



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Servus Credit Union Ltd. (Organization)
Decision number (file number)	P2019-ND-060(File #014948)
Date notice received by OIPC	February 6, 2020
Date Organization last provided information	February 6, 2020
Date of decision	May 29, 2020
Summary of decision	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).
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">• full legal name,• address,• date of birth,• bank account number, and• financial information related to the mortgage renewal. <p>This information is about an identifiable individual and is "personal information" as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On January 14, 2020, an email containing mortgage renewal documents for an individual was sent to an unknown recipient with a name similar to the individual.• The incident was discovered when the member contacted the Organization asking about the status of the email.

Affected individuals	The incident affected 1 individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Tried to recall the email or confirm its deletion. • Closed existing account and reopened a new account. • Offered 24 months of credit monitoring. • Piloting a project for completing mortgage renewals via a new tool which provides a secure method of transfer.
Steps taken to notify individuals of the incident	The affected individual was notified verbally on January 20, 2020 and by letter on February 6, 2020.

REAL RISK OF SIGNIFICANT HARM ANALYSIS

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>The Organization reported that “There is a potential for identity theft or fraud as information disclosed included full legal name, birthdate, address, and bank account number. There is also a potential for physical harm as the physical address was disclosed.”</p> <p>I accept the Organization’s assessment. A reasonable person would consider that the contact, identity and financial information at issue could be used to cause the significant harms of identity theft and/or fraud. In addition, because the Organization reported that physical harm could occur in this incident as a result of the individual’s physical address being disclosed, I accept there is a potential for physical harm in this case.</p>
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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>The Organization reported that “As we were unable to recover the information or confirm its deletion, we have determined that its ongoing exposure increases the potential for harm.”</p> <p>I agree with the Organization. A reasonable person would consider that although the unauthorized disclosure was caused by human error and the email was accidentally sent to a known unintended recipient, the likelihood of harm resulting from this incident is increased because the Organization could not recall the email and was not able to obtain confirmation from the unintended recipient that the email was deleted and not copied, forwarded or otherwise distributed.</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 individual.

A reasonable person would consider that the contact, identity and financial information at issue could be used to cause the significant harms of identity theft and/or fraud. In addition, because the Organization reported that physical harm could occur in this incident as a result of the individual’s physical address being disclosed, I accept there is a potential for physical harm in this case.

Although the unauthorized disclosure was caused by human error and the email was accidentally sent to a known unintended recipient, the likelihood of harm resulting from this incident is increased because the Organization could not recall the email and was not able to obtain confirmation from the unintended recipient that the email was deleted and not copied, forwarded or otherwise distributed.

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 verbally on January 20, 2020 and by letter on February 6, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner