



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Canadian Western Financial Ltd. (Mutual Fund Dealer, subsidiary of Canadian Western Bank) (Organization)
Decision number (file number)	P2021-ND-246 (File #021024)
Date notice received by OIPC	March 22, 2021
Date Organization last provided information	March 22, 2021
Date of decision	December 1, 2021
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 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 operates in Alberta and 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,• name of client's former accountant,• client financial information consisting of:<ul style="list-style-type: none">- RRSP plan number (though no CWF account numbers)- specific mutual funds held,- current holdings in the mutual funds,- specific dollar amounts to be further invested in the mutual funds,- net worth information,- type of account held at another financial institution, and- name of that financial institution. <p>The information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent this information was collected in Alberta, PIPA applies.</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"> • A client with the Organization requested that email correspondence be sent to him at two separate email addresses: one a work email and the other a personal email. • An employee with the Organization entered the personal email address of the client incorrectly when sending an email on January 28, 2021. • The breach was discovered on February 1, 2021 when the client successfully received the email at his work email address and noticed that the personal email address was incorrect. • The Organization reported that it requested the unintended recipient “not read the email, permanently delete the email from their trash and inbox and confirm deletion back to the Organization CWF. No response from unintended recipient has been received to date.”
Affected individuals	The incident affected one (1) individual whose information was collected on Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Offered credit bureau monitoring services. • Ensured the client's correct email addresses are in the Organization’s systems. • Coached the employee on the importance of accuracy and care when sending sensitive personal information by email.
Steps taken to notify individuals of the incident	The affected individual was notified by letter (sent by email) on or about February 1, 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.	<p>The Organization reported that the possible harms that may occur as a result of the breach are “Identity theft and possible financial fraud.”</p> <p>In my view, a reasonable person would consider that the contact and financial information at issue could be used to cause the significant harms of identity theft, fraud, financial loss, and embarrassment.</p>

<p>Real Risk</p> <p>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 harm will result is “Low, but we have to date not been able to ascertain the identify (sic) of the unintended recipient who received the Personal Information in error.”</p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is decreased because the incident was a result of an error and not malicious intent. However, although the Organization requested that the unintended recipient not read the email, permanently delete the email from their trash and inbox and confirm deletion back to the Organization, the Organization reported that it has not received a response from the unintended recipient. Additionally, the Organization reported, “we have to date not been able to ascertain the identify (sic) of the unintended recipient who received the Personal Information in error.”</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 and financial information at issue could be used to cause the significant harms of identity theft, fraud, financial loss, and embarrassment. The likelihood of harm resulting from this incident is decreased because the incident was a result of an error and not malicious intent. However, although the Organization requested that the unintended recipient not read the email, permanently delete the email from their trash and inbox and confirm deletion back to the Organization, the Organization reported that it has not received a response from the unintended recipient. Additionally, the Organization reported, “we have to date not been able to ascertain the identify (sic) of the unintended recipient who received the Personal Information in error.”

I require the Organization to notify the affected individual 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 notified the affected individual by letter (sent by email) on or about February 1, 2021, in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner