



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	The Canada Life Assurance Company (Organization)
Decision number (file number)	P2020-ND-084 (File #015186)
Date notice received by OIPC	July 26, 2019
Date Organization last provided information	July 26, 2019
Date of decision	July 24, 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 (formerly The Great West Life Assurance Company), 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,• email address, and• claims history. <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 type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• The Organization uses an online account system to allow plan members to submit health and dental claims electronically, review previous claims and coverage information, and set up direct deposit. The system contains the personal information of the member and his or her dependents, if any.

	<ul style="list-style-type: none"> • Due to an administrative and system error, a plan member logged into the system and was able to see account information for another member. • Both members belong to the same plan and are co-workers. • Sometime in March 2019, the member who had access to the other member’s account information reported the error to the Organization. • The breach ended on March 27, 2019.
Affected individuals	The incident affected 1 individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Suspended access to the account to prevent further exposure of the personal information. • Took steps to add rules and constraints to prevent similar errors from occurring.
Steps taken to notify individuals of the incident	The affected individual was notified by letter on July 3, 2019.
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 “The risk that the information could be used to cause the harms of hurt, humiliation and embarrassment.”</p> <p>In my view, a reasonable person would consider that the medical information at issue (claims history) could be used to cause the significant harms of hurt, humiliation and embarrassment. Email address could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are all significant harms.</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:</p> <p style="text-align: center;"><i>The letter was returned to our organization by the unintended recipient and the information was not exposed for a significant period of time; however, sensitive information was viewed by a coworker and due to the potential for personal/professional relationships between the affected individual and the unauthorized recipient, there is a real risk of hurt, humiliation and embarrassment as a result.</i></p> <p>It is not clear to me what the Organization is referring to by “The letter was returned to our organization”. In any event, in my view, a reasonable person would consider that the likelihood of harm is reduced because the incident resulted from human error and not malicious intent, and the unintended recipient contacted the Organization about the error. However, it appears there may be a</p>

	<p>personal/professional relationship between the affected individual and the individual who accessed the information at issue, increasing the likelihood of hurt, humiliation, embarrassment or damage to relationships in this case.</p>
<p>DECISION UNDER SECTION 37.1(1) OF PIPA</p>	
<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 the medical information at issue (claims history) could be used to cause the significant harms of hurt, humiliation and embarrassment. Email address could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are all significant harms.</p> <p>The likelihood of harm is reduced because the incident resulted from human error and not malicious intent, and the unintended recipient contacted the Organization about the error. However, it appears there may be a personal/professional relationship between the affected individual and the individual who accessed the information at issue, increasing the likelihood of hurt, humiliation, embarrassment or damage to relationships in this case.</p> <p>I require the Organization to notify the affected individual in Alberta in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified the affected individual in an email on July 3, 2019 in accordance with the Regulation. The Organization is not required to notify the affected individual again.</p>	

Jill Clayton
Information and Privacy Commissioner