Office of the Information and
Privacy Commissioner of Alberta

PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Co-operators General Insurance Company (CGIC), Co-operators Life Insurance Company (CLIC) (Organization)
Decision number (file number)	P2021-ND-172 (File #017798)
Date notice received by OIPC	October 20, 2020
Date Organization last provided information	June 16, 2021
Date of decision	August 27, 2021
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals whose personal information was collected in Alberta, pursuant to section 37.1 of the *Personal Information Protection Act* (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 incident involved all or some of the following information: • name of policy owner, • name of others associated with the policy, • address, • telephone number, • email address, • policy type, • premium amounts, • policy numbers, • renewal dates, • policy limits, and • deductible amounts. <u>Additional documentation of 5 individuals</u>: • financial information related to TFSA, RRSP and RESP accounts, • corporate credit card numbers including CCV and expiry date, • screen shots of internal IT systems showing name, address, DOB, gender, policy numbers, policy types, and payment information.

	This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. To the extent the information was collected in Alberta, PIPA applies.
DESCRIPTION OF INCIDENT	
☒ loss ❑ unauthorized access ❑ unauthorized disclosure	
Description of incident	• In late 2019, the Organization discovered that an employee with one of its independent agencies emailed several documents containing client personal information to his personal email account. • The Organization also discovered that this individual might have taken physical documents containing client personal information. • The Organization reported that, at the time, the individual was an employee with the independent agency and thus a representative of the Organization and while the emailing was inappropriate, the Organization felt there was minimal risk to the individuals involved. • The individual's employment with the independent agency ended in December 2019. • On September 2, 2020, the Organization discovered that the individual sent additional emails to his personal email account between October 1, 2019 and December 31, 2019, which contained personal information of the Organization's clients.
Affected individuals	The incident affected approximately 1,900 individuals of which 7 were Alberta residents.
Steps taken to reduce risk of harm to individuals	• Retained external legal counsel. • No longer providing spreadsheets containing personal information to its independent agents and only available through a secure online portal. • Implemented access rights controls. • Sent a communication reminder to all insurance agents that they are prohibited from sending any confidential information, including but not limited to client personal information, to their personal email addresses. • Investigating additional controls to flag when information has been sent to personal email accounts. • Attempting to confirm that personal information is no longer possessed by the individual. • Reported the incident to data protection commissioners.

Steps taken to notify individuals of the incident	Affected individuals were notified by letter on November 2, 2020.
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.	The Organization reported, *We have evidence that the former (...) employee was misusing other personal informaiton (sic) for his personal gain. We have no evidence to believe the resident (sic) of AB's information was misused, however, feel there is a risk of harm.* In my view, a reasonable person would consider that the contact, identity and financial information at issue could be used to cause the harms of identity theft and fraud. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are significant harms.
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.	The Organization reported, *The motive of the former employee was quite clear and has since been addressed, therefore, we believe the likelihood of using the information is low.* In my view, a reasonable person would consider that the likelihood of identity theft and fraud resulting from this incident is increased because it resulted from deliberate and malicious actions (unauthorized access and theft) by a rogue employee, acting over the course of approximately 20 months.
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 individuals. A reasonable person would consider that the contact, identity and financial information at issue could be used to cause the harms of identity theft and fraud. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are significant harms. The likelihood of identity theft and fraud resulting from this incident is increased because it resulted from deliberate and malicious actions (unauthorized access and theft) by a rogue employee, acting over the course of approximately 20 months. I require the Organization to notify the affected individuals whose personal information was collected in Alberta, in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).	

I understand that affected individuals were notified by letter on November 2, 2020. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner