



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

<b>Organization providing notice under section 34.1 of PIPA</b>	Co-operators General Insurance Company (Organization)
<b>Decision number (file number)</b>	P2020-ND-040 (File #013617)
<b>Date notice received by OIPC</b>	July 30, 2019
<b>Date Organization last provided information</b>	February 25, 2020
<b>Date of decision</b>	April 8, 2020
<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>	The incident involved all or some of the following information: <ul style="list-style-type: none"><li>• name (presumably), and</li><li>• license class.</li></ul> This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.
<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>• On July 4, 2019, during a claim investigation process, the Organization’s claims representative provided the information at issue (license status) to the parent of a child injured in a claim involving a client’s son (the vehicle operator).</li><li>• The incident was discovered on July 5, 2019 when both of the vehicle operator’s parents contacted the Organization to complain about the disclosure.</li></ul>

	<ul style="list-style-type: none"> <li>The father of the injured individual took to social media bullying the operator of the vehicle.</li> </ul>
<b>Affected individuals</b>	The incident affected 1 individual residing in Alberta.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>Notified police who responded to the cyber bullying.</li> <li>Trained, and had discussions with, the Adjuster.</li> <li>Providing a privacy reinforcement/refresher at future claims meetings.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	The affected individual was notified by letter on July 30, 2019.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<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 the possible harm(s) that might result from the incident include “Cyber-bullying, however, the constable confirmed that [the vehicle operator] did indeed have a valid license and advised father and his daughter to stay off social media as there would be charges laid if the bullying continued.”</p> <p>I agree with the Organization’s assessment. A reasonable person would consider that, in the circumstances, the information at issue could be used to cause the harms of embarrassment, humiliation, loss of reputation, and bullying.</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 that “Confirmation that the claim is covered has been provided and there are no license restriction concerns and have been shared with the parties involved - the parties with the information have been warned that their behaviour could lead to charges, however, there is no way of controlling behaviours of others on social media.”</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is decreased as the breach resulted from human error and not malicious intent. However, the information that was disclosed was used to “bully” the affected individual. The Organization did not provide any additional information concerning whether or not information was taken down from social media sites.</p>
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
<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>A reasonable person would consider that, in the circumstances, the information at issue could be used to cause the harms of embarrassment, humiliation, loss of reputation, and bullying. The likelihood of harm resulting from this incident is decreased as the breach resulted from human error</p>	

and not malicious intent. However, the information at issue was used to “bully” the affected individual. The Organization did not provide any additional information concerning whether or not information was taken down from social media sites.

I require the Organization to notify the affected individual in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individual in a letter dated July 30, 2019 in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton  
Information and Privacy Commissioner