



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	RBC Life Insurance (RBC Life) (Organization)
Decision number (file number)	P2018-ND-159 (File #010352)
Date notice received by OIPC	November 29, 2018
Date Organization last provided information	November 29, 2018
Date of decision	December 3, 2018
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 whose personal information was collected in Alberta, 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,• address,• policy details,• social insurance number (for client and spouse),• insurance claim details including tax returns and medical documentation. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</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 October 5, 2018, a copy of a client’s claim file was sent from a third party supplier via courier to the Organization; however, it never reached its destination.

	<ul style="list-style-type: none"> The incident was discovered on November 7, 2018, when the Organization followed up with the third party supplier after approximately a month from the date the file was requested.
Affected individuals	The incident affected 2 individuals in Alberta.
Steps taken to reduce risk of harm to individuals	The Organization will review tracking processes to improve its ability to track documents and more effectively detect when a document has not arrived.
Steps taken to notify individuals of the incident	The Organization reported that it is "... in the process of notifying the individual."
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>The Organization reported potential harms resulting from the incident include "Identity Theft, Financial Harm and Embarrassment".</p> <p>In my view, the identity, insurance, financial and medical information at issue could be used to cause the significant harms of identity theft, financial loss and fraud. Health/medical information could potentially be used to cause hurt, humiliation or embarrassment.</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 "Based on the type of data, there is a moderate risk of harm to the individual. However; the file is most likely lost at either an [Organization] location or [Organization] Third party supplier location. [The Organization's] third party suppliers have privacy and security safeguards built into their agreements."</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased because the personal information has not been recovered, and the Organization does not know if it was stolen or misplaced. The Organization did not provide any information to support its belief that the information is "most likely lost" in a secure environment.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<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 individuals.</p> <p>The identity, insurance, financial and medical information at issue could be used to cause the significant harms of identity theft, financial loss and fraud. Health/medical information could potentially be used to cause hurt, humiliation or embarrassment.</p>	

The likelihood of harm resulting from this incident is increased because the personal information has not been recovered, and the Organization does not know if it was stolen or misplaced. The Organization did not provide any information to support its belief that the information is “most likely lost” in a secure environment.

I require the Organization to notify the affected individuals whose personal information was collected in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation) and **confirm to my office in writing within 10 days of the date of this decision that it has done so.**

Jill Clayton
Information and Privacy Commissioner