



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	The Great-West Life Assurance Company (Organization)
Decision number (file number)	P2017-ND-146 (File #005445)
Date notice received by OIPC	April 18, 2017
Date Organization last provided information	October 11, 2017
Date of decision	November 6, 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 all or some of the following information:</p> <ul style="list-style-type: none">• name,• account number,• mailing address,• Social Insurance Number,• contribution amount,• account balance,• beneficiaries, and• credit card number, expiry date and security code. <p>This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. Some of the information was collected from Alberta residents.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	

<p>Description of incident</p>	<ul style="list-style-type: none"> • On March 10, 2017, the Organization was notified by its Group Retirement Services department of a human error which resulted in tax receipts and/or termination disclosure packages being mailed to the incorrect recipients. • The incident occurred on February 17, 2017, and was the result of an error made while manually copying data from an Excel file provided by a client into the Organization’s internal processing systems. • The Organization was made aware of the error when a member who received the wrong tax receipt contacted it.
<p>Affected individuals</p>	<p>The incident affected 48 individuals, including 7 Alberta residents.</p>
<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • Sent letters to all of the incorrect recipients requesting that the documents be returned. • Offered one year free credit monitoring to all affected individuals. • Outlined steps that affected individuals could take to protect themselves against potential financial fraud or identity theft. • Steps taken to implement additional checks to ensure all data has been manually transferred (cut and pasted) correctly. • Now receives the file in a format that does not need to be cut and pasted manually.
<p>Steps taken to notify individuals of the incident</p>	<p>Affected individuals were notified by letter on either March 23, 2017 or March 24, 2017.</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 reported “For compromised tax slips there is a risk of identity theft or financial loss, as SIN was included.”</p> <p>I agree with the Organization. The financial and identity information could be used to cause the harms of identity theft, fraud or 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 it assessed “the likelihood of harm occurring at a medium-high risk. A number of factors were taken into consideration such as the sensitivity of the information compromised and the possibility of not being about to fully recover all information.” The Organization also reported that it “... recovered documents belonging to 22 of the 48 affected individuals (including documents belonging to 5 Alberta residents).”</p>

	<p>In my view, a number of factors reduce the likelihood of harm resulting in this case, including that the incident resulted from human error and not malicious intent, an unintended recipient reported the breach to the Organization, and some of the documents have been recovered. Nonetheless, considering the sensitivity of the information in this case, I am concerned that the Organization was not able to retrieve all the documents, despite attempts to do so.</p>
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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 whose information was not recovered by the Organization.

The financial and identity information could be used to cause the harms of identity theft, fraud or financial loss. A number of factors reduce the likelihood of harm resulting in this case, including that the incident resulted from human error and not malicious intent, an unintended recipient reported the breach to the Organization, and some of the documents have been recovered. Nonetheless, considering the sensitivity of the information in this case, I am concerned that the Organization was not able to retrieve all the documents, despite attempts to do so.

I require the Organization to notify the affected individuals in Alberta whose information was not recovered by the Organization, in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified affected individuals by letter on either March 23, 2017 or March 24, 2017 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner