

Independent Review into a cyber incident

Terms of Reference

1 Background

The New Zealand Nurses Organisation (NZNO) is committed to protecting the information it collects from members in accordance with the provisions of the Privacy Act 1993. The information collected from members is used by NZNO in its membership systems for the purposes of the Employment Relations Act 2000. Information collected is intended to be used to advance member goals for political, professional and industrial campaigns.

Mailing list information is passed on to companies who distribute Kai Tiaki Nursing New Zealand, provide membership benefit packages and undertake research and development of contracts specific to the NZNO business, under agreements which ensure it is kept confidential and not used for any other purpose.

On Tuesday 1 November 2016 at 11.50am an e-mail was released and sent from NZNO to a yahoo.com e-mail address. The e-mail contained the NZNO membership list with first and last name as well as the e-mail address of all NZNO members. The release of this information resulted in a breach of the privacy of NZNO members whose information was contained in the membership list.

This document sets out the purpose, objectives and process of an independent review into the cyber incident which resulted in the release by NZNO of the membership list with first and last name as well as the e-mail address of all NZNO members to a yahoo.com e-mail address.

2 Purpose

The purpose of the independent review is to establish what happened, how and to identify controls that need to be put in place to prevent a similar cyber incident occurring in future, including what can be learned from this cyber incident.

3 Key Objectives of the independent review

1. Identify and describe the cyber incident and its nature
 - a. What happened and how including the precise actions that occurred leading up to and after the cyber incident
 - b. Who was affected, including an assessment of the likely harm to be experienced by the impacted NZNO members, staff and stakeholders as a result of the cyber incident, in the immediate and long-term
2. Identify and describe what can be learned including policy and system improvement to prevent a similar incident from occurring in future
 - a. A review of the existing control environment and control effectiveness
 - b. An assessment of adequacy of existing relevant policies
 - c. Recommendations on the development of new, additional or changes to the control environment

3. Review of NZNO's response to the cyber incident
 - a. An assessment of NZNO's response to the cyber incident and privacy breach in accordance with the Privacy Act 1993, and any other New Zealand privacy laws, regulations, and related codes of practice.
4. Recommendation
 - a. Provide recommendation as appropriate based on 1 to 3 above.

4 Key Deliverables

The key deliverable from the independent review will be a:

1. Report setting out the findings and recommendations from the independent review
2. A data breach response plan for consideration

The report will be presented to:

- a. The Chief Executive
- b. Staff responsible for the oversight and management of the member information data base
- c. The NZNO Board
- d. Relevant stakeholders

5 Exclusions

The independent review will not be responsible for implementation of findings, recommendations, including any adopted plans and policies. Any implementation of finding and recommendations will be subject to the approval by the Chief Executive or the Board.

6 Process

To meet its objectives, the independent review process may use a mix of communication methods, including teleconferences, emails, on site face-to-face meetings:

- Information and data collection related to the cyber incident
- Review and analysis of existing policies
- On site interviews with relevant staff and key stakeholders
- Seek advice from experts and peers from around New Zealand, as appropriate

8 Timetable

Following are the key milestones for the Independent review:

Milestone	Estimated Completion Date
Terms of Reference signed off by Chief Executive	Tuesday 8 November 2016
Board advised of Independent review terms of reference, timeline and independent reviewer	Tuesday 8 November 2016
Independent reviewer appointed and confirmed	Wednesday 9 November 2016
Terms of Reference presented to appropriate staff responsible for the oversight and management of the member information data base for their information and attention	Wednesday 9 November 2016
Confirm final terms of reference to Independent reviewer	Friday 11 November 2016
Information gathering by independent reviewer	Friday 11 November to Wednesday 23 November 2016
Independent reviewer on-site visit	Tuesday 22 and Wednesday 23 November 2016
Report to Chief Executive	Wednesday 30 November 2016
Report presented for comment to appropriate staff responsible for the oversight and management of the member information data base	Monday 5 December 2016
Report to Board	Wednesday 14 December 2016

9 Contact Persons

For the purposes of this review, the Independent reviewer's contact person in NZNO will be:

- a. Jane MacGeorge, Manager, Nursing and Professional Services
- b. Fiona Shand, PA to the Chief Executive

10 Relevant Stakeholders

For the purposes of this independent review the reviewers may consult with other stakeholders such as the New Zealand:

- a. Office of the Privacy Commissioner
- b. Government Communications and Security Bureau
- c. The National Cyber Security Centre
- d. Department of Prime Minister and Cabinet
- e. Police
- f. Department of Internal Affairs
- g. Ministry of Health – Office of the Chief Nurse

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