



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

<b>Organization providing notice under section 34.1 of PIPA</b>	CIBC Wood Gundy (Organization)
<b>File number</b>	P2018-ND-024 (File #007645)
<b>Date notice received by OIPC</b>	January 29, 2018
<b>Date Organization last provided information</b>	January 29, 2018
<b>Date of decision</b>	February 5, 2018
<b>Summary of decision</b>	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals 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)(i) of PIPA.
<b>Section 1(1)(k) of PIPA "personal information"</b>	<p>The following information was involved in this incident:</p> <ul style="list-style-type: none"><li>• name,</li><li>• former address,</li><li>• Social Insurance Number,</li><li>• investment account number, and</li><li>• reportable income amount.</li></ul> <p>This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. The incident occurred in Alberta.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<p><b>Description of incident</b></p>	<ul style="list-style-type: none"> <li>• On December 8, 2017, the Organization reissued amended T5008 tax slips for the 2016 tax year. The original addresses on the 2016 tax file mailing were used and updated addresses were not obtained. As a result, clients who moved during that period were mailed tax slips to their former addresses.</li> <li>• Between December 19-22, 2017, the Organization was contacted by three clients advising that they received their amended tax slip addressed to their former home address.</li> <li>• On December 27, 2017, the Organization identified that the original addresses on the 2016 tax file were used to mail the amended tax slips and updated addresses were not obtained.</li> </ul>
<p><b>Affected individuals</b></p>	<p>The incident affected 6 residents of Alberta.</p>
<p><b>Steps taken to reduce risk of harm to individuals</b></p>	<ul style="list-style-type: none"> <li>• Monitoring returned mail.</li> <li>• Notified affected individuals.</li> <li>• Offered complimentary credit monitoring services.</li> </ul>
<p><b>Steps taken to notify individuals of the incident</b></p>	<p>The Organization notified affected individuals verbally and by mail sent January 26, 2018.</p>
<p><b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b></p>	
<p><b>Harm</b> 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 “...there is risk of identity theft and financial fraud.”</p> <p>I agree with the Organization. The identity, employment and financial information at issue could be used to cause identity theft and fraud. These are significant harms.</p>
<p><b>Real Risk</b> 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:</p> <p><i>15 Alberta residents were impacted.</i></p> <ul style="list-style-type: none"> <li>• <i>1 envelope was received as returned mail</i></li> <li>• <i>14 clients were contacted to determine if they received the amended tax slips of which:</i> <ul style="list-style-type: none"> <li>○ <i>8 clients confirmed receipt</i></li> <li>○ <i>3 clients confirmed non-receipt and were provided protective measures</i></li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ <i>3 clients we have been unsuccessful in speaking with to date. A letter has been mailed out advising of the matter and to contact [the Organization] to discuss protective measures if they have not received their amended tax slip.</i></li> </ul> <p><i>While there is no evidence of malicious intent, we have confirmed three envelopes have not been received nor returned ... and we have not been able to speak with the remaining three clients to confirm receipt. As the information is highly sensitive we believe there is potential for significant harm for these six individuals.</i></p> <p>I agree with the Organization. While the incident did not result from malicious intent (but rather human error), the information has not been recovered and its whereabouts is unknown.</p>
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**DECISION UNDER SECTION 37.1(1) OF PIPA**

Given the information reported by the Organization, I have decided that there is a real risk of significant harm to the affected individuals in this case.

The identity, employment and financial information at issue could be used to cause identity theft and fraud. While the incident did not result from malicious intent (but rather human error), the information has not been recovered and its whereabouts is unknown.

The Organization is required to notify the affected individuals in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individuals verbally and by mail sent January 26, 2018. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner