



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

<b>Organization providing notice under section 34.1 of PIPA</b>	ivari (Organization)
<b>Decision number (file number)</b>	P2020-ND-078 (File #014874)
<b>Date notice received by OIPC</b>	January 8, 2020
<b>Date Organization last provided information</b>	January 8, 2020
<b>Date of decision</b>	July 24, 2020
<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) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• address,</li><li>• date of birth,</li><li>• social insurance number, and</li><li>• health information.</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<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 December 4, 2019, a life insurance policy contract was placed in an incorrect courier envelope package.</li><li>• The policy contract was delivered to another General Agency office that is licensed with the Organization.</li></ul>

	<ul style="list-style-type: none"> <li>On December 16, 2019, the intended recipient (a licensed insurance advisor) contacted the Organization inquiring as to the whereabouts of the policy contact.</li> </ul>
<b>Affected individuals</b>	The incident affected 2 individuals.
<b>Steps taken to reduce risk of harm to individuals</b>	Developed a new process for mailing contracts, which will reduce the amount of manual processing required.
<b>Steps taken to notify individuals of the incident</b>	The affected individuals were notified by letter sent on January 8, 2020.
<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 that “identity theft” is a possible harm that may occur as a result of the breach.</p> <p>In my view, a reasonable person would consider the contact and identity information at issue could be used to cause the harms of identity theft or fraud. Health information could be used to cause humiliation and embarrassment. 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 that, “The likelihood that the individual's information will be misused for any purpose is low, as General Agency offices and licensed insurance advisors operate under a strict code of ethics and privacy conduct.”</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is decreased because the breach did not result from malicious action, but rather human error, and the unintended recipient is known to the Organization. However, the Organization did not provide any information concerning whether the policy contract was returned and/or securely destroyed by the unintended recipient.</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 individuals.</p> <p>A reasonable person would consider the contact and identity information at issue could be used to cause the harms of identity theft or fraud. Health information could be used to cause humiliation and embarrassment. These are significant harms.</p>	

The likelihood of harm resulting from this incident is decreased because the breach did not result from malicious action, but rather human error, and the unintended recipient is known to the Organization. However, the Organization did not provide any information concerning whether the policy contract was returned and/or securely destroyed by the unintended recipient.

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

I understand the Organization notified the affected individuals in a letter sent on January 8, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton  
Information and Privacy Commissioner