



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Bow Valley Credit Union Ltd. (Organization)
Decision number (file number)	P2022-ND-037 (File #023754)
Date notice received by OIPC	October 14, 2021
Date Organization last provided information	October 14, 2021
Date of decision	August 26, 2022
	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify those individual whose personal information was collected in Alberta pursuant to section 37.1 of <i>the 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,• Canada Revenue Agency (CRA) account number and amount owing, and• social insurance number. <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.</p> <p>The personal information was collected in Alberta therefore I have jurisdiction in this matter.</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">• On August 6, 2021, a Requirement to Pay (RTP) notice from the CRA was sent to a wrong email address in error.

	<ul style="list-style-type: none"> • The RTP was sent to an email address of a service provider instead of internally within the Organization. • The incident was discovered on October 8, 2021, when the CRA contacted a branch of the Organization asking about the RTP.
Affected individuals	The incident affected one (1) individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Requested the service provider delete all copies of the email sent in error and attachments.
Steps taken to notify individuals of the incident	Affected individual was notified by letter and email on October 13, 2021.

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 possible harm that might result from this incident is ‘<i>Financial Harm.</i>’</p> <p>I agree with the Organization’s assessment. A reasonable person would consider the name, address, CRA account information, and social insurance number could be used to cause the harms of identity theft or fraud and damage to reputation or relationships. These are significant harms.</p>
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<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 that</p> <p><i>‘... the risk is low because we have an existing business relationship with this service provider. They have confirmed that they deleted the email and provided a copy of their privacy policy which outlines their commitment to protecting personal information. That said the risk is still possible and we cannot be sure that no harm will occur so we felt that it would be better to notify the member so that they can take steps to protect themselves.’</i></p> <p>In my view, the likelihood of harm resulting from this incident is increased because of the because of the nature of the personal information involved.</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.

The name, address, CRA account information and social insurance number could be used to cause the harms of identity theft or fraud and damage to reputation or relationships. These are significant harms.

The likelihood of harm resulting from this incident is increased because of the nature of the personal information involved.

I understand the Organization notified the affected individual in an email and letter on October 13, 2021 in accordance with the Regulation. The Organization is not required to notify the affected individual again.

A handwritten signature in black ink, appearing to read 'C. Stelmack', followed by a horizontal line.

Cara-Lynn Stelmack
Assistant Commissioner, Operations and Compliance