



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Desjardins General Insurance Group (Organization)
Decision number (file number)	P2021-ND-144 (File #020855)
Date notice received by OIPC	May 3, 2021
Date Organization last provided information	May 18, 2021
Date of decision	June 2, 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 the individuals whose personal information was collected in Alberta, 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> <p><u>For 838 of the affected individuals</u></p> <ul style="list-style-type: none">• name,• address,• telephone number, and• date of birth. <p><u>For 12 of the affected individuals</u></p> <ul style="list-style-type: none">• name,• address,• telephone number,• date of birth,• social insurance number, and• “financial profile including detention”. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent the information was collected in Alberta, PIPA applies.</p>

DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none"> At the request of an acquaintance, an advisor with the Organization accessed and shared customer personal information via WhatsApp. The scheme was discovered in an internal investigation on seven (7) fraudulent accounts that were opened by the advisor. The Organization reported the incident occurred between January 22, 2019 and February 4, 2021. The breach was discovered on April 16, 2021.
Affected individuals	The incident affected 850 individuals, including 62 Alberta residents.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Provided identity theft protection, including a five-year credit monitoring to current customers. Completed an internal investigation. Terminated the employee. Reported the individual to law enforcement.
Steps taken to notify individuals of the incident	The Organization reported that affected individuals will be notified by May 21, 2021.
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.	The Organization reported the possible harms that may occur as a result of the breach are “Identity theft, financial loss, negative impact on credit report.” I agree with 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, fraud, financial loss, and negative impact on credit report.
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.	The Organization reported that the likelihood of harm is “High because former employee and individual were acting with ill intent.” I agree with the Organization’s assessment. A reasonable person would consider that the likelihood of harm resulting from this incident is increased, as it was the result of malicious intent (theft) by a (now former) employee.

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 that the contact, identity and financial information at issue could be used to cause the significant harms of identity theft, fraud, financial loss, and negative impact on credit report. The likelihood of harm resulting from this incident is increased, as it was the result of malicious intent (theft) by a (now former) employee.

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).

I understand the Organization reported that affected individuals will be notified by May 21, 2021. **The Organization is required to confirm to my office in writing, within 10 days of the date of this decision, that the affected individuals have been notified in accordance with the Regulation.**

Jill Clayton
Information and Privacy Commissioner