauthorized member received a printout of transactions occurring on the account and questioned some of the activity. The branch supervisor investigated further and determined that the member had access to the incorrect account. • None of the processes that the Organization uses to authenticate identity were fully followed in this case. |
| Affected individuals | The incident affected two (2) residents of Alberta. |
| Steps taken to reduce risk of harm to individuals | <ul style="list-style-type: none"> • The listing of account transactions was returned to the Organization. • The Organization offered a new bank account to the affected individuals to be paid for by the Organization. • All funds were recovered. |
| Steps taken to notify individuals of the incident | The affected individuals were notified by telephone on April 15, 2016 and again by telephone on April 21, 2016. |
| 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>In assessing the type of harm that might result from this incident, the Organization reported that “This information is considered to be highly sensitive ... as it was erroneously given to an unauthorized person with the same name who used it to conduct multiple transactions.”</p> <p>I agree with the Organization. The personal information involved includes financial information that could be used to cause the harms of identity theft, fraud and financial loss. These are 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 between the incident and the possible harm.</p> | <p>The Organization reported that “This breach resulted in harm as it allowed an unauthorized person to conduct transactions on an account, resulting in financial loss. We note that all funds have been recovered.”</p> <p>I agree with the Organization’s analysis. Although the incident was the result of human error and not malicious intent, the incident did directly lead to harm to the affected individuals (unauthorized account transactions). The harm has since been reversed.</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. The personal information involved includes financial information that could be used to cause the significant harms of identity theft, fraud and financial loss. Although the incident was the result of human error and not malicious intent, the incident did directly lead to harm to the affected individuals (unauthorized account transactions). The harm has since been reversed.

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 by telephone on April 15, 2016 and again by telephone on April 21, 2016 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner