



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

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| <b>Organization providing notice under section 34.1 of PIPA</b>  | Servus Credit Union (Organization)   |
| <b>Decision number (file number)</b>   | P2017-ND-89 (File #004573)   |
| <b>Date notice received by OIPC</b>  | December 16, 2016  |
| <b>Date Organization last provided information</b>   | December 16, 2016  |
| <b>Date of decision</b>  | July 11, 2017  |
| <b>Summary of decision</b>   | There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify the individual 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 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>• name,</li><li>• account number, and</li><li>• ATM Card (by using the affected member's ATM card, the unintended recipient would have full access to the member's account, including balances and the right to conduct transactions).</li></ul> <p>This information is about an identifiable individual and is "personal information" as defined in section 1(1)(k) of PIPA.</p> |
| <b>DESCRIPTION OF INCIDENT</b>   |  |
| <input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure |  |
| <b>Description of incident</b>   | <ul style="list-style-type: none"><li>• An employee of the Organization gave a bank account number and ATM card to the wrong member.</li></ul>   |

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|   | <ul style="list-style-type: none"> <li>• The incident was discovered on December 2, 2016, when an employee noticed that the age of the member on the account did not match the age of the member completing a transaction.</li> <li>• As a result of the incident, a number of unauthorized transactions were made on the affected account between November 9, 2016 and December 2, 2016.</li> <li>• The affected member is deceased but has a joint account with his wife at the Organization.</li> <li>• The unauthorized recipient of the account number and ATM card has the same first and last name as the deceased member.</li> </ul> |
| <b>Affected individuals</b>   | The incident affected two (2) Alberta residents (the deceased member and the joint account member).  |
| <b>Steps taken to reduce risk of harm to individuals</b>  | <ul style="list-style-type: none"> <li>• Cancelled the ATM card.</li> <li>• Ensured all documentation with the account number in the unauthorized recipient's possession was returned to the Organization.</li> <li>• Reversed all unauthorized transactions and returned all funds to the joint account.</li> <li>• Asked the joint member to confirm the reversals.</li> <li>• Offered to reopen a new bank account for the surviving joint account member at the Organization's cost.</li> </ul>  |
| <b>Steps taken to notify individuals of the incident</b>  | The surviving joint account member was notified by telephone, and a letter was sent on December 16, 2016.  |
| <b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>   |  |
| <p><b>Harm</b></p> <p>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 its report of the incident, the Organization said "Unauthorized transactions were perpetrated on this account resulting in financial loss to the member".</p> <p>In my view, the financial information at issue could be used to complete unauthorized financial transactions, resulting in financial loss. This is a significant harm.</p>  |

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| <p><b>Real Risk</b></p> <p>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 its report of the incident, the Organization said, “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 accept the Organization’s assessment. Although the incident did not result from malicious intent, but rather human error, the information at issue was used to complete unauthorized financial transactions over a period of almost a month.</p> |
| <p><b>DECISION UNDER SECTION 37.1(1) OF PIPA</b></p>  |   |
| <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 individual.</p> <p>The financial information at issue could be used to complete unauthorized financial transactions, resulting in financial loss. This is a significant harm. Although the incident did not result from malicious intent, but rather human error, the information at issue was used to complete unauthorized financial transactions over a period of almost a month.</p> <p>I require the Organization to notify the affected individual 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 the affected individual by telephone, and a letter was sent on December 16, 2016. The Organization is not required to notify the affected individual again.</p> |   |

Jill Clayton  
Information and Privacy Commissioner