2 June 2022

Scott Miller
Email: fyi-request-17423-c2aad5c2@requests.fyi.org.nz

Dear Scott,

**Requests for official information relating to reports and commissioner and FRAC meeting minutes on cyber security**

We refer to our decision letter dated 24 January 2022 in response to your request for official information on 7 December 2021 (copy **attached)**.

We note that on Tuesday, 17 May 2022 you submitted a further information request, this one for:

- Copies of the minutes of all Commissioners' and Finance Risk and Audit Committee meetings, dated since the beginning of December 2021.

Specifically, the sections of these minutes that deal with the topics of:

- The Waikato DHB ransomware attack and its aftermath Digital systems, digital investment and cybersecurity at Waikato DHB generally

1) The DHB maintains that the decision made on 24 January 2022 was sound. However, noting that some time has passed since your earlier request, and we acknowledge ongoing public interest, we are giving further consideration to your information request of 7 December 2021 in conjunction with the request dated 17 May 2022.

2) As indicated in our letter dated 24 January 2021, the DHB is committed to being open and transparent, but we must also balance the risks, particularly cyber risks associated with disclosure. We are conscious that malicious cyber actors closely monitor publicly available information and the focus of your information requests could directly, but inadvertently, contribute to further harm. In order to prevent either goading or encouraging the attacker or copycats, and to avoid putting information that would assist in a further attack in the public domain, unfortunately much of what has been requested must be withheld.

3) We are also conscious of the consideration of stakeholders from across the sector and of the need to consult prior to disclosure.

**Decision**
The DHB will need to consult with affected stakeholders prior to making a decision on the requests. This is due to a number of factors including the significance of the cyber event.

Therefore, pursuant to section 15A(1), the DHB has extended the time on your request to 11 July 2022

You have the right to request the Ombudsman investigate and review the decision to extend the time to respond. The Ombudsman's postal address is:

The Ombudsman
Office of the Ombudsmen
P O Box 10-152
WELLINGTON

Yours sincerely,

**GARRY JOHNSTON**
**ACTING EXECUTIVE DIRECTOR DIGITAL ENABLEMENT**

24 January 2022

Scott
Email: fyi-request-17423-c2aad5c2@requests.fyi.org.nz

Dear Scott,

**Official Information Act Request**

Thank you for your enquiry received on 7 December 2021 made under section 12 of the Official Information Act 1982. Your request was as follows:

1) ***The minutes of the FRAC and Commissioner's meetings scheduled to be held on 24 November.***

We have used the same scope as your original request:

***a) The Waikato DHB ransomware attack and its aftermath***
***b) Digital systems, digital investment and cybersecurity at Waikato DHB generally***

We enclose the minutes for the 24 November 2021 FRAC meeting.

Information contained in the minutes that we consider to be out of the scope of your request has not been provided to you and has been redacted – see redactions marked in red.

Waikato DHB considers it is necessary to withhold some of the documents contained in the minutes pursuant to the following sections of the Official Information Act 1982:

- Sections 18(a) and 9(2)(a)which "*enables information to be withheld if this is necessary to protect the privacy of natural persons and this is not outweighed by any public interest in its release and this is not outweighed by any public interest in its release".*

- Sections 18(a) and 9(2)(ba)(i) which *"enables information to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provider under the authority of an enactment where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied and this is not outweighed by any public interest in its release".*

- Sections 18(a) and 9(2)(c) which *"enables information to be withheld if this is necessary to avoid prejudice to measures protecting the health or safety of members of the public and this is not outweighed by any public interest in its release".*

- Sections 18(a) and 9(2)(e) which *"enables information to be withheld if this is necessary to avoid prejudice to measures that prevent or mitigate*

*materials loss to members of the public and this is not outweighed by any public interest in its release".*

- Sections 18(a) and 9(2)(h) which *"enables information to be withheld if this is necessary to maintain legal professional privilege and this is not outweighed by any public interest in its release".*

  The information that has been withheld is redacted in Black.

2) ***The "Close Out" and "Lessons Learned" reports for the ransomware attack, mentioned on page 61 of your initial response: "…the close out report and lessons learned report would be submitted to the November informal Commissioner meeting for consideration."***

3) ***The June Chief Executive's Report (23 June Commissioner's meeting Item 4)***

4) ***The report titled "Governance Discussion and/or Decisions re Disaster Recovery and Cyber Security since 1 July 2018" (28 July FRAC meeting Item 10.1)***

5) ***The report titled "Programme Review – Recovery from Cyber Attack" (28 July FRAC meeting Item 10.3)***

6) ***The report titled "Cyber Security Update and Future Plans" (28 July FRAC meeting Item 10.4)***

7) ***The report titled "Cyber Incident: Legal and Regulatory Update" (28 July FRAC meeting Item 10.6)***

8) ***The report titled "Cyber Security Update" (25 August FRAC meeting Item 10.1)***

9) ***The report titled "Cyber Security Incident – Transition to Business as Usual and Lessons Learned" (22 September Commissioner's meeting Item 6.2)***

10) ***The report titled "Cyber Security Strategy" (27 October FRAC meeting Item 10.1)***

We have considered your request for copies of the reports mentioned in your request (Numbers 2-10). The DHB's decision is to decline pursuant to the following sections of the Official Information Act

- Sections 18(a) and 9(2)(a): which "*enables information to be withheld if this is necessary to protect the privacy of natural persons and this is not outweighed by any public interest in its release and this is not outweighed by any public interest in its release".*

- Section 6 (c): Releasing this information would be likely to prejudice the maintenance of the law, including the prevention, investigation and detection of offences.

- Section 9 (2) (c): the withholding of this information is necessary to avoid prejudice to measures protecting the health or safety of members of the public; and

- Section 9 (2) (e): the withholding of this information is necessary to avoid prejudice to measures that prevent or mitigate material loss to members of the public

- Section 9 (2) (k): the withholding of the information is necessary to prevent the use of information for improper gain or advantage.

- Sections 18(a) and 9(2)(h) the withholding of the information if this is necessary to maintain legal professional privilege and this is not outweighed by any public interest in its release".

11) ***The report titled "Lessons Learned Update" (27 October FRAC meeting Item 10.4)***
This meeting item was a verbal update as per attached document.

The public interest in disclosing the information requested does not outweigh these needs to withhold the information.

District Health Boards are committed to the prevention, detection and investigation of cyber threats.

Our protections include limiting the information about cybersecurity activities that we make public, as this could increase the chance of attacks in the future.

On behalf of the community, it is very important that we protect information about our cybersecurity strategies and methods as much as possible to ensure criminals do not use that information to hinder or bypass our security controls.

There is information on the DHB's website that might be of interest to you. Here is a link to the page https://www.waikatodhb.health.nz/information-system-update-service-and-clinic-latest/

Waikato DHB supports the open disclosure of information to assist community understanding of how we are delivering publically funded healthcare. This includes the proactive publication of anonymised Official Information Act responses on our website from 10 working days after they have been released.

You have the right to request the Ombudsman investigate and review the decision to withhold the information. The Ombudsman's postal address is:

The Ombudsman
Office of the Ombudsmen
P O Box 10-152
WELLINGTON

Yours sincerely

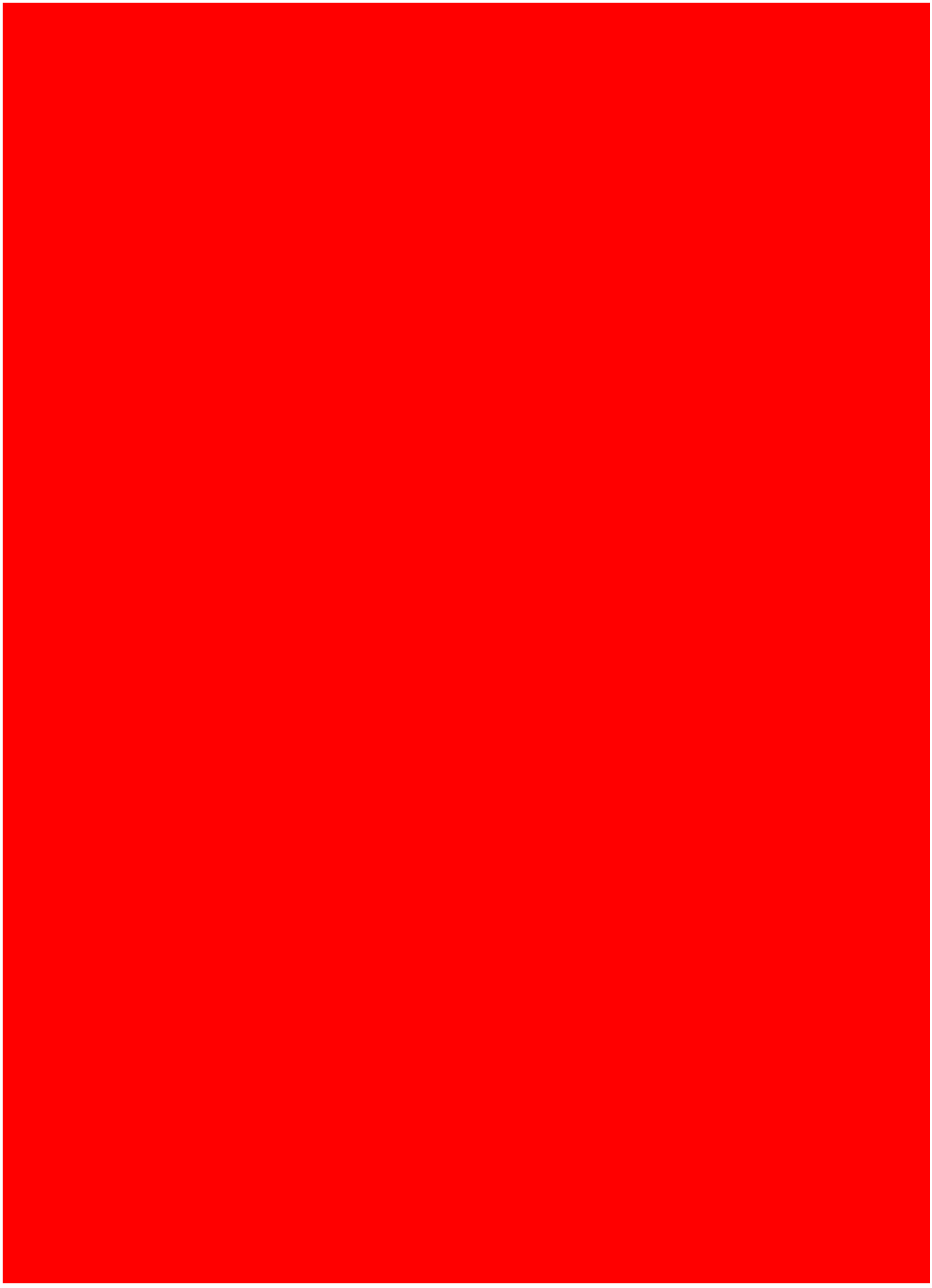
Mike Foley
**Executive Director Digital Enablement**

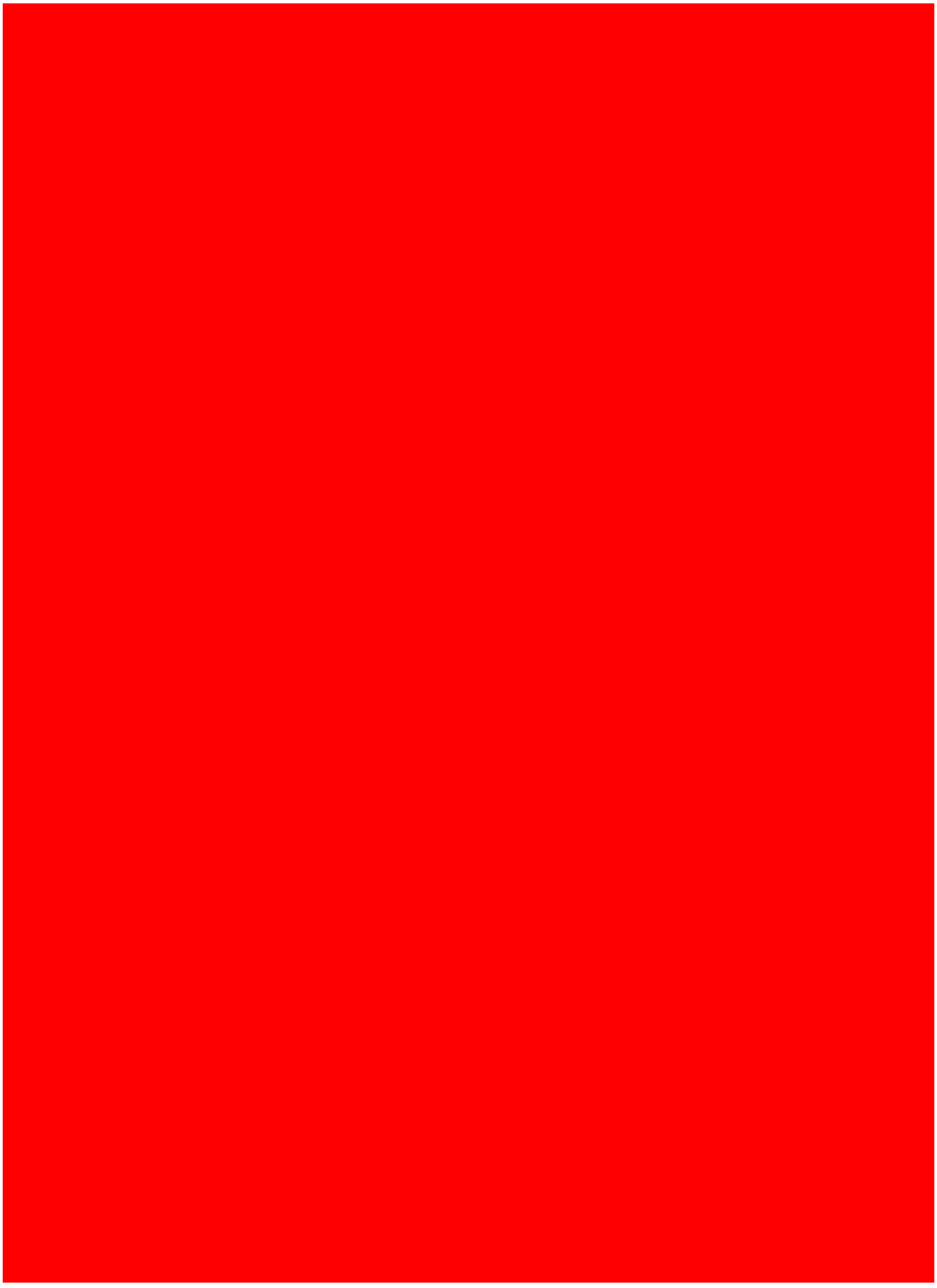
# WAIKATO DISTRICT HEALTH BOARD

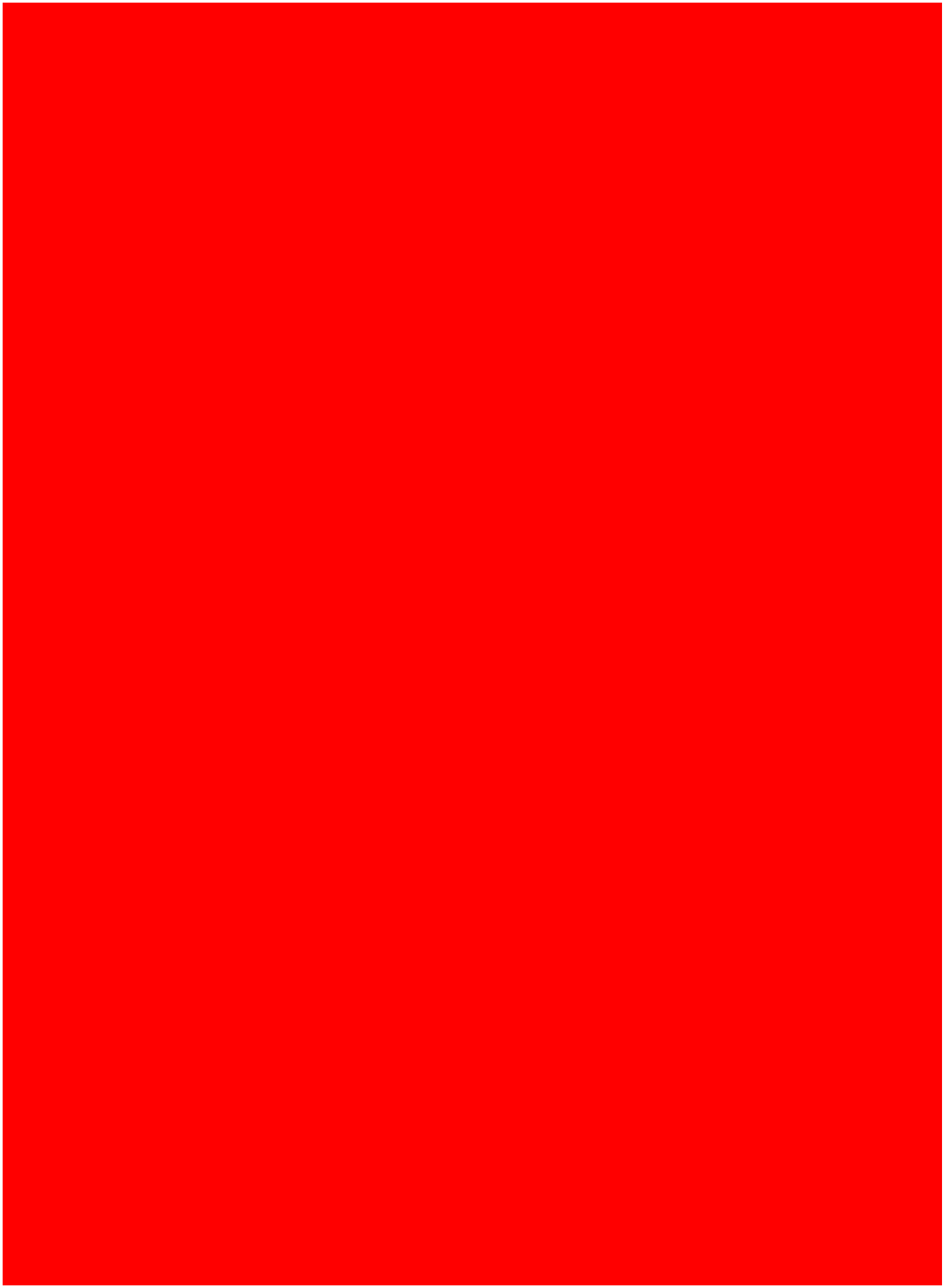
## Minutes of the Finance Risk and Audit Committee held on Wednesday 24 November 2021, commencing at 10.04am in the Board room, level 1, Hockin building and by Zoom (due to alert levels for COVID19 in NZ)

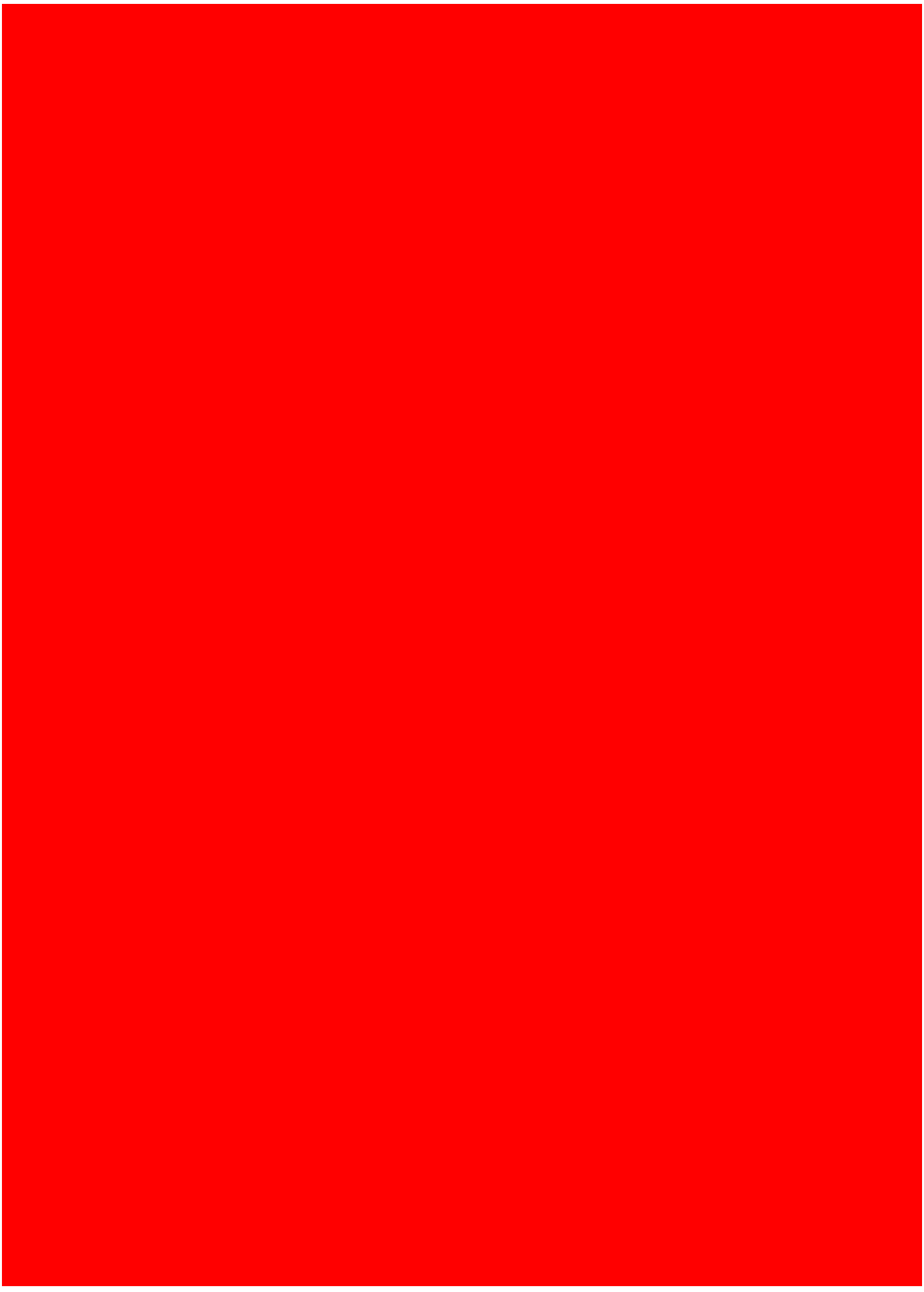
**Present:**
Mrs D Chin (Chair)
Dame K Poutasi
Mr C Paraone
Emeritus Professor M Wilson
Ms TP Thompson-Evans
Mr K Whelan

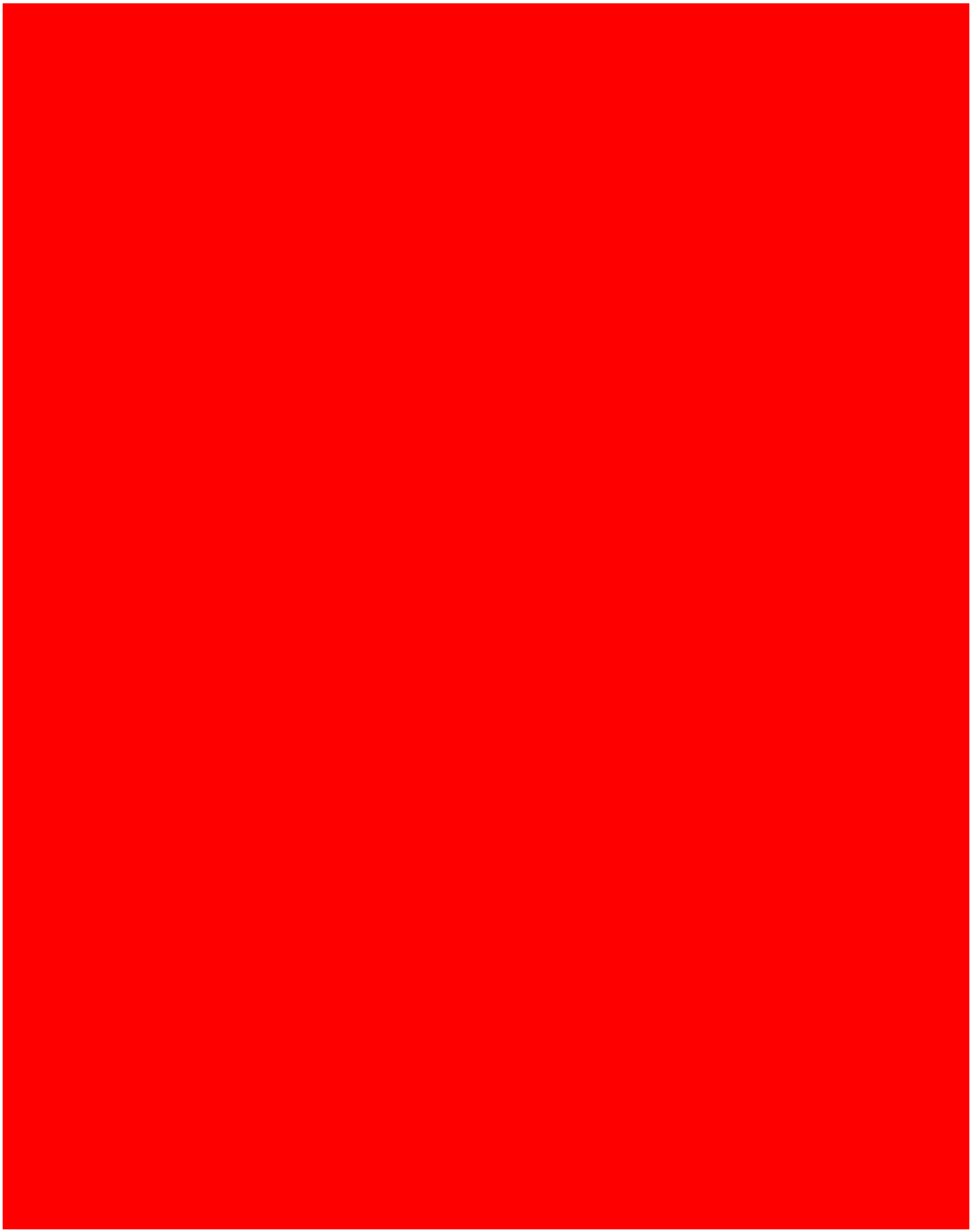
**In Attendance:**
Dr Kevin Snee (Chief Executive)
Mr M Cawthorne (Executive Director, Finance, Procurement and Supply Chain)
Ms C Lowry (Executive Director, Hospital and Community Services)
Ms L Gestro (Executive Director, Strategy, Investment and Transformation)
Mr M Foley (Executive Director, Digital Enablement)
Mr N Hablous (Company Secretary)
Dr J Carr (Chief Medical Officer, Primary Care)
Ms C Tahu ((Chief Advisor Allied Health, Scientific and Technical)
Ms K Coley (Executive Director, Organisational Support)
Mr I Goulton (Internal Audit)
Mr W Jansen Van Rensburg (Director, Audit NZ)

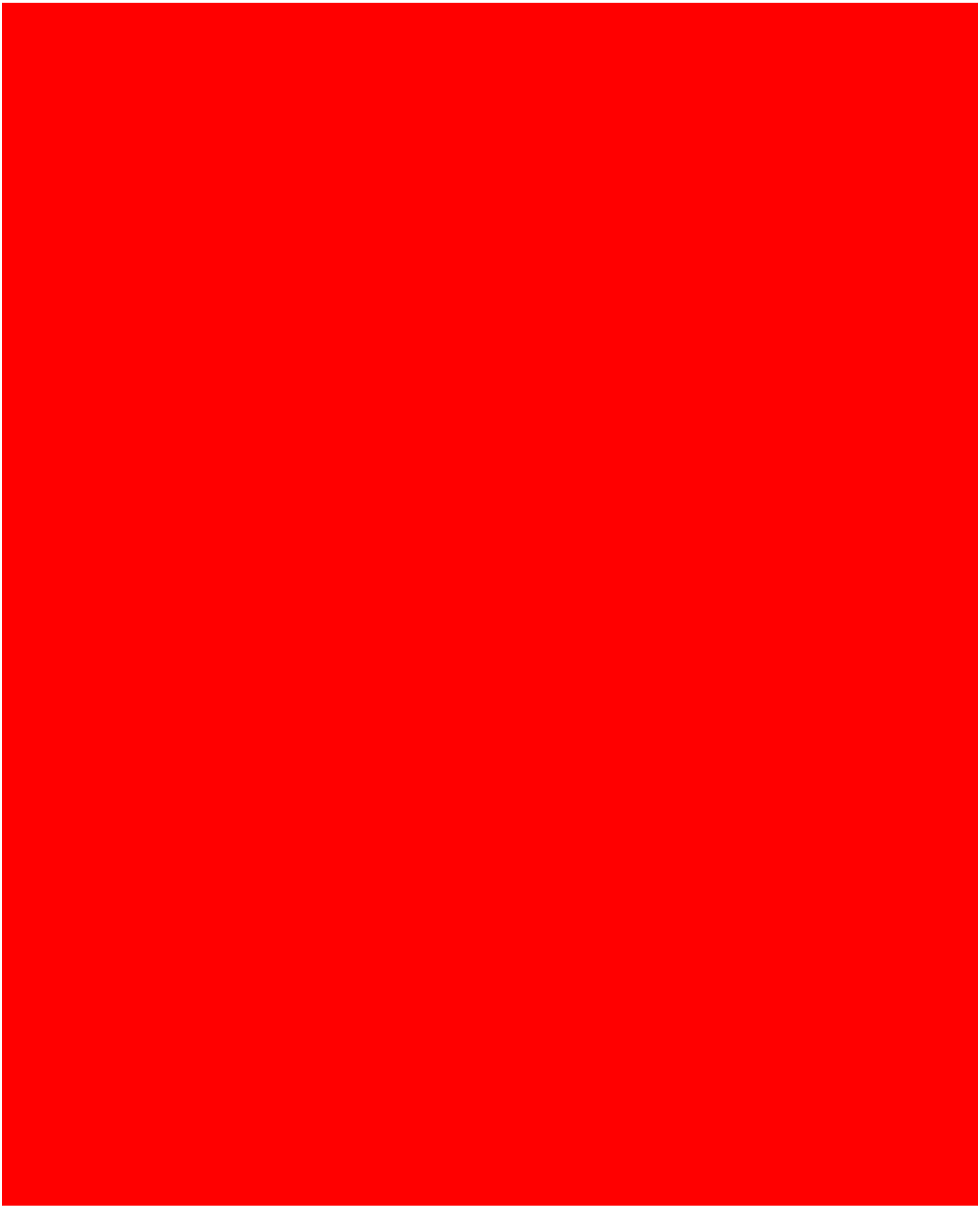












[redacted]

# ITEM 10: CYBER SECURITY

## 10.1 Cyber Security Incident – Close Out Report and Lessons Learned

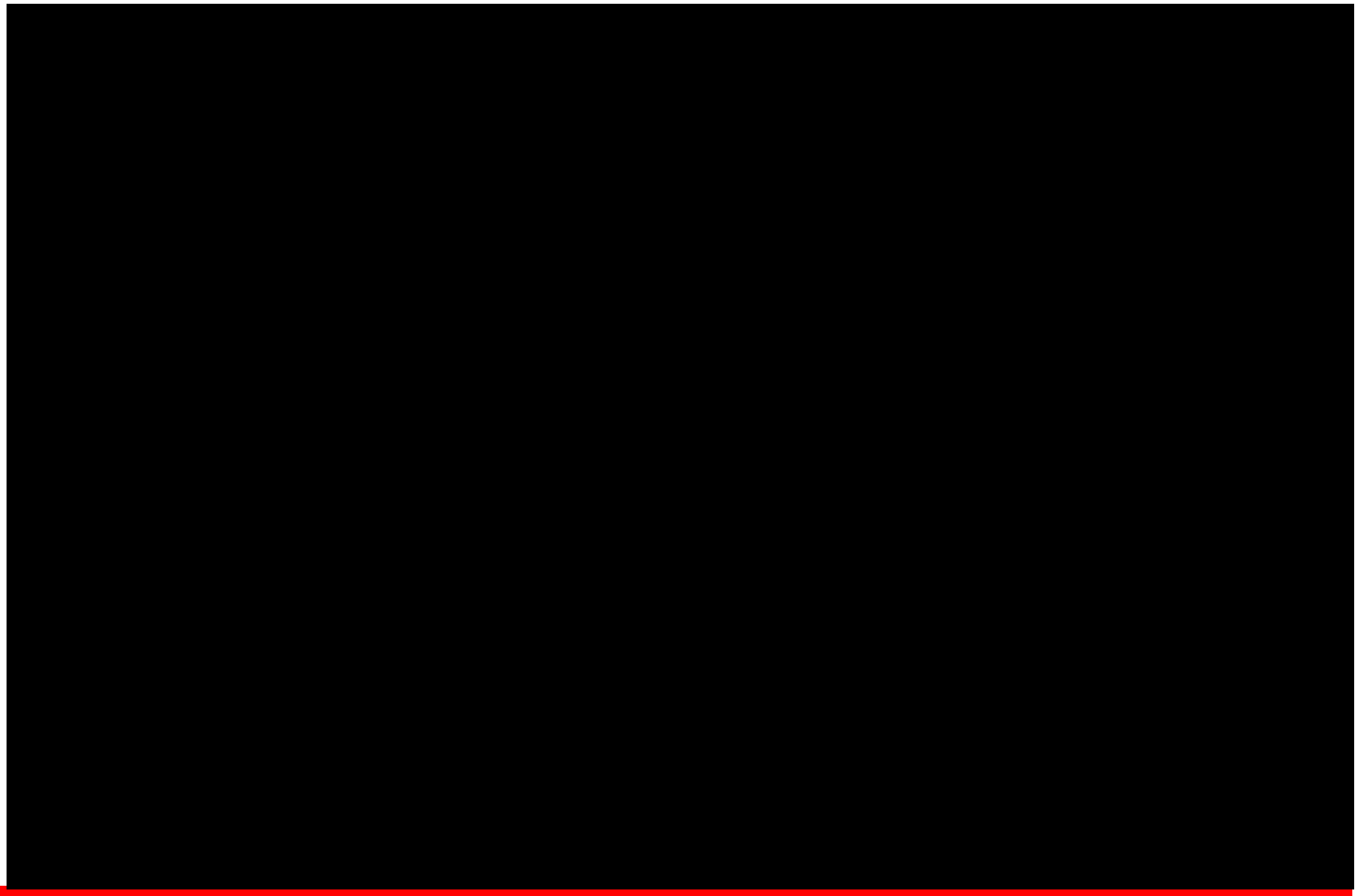
The report was taken as read.

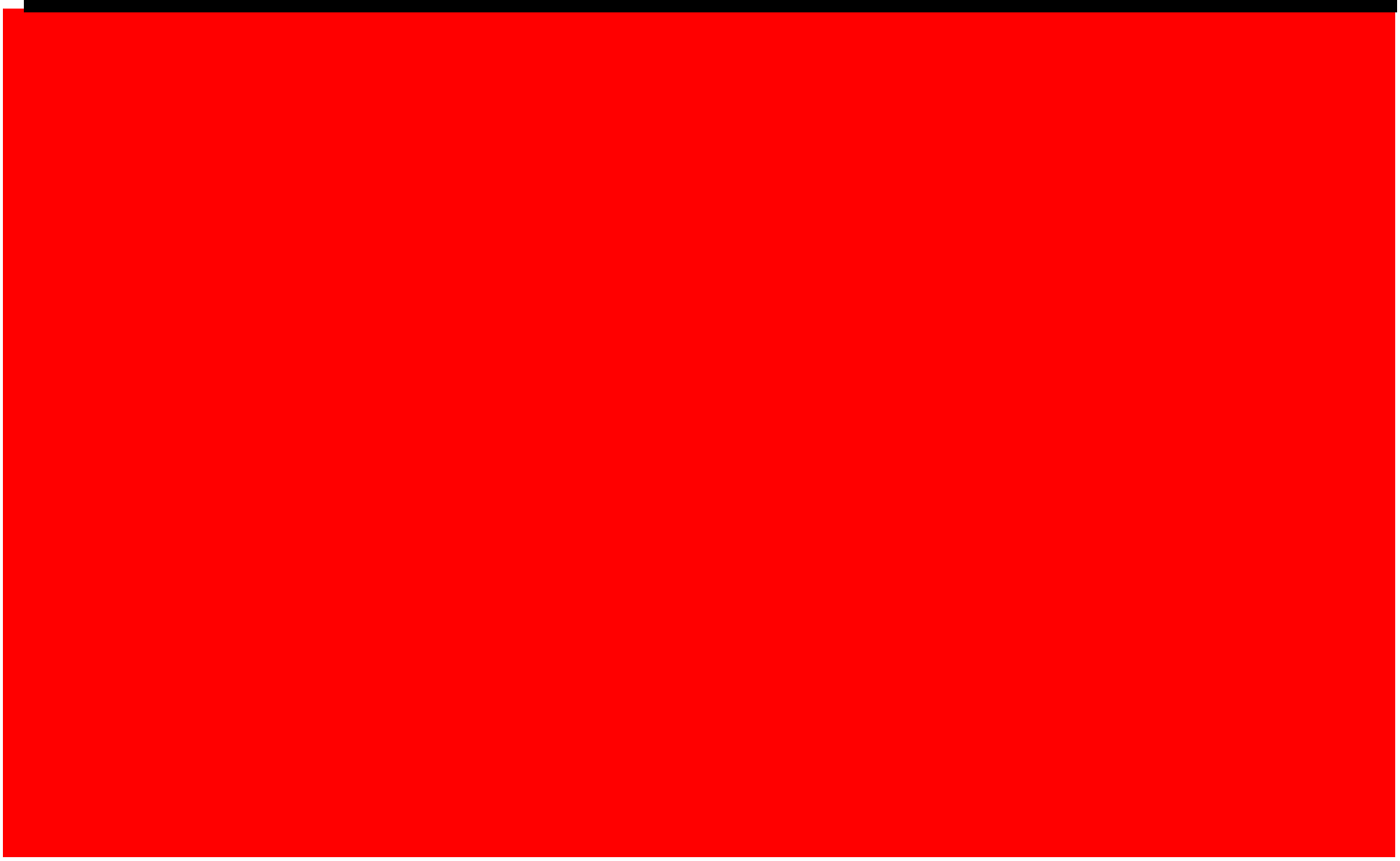
The Committee:

a) **Noted** the content of this report.
b) **Noted** the intention to hand over all activities under the programme to business as usual owners by 31 October 2021.
c) **Noted** residual activity will be reported via usual reporting to the Commissioner Group:
    - Digital Enabling, Organisational Support, Finance reporting to FRAC; and
    - Hospital and Community Services reporting for planned care to Commissioner.
d) **Noted** that as decided at the October FRAC meeting, the recommendations from the Lessons Learned report will be prioritised and an action plan submitted to FRAC in December along with advice

as to how future reporting is to occur both in regard to Lessons Learned and residual activity arising from the cyber security incident.

[redacted]





Waikato District Health Board

# 10.4 Lessons Learnt Update (Verbal Update)