

**PIPA CASE SUMMARY P2009-CS-003*****Insurance company changes its practices with respect to use of personal information collected through its online insurance quote system*****Summary**

The Complainant alleged that Johnson Inc. (Johnson) used his personal information to mail him offers to quote on his insurance needs. He did not wish to receive any further offers and wanted to know how Johnson had acquired his personal information (name, contact information, insurance policy expiry dates and the fact of his credit union membership) to use to mail him solicitations. He attempted to contact Johnson to resolve the matter, but did not receive a response.

**Jurisdiction**

The *Personal Information Protection Act* (PIPA) applies to provincially-regulated private sector organizations operating in Alberta, including Johnson. The Commissioner has jurisdiction in this case because Johnson is an "organization", as defined in section 1(i) of PIPA. Section 36 of PIPA empowers the Commissioner to conduct investigations to ensure compliance with any provision of PIPA and make recommendations to organizations regarding their obligations.

**Analysis & Findings**

The investigator found that Johnson initially acquired the personal information at issue when the Complainant accessed Johnson's online quote system in 2004. At that time, there was a link from the online quote screen to Johnson's privacy policy which advised potential customers that their personal information might be used to contact them to offer "other available, related insurance products". The investigator found that the Complainant voluntarily provided information for the obvious purposes of an initial insurance quote, and that the information collected by Johnson was reasonable in extent for this purpose. However, the link to Johnson's privacy policy did not constitute adequate notice of Johnson's intention to use personal information for marketing mailings. Further, Johnson did not obtain the complainant's consent to use his personal information to contact him to offer other insurance products, and therefore contravened section 7(1)(c) of PIPA when it used his personal information for this purpose.

Since 2004, Johnson has revised its practices to always seek consent from individuals to use their personal information for secondary marketing purposes. This is achieved through specific telephone scripting at first contact, at which time individuals are asked to specifically consent to future contact.

**Recommendation**

**The investigator found that Johnson contravened section 7(1)(c) of PIPA.**

The investigator recommended that Johnson revise its online quote screen to provide notice of secondary marketing purposes and to allow customers to opt-out of those purposes from that screen, rather than through a link to its privacy policy. Johnson was also advised that it should enhance its procedures to make certain that inquiries from individuals regarding the use of their personal information receive an appropriate response. Johnson agreed to implement these recommendations in the process of revising its online quote system while maintaining system stability and data integrity.