



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

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| Organization providing notice under section 34.1 of PIPA | London Life Insurance Company (Organization) |
| Decision number (file number) | P2021-ND-004 (File #016768) |
| Date notice received by OIPC | October 10, 2019 |
| Date Organization last provided information | October 8, 2020 |
| Date of decision | February 16, 2021 |
| 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 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">• name,• address,• contact information,• social insurance number,• medical information,• banking information,• payor/joint account holder information (name and banking information), and• beneficiary information (name, date of birth and relationship to insured). <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 | |

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| <p>Description of incident</p> | <ul style="list-style-type: none"> On June 25, 2019, an insurance contract containing client personal information was sent from the Organization’s head office in Ontario to an advisor's office in Alberta. The contract was sent via secure mail through the Organization’s internal mail service but tracking information was not retained and the contract did not arrive at its destination. The incident was discovered on July 9, 2019, when the advisor confirmed that the contract had not arrived at the advisor's office. |
| <p>Affected individuals</p> | <p>The incident affected three individuals in Alberta.</p> |
| <p>Steps taken to reduce risk of harm to individuals</p> | <ul style="list-style-type: none"> Two affected individuals have been notified. The Organization is reviewing its tracking processes to improve its ability to track documents and more effectively detect when a document has not arrived. It has also created new processes to ensure a fulsome investigation and search are completed whenever a package is missing. |
| <p>Steps taken to notify individuals of the incident</p> | <p>Two of the three affected individuals were notified by letter on July 22, 2019 and “on or about October 9, 2019”.</p> <p>One of the affected individuals was not notified because according to the Organization “of the three incidents, only two gave rise to a Real Risk of Significant Harm. The two individuals who met the RROSH threshold were notified of the breach.”</p> |
| <p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p> | |
| <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 possible harm that might result from this incident include “identity theft, hurt, humiliation or damage to reputation.”</p> <p>I agree with the Organization’s assessment. A reasonable person would consider the contact, identity (social insurance number, date of birth), 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</p> | <p>The Organization reported “The contract is missing, and although it is possible it is missing within our organization or our agent's office, we are unable to determine where the contract is and who may have had access to it. There is a real risk of identity theft, hurt, humiliation and damage to reputation.”</p> |

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| between the incident and the possible harm. | 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. |
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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 individuals.

A reasonable person would consider the contact, identity (social insurance number, date of birth), 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. The likelihood of harm resulting from this incident is increased because the personal information has not been recovered.

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).

The Organization reported that it notified two of the affected individuals in letters dated July 22, 2019 and “on or about October 9, 2019”; however, one of the affected individuals was not notified because, according to the Organization “of the three incidents, only two gave rise to a Real Risk of Significant Harm”.

The Organization is required to confirm to my office in writing, within ten (10) days of the date of this decision, that all of the affected individuals for whom there is a real risk of significant harm as a result of this incident have been notified in accordance with the requirements outlined in the Regulation.

Jill Clayton
Information and Privacy Commissioner