



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	RBC Life Insurance Company (Organization)
<b>Decision number (file number)</b>	P2020-ND-019 (File #013355)
<b>Date notice received by OIPC</b>	June 4, 2019
<b>Date Organization last provided information</b>	June 4, 2019
<b>Date of decision</b>	February 14, 2020
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The information at issue was in a letter concerning a claimant and includes information about the claimant’s marital status, personal and family history, and medical advice regarding communications with the claimant’s employer.</p> <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On June 26, 2018, the Organization emailed a claimant’s letter to the claimant’s employer in error. The letter was addressed to the claimant and contained personal and health information about the claimant.</li><li>• The employer contacted the Organization on June 28, 2018 to report the error. The employer agreed to delete the email and confirmed that it did not save a copy of the letter.</li></ul>

<b>Affected individuals</b>	The incident affected 1 individual.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Requested the employer delete the email and not retain a copy.</li> <li>• Reported the breach internally.</li> <li>• Increased staff awareness and training.</li> <li>• Implemented a new breach reporting system that provides notification alerts of all reports including anything saved in a draft.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	The affected individual was notified verbally and by telephone on June 28, 2018.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<b>Harm</b> 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 possible harms that might result from this incident include “Embarrassment [sic] and loss of employment...On August 10, 2018 the claimants position was eliminated and employment terminated”.</p> <p>In my view, a reasonable person would consider the information at issue could be used to cause the harms of hurt, humiliation and embarrassment, as well as harm to the employment relationship.</p>
<b>Real Risk</b> 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>The Organization reported that “The employer maintains that the clients position was eliminated along with many other positions within the company. The claimant feels that this breach may have impacted the employers decision to terminate her employment.”</p> <p>In my view, a reasonable person would consider that the likelihood of harm is decreased because the breach did not result from malicious intent, but rather human error and the unintended recipient reported the error and agreed to destroy the information. However, these factors do not mitigate the type of harm that might result from this breach (hurt, humiliation and embarrassment, as well as harm to the employment relationship) and the professional relationship between the affected individual and the unintended recipient exacerbates the potential harm.</p>
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
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 the information at issue could be used to cause the harms of hurt, humiliation and embarrassment, as well as harm to the employment relationship. The likelihood of harm is decreased because the breach did not result from malicious intent, but rather human error and the unintended recipient reported the error and agreed to destroy the information. However, these factors do not mitigate the type of harm that might result from this breach (hurt, humiliation and embarrassment, as well as harm to the employment relationship) and the professional relationship between the affected individual and the unintended recipient exacerbates the potential harm.

I require the Organization to notify the affected individual in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the affected individual was notified verbally and by telephone on June 28, 2018. The Organization is not required to notify the affected individual again.

Jill Clayton  
Information and Privacy Commissioner