



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Servus Credit Union Ltd. (Organization)
Decision number (file number)	P2020-ND-044 (File #015079)
Date notice received by OIPC	June 7, 2019
Date Organization last provided information	June 7, 2019
Date of decision	May 1, 2020
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 affected individual 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"	The information at issue includes the reasoning behind the Organization's decline of an individual's loan application. The information is about an identifiable individual and is "personal information" as defined in section 1(1)(k) of PIPA.
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 May 24, 2019, an employee of the Organization verbally disclosed information about a loan application to an individual's adult son in error. Both individuals have the same first and last name.• The employee who made the disclosure realized the error on May 27, 2019 when speaking with other branch employees after the individual telephoned looking for an update to the loan application.
Affected individuals	The incident affected 1 individual.

Steps taken to reduce risk of harm to individuals	Messaged the account to confirm identity before discussing account details.
Steps taken to notify individuals of the incident	The affected individual was notified by letter on June 7, 2019.
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 “...there is a possibility for reputational harm to the individual”.</p> <p>In my view, a reasonable person would consider that the financial information at issue could be used to cause the significant harms of hurt, humiliation, embarrassment and damage to reputation, particularly if disclosed to someone with a personal relationship with the affected individual.</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 between the incident and the possible harm.</p>	<p>The Organization reported “As this information was disclosed [sic] to a family member with whom the individual claims a strained relationship, we have determined that the likelihood of harm is reasonable”. The Organization also said “As this was a verbal disclosure, we are unable to confirm deletion or destruction of the information involved”.</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is reduced because it did not result from malicious intent, but rather human error. However, the Organization has confirmed a strained personal relationship between the affected individual and the unintended recipient of the information, making harm more likely.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<p>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.</p> <p>A reasonable person would consider that the financial information at issue could be used to cause the significant harms of hurt, humiliation, embarrassment and damage to reputation, particularly if disclosed to someone with a personal relationship with the affected individual. The likelihood of harm resulting from this incident is reduced because it did not result from malicious intent, but rather human error. However, the Organization has confirmed a strained personal relationship between the affected individual and the unintended recipient of the information, making harm more likely.</p> <p>I require the Organization to notify the affected individual, in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p>	

I understand the affected individual was notified by letter on June 7, 2019. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner