11 January 2021

Dr Andrew Chen
By email to: fyi-request-14405-352bceaf@requests.fyi.org.nz

Dear Dr Chen

OFFICIAL INFORMATION REQUEST – OUR REFERENCE: IR-01-21-233

I refer to your Official Information Act (OIA) request, submitted via the FYI website on 6 January 2021, which seeks a copy of the *Terms of Reference* or similar document for our organisation's Security and Privacy Reference Group (SPRG), together with a list of the current members of SPRG and their positions.

In response, please find <u>attached</u> a copy of the current SPRG *Terms of Reference.* You will see that the membership of the Reference Group is spelt out at para [8]*.*

In line with the guidance and case notes issued by the Office of the Ombudsman (www.ombudsman.parliament.nz/news/new-guide-and-case-notes-names-and-contact-details-public-sector-employees), I can further confirm the names of those Police staff who currently hold the positions which confer membership of SPRG. With the exception of AC: Service and Resolutions - a position not currently filled - they are: AC Mike Rusbatch (Chief Security Officer); Supt Bruce Bird (District Commander representative); myself; Supt Rob Cochrane (Chief Information Officer); Det Supt Tom Fitzgerald (NM: Criminal Investigations); Michelle Diston (Acting NM: Infrastructure); Mike Flahive (Chief Privacy Officer); and Jay Garden (Chief Information Security Officer).

In closing, I trust you find this response helpful. You have the right to seek an investigation and review by the Ombudsman of these decisions.

Respectfully

[signature]

Mike Webb
Director: Assurance

Security and Privacy Reference Group
Terms of Reference

Purpose

1. The Security and Privacy Reference Group (SPRG) governs the development and implementation of Police's protective security and privacy work programmes; helps identify and manage security and privacy related risks; and guides the development of security and privacy related policies, standards and guidelines. In doing so, SPRG plays an important role in Police's wider governance environment.

Key responsibilities

2. Through effective governance, the Police Executive has committed to maintain an environment which protects its employees, information and assets. Acting under delegated authority from the Executive, the SPRG is responsible for ensuring Police has capability in place for implementing and managing effective Protective Security Requirement (PSR) arrangements within Police, and for maturing the core privacy expectations for government agencies set by the Government Chief Privacy Officer (GCPO).

3. The SPRG:

    3.1 Directs the strategic approach for security and privacy across Police;

    3.2 Improves the management of security, privacy and service continuity risks;

    3.3 Ensures security and privacy policies, protocols and management requirements align with Police objectives and needs;

    3.4 Ensures Police security and privacy governance, personnel security, information security and physical security measures meet with PSR and GCPO expectations;

    3.5 Sets PSR and privacy maturity objectives and oversees progress towards those objectives.

Tolerances

4. The scope of the SPRG is to ensure appropriate strategic guidance is provided around Police's security and privacy efforts, and that the organisation's annual PSR and privacy work programmes are successfully delivered. This involves overseeing relationships, security and privacy risks and issues, planning and business dependencies; all within the wider context of other Police Executive imperatives.

Decision making

5. In order to achieve the goals of the SPRG, it is critical that advice and documents provided to the Chair are generated without constraint, and are a free and frank expression of ideas or fact. Operating such a principle is essential to ensure a range of opinions are available to produce robust and good quality advice to support SPRG decision making.

Inputs to the SPRG

6. SPRG discussions will be guided by the following inputs:

    6.1 Monthly reports and papers from members, including updates on Protective Security and Privacy;

    6.2 Strategic and operational reports from ICTSC, the Infrastructure Group (National Property Office) and other stakeholder groups;

    6.3 Specific proposals for Police to engage with emergent technologies; and

    6.4 Other papers as required.

Deliverables

7. The SPRG will oversee the following deliverables:

    7.1 Periodic reporting to the Organisational Capability Governance Group (OCGG), including making recommendations as to the privacy, security and ethical implications of proposals to engage with emergent technologies;

    7.2 Annual security and privacy self-assessment reporting to the Commissioner and Executive;

    7.3 Outcomes associated with Police's rolling work programmes for protective security and privacy;

    7.4 Mandated government PSR requirements and implementation of good privacy practice to meet GCPO expectations.

Membership

8. Members of the SPRG are:

    - Chief Security Officer (Chair)
    - AC: Service and Resolutions
    - District Commander representative
    - Director: Assurance
    - Chief Information Officer

    - NM: Criminal Investigations
    - NM: Infrastructure
    - Chief Privacy Officer
    - Chief Information Security Officer.

9. The Assurance Group's Principal Advisor: Protective Security and Principal Advisor: Privacy, as well as the National Criminal Investigation Group's Manager: Intercept/Technology Operations, are standing attendees at SPRG meetings, and may be invited to offer observations and other input by the members.

10. Other attendees for specific meetings or agenda items may be arranged with the Chair's permission.

'Need to know' principle

11. In the interest of security, and due to the specialised nature of some Police tasks and the relationships with other agencies, the '*need to know*' principle will apply to some SPRG agenda items and content.

Coordination

12. The Data and Information Steering Group (DISG) coordinates Police's strategies, practices and improvement programmes concerning data, information and ICT services. The SPRG interacts with the DISG, keeping it informed of information security and privacy matters that might impact on the wider information strategy, or on any aspect of data and information quality at New Zealand Police.

13. The OCGG holds primary responsibility for the governance of Police's operational and people capabilities, including much of the business that is escalated from SPRG. The SPRG maintains close links with the OCGG and provides it with visibility over its activities. In turn, the OCGG may choose to escalate certain SPRG-related matters or topics for consideration by the Executive Leadership Team.

Meetings

14. **Frequency and duration**: Formal meetings will be held every two months, with any urgent, off-cycle, matters to be addressed by circulation of papers out-of-session. Meetings will be scheduled to run for 90 minutes, but with the expectation that often matters will be able to be dealt with within an hour.

15. **Quorum and Attendance**: Members are expected to attend all meetings. Substitutes may only attend where members are absent on formal business or leave, and authorities have been formally delegated. A quorum will be achieved when five permanent members are present.

Secretariat

16. **Secretariat**: Secretariat services for the SPRG are provided by the Assurance Group.

17. **Agenda items and papers**: The meeting agenda is managed by the Secretariat on behalf of the Chair. Agenda items and papers should be provided to the Secretariat at least 5 working days before the meeting, to allow for circulation at least 3 working days before the meeting. Each item should identify the sponsor and person/s who will speak to it, and include feedback from any consultees on the paper.

18. **Minutes**: The Secretariat will circulate draft minutes of meetings within one week of each meeting.