



## OPERATING PROTOCOLS

### Authority to Act

1. The Board Executive Board (the Board) will grant authority to act to other parties as needed to enable the pragmatic, effective, and efficient operation of the Board. These are summarised below.

Authority to Act		Who	Intent
Chair of the Border Executive Board	Lead the Board Day-to-day administration and management of Border Executive Board activity	Comptroller New Zealand Customs Service	Enable the Border Executive Board to focus on governance activity and enable timely management of day-to-day activity
Servicing Department	Administrative tasks and corporate support	New Zealand Customs Service	Remove the administrative burden from the Board and small secretariat team
Vote Administrator	Administration of the Border System Performance appropriation	Comptroller New Zealand Customs Service	Enable pragmatic administration of the appropriation and relieve administrative burden from the Board and small secretariat team
Employment of secretariat staff	Appoints secretariat staff on behalf of the Board and manages staff on behalf of the Comptroller of Customs and the Board	Executive Director of the Border Executive Board	Efficient and pragmatic day-to-day people management with oversight retained by the Board

2. Members of the Board remain jointly responsible for the operation and performance of the Board.

### Board Meetings

3. The Chair is responsible for ensuring the Board meets at the required frequency with appropriate content.

#### Approach to meetings

4. An annual meeting schedule will be provided for each calendar year. However, the Board can meet as required, or when the Chair deems it necessary.
5. The Chair may invite non-members to attend a Board meeting. In those circumstances, the invited party may participate in discussions at the discretion of the Chair, but is not a member of the Board, does not form part of the quorum, and has no decision making authority.
6. Meetings are intended to be held in person. If this is not possible, meetings may be held using audio visual or electronic communication.

## **Quorum**

7. A meeting of the Board may be held by a quorum of its members assembled at the appointed time and place of the meeting. No decisions or direction can be made if there is no quorum. The Board may meet for information sharing purposes.
8. A quorum for a meeting of the Board is three of the six chief executive members. This may include a person acting with formal chief executive delegations.
9. The Chair of the Board, or a substitute Chair, must be in attendance for a meeting to be held. A substitute member may Chair the meeting, with the agreement of the other members, if the substantive Chair is absent.

## **Delegates**

10. Members are expected to attend all meetings of the Board. However, they may send a delegate in their place if they cannot attend a meeting. This delegate is expected to fully participate and contribute to decision making on behalf of their respective agency. The delegate will only form part of the Board's quorum if they are acting with formal chief executive delegations.

## **Meeting agenda and minutes**

11. The Chair, supported by the secretariat, establishes the agenda for each Board meeting and forward work programme.
12. Minutes and supporting material will be prepared by the Board secretariat.
13. The minutes will be approved by the Board at the next meeting.

## **Board decisions**

14. The Board may make decisions from its governance and/or assurance perspective including, but not limited to initiatives relating to the border system, the design and integrity of the border, infrastructure investment that involves more than one agency and the health and safety of border staff.
15. Decisions on the day-to-day matters relating to the border will continue to be managed by each border agency.
16. Consensus will have to be achieved for a decision of the Board to be carried.
17. In the event of a conflict because of a breakdown of relationships within the Board, the Public Service Commissioner will assist in the resolution of the conflict.

## **Resources**

### **Secretariat**

18. Cabinet agreed that a small secretariat team be established to support the Board.
19. The secretariat is led by an Executive Director, who is not a member of the Board. The secretariat sits within the servicing department and benefits from the servicing department's administrative help. The Executive Director and any staff are employed by Customs and assigned to the secretariat. The Executive Director reports to the Chair and the Board. The Executive Director may hire staff. The secretariat staff follow Customs policies and procedures.

20. Working with the Chair, the Secretariat plans the forward agendas and provides minutes and meeting logistics to each Board member ahead of meetings of the Board. The Secretariat supports the Board and any senior officials group to effectively carry out its responsibilities of improving the overall performance of the border system.
21. It does this by facilitating between border agencies to support the delivery of joint outcomes, and by servicing the Minister for COVID-19 Response in providing reporting on the work of the Board, drafting responses for Parliamentary Questions, Official Information Act requests, Ministerial correspondence, and Select Committee Processes.
22. The Secretariat will also:
  - develop and monitor the delivery of the border sector strategy and work programme
  - monitor and report on system measures and performance (including COVID-19) with effective sector coordination
  - develop and manage a risk and assurance framework, and provide advice on issues and risks across the system
  - write papers to Ministers and Cabinet as required by the Board
  - regularly report on the Board's financial and non-financial performance.

### **Senior Officials Group/s**

23. Senior officials' will be convened as needed to support the Board.
24. The group/s will support and facilitate the progression of the Board's work programme. This activity may include:
  - developing a work programme
  - providing progress updates of the work programme and addressing any emerging barriers on the work programme
  - overseeing planned assurance and audit work for the border sector for agreement by the Board, and supporting the implementation of recommendations from the assurance programme
  - supporting the implementation of the Board and secretariat functions.

### **New Zealand Customs Service**

25. The New Zealand Customs Service will provide administrative and corporate support to the secretariat team as the servicing department. It will also administer the appropriation Border System Performance as Vote Administrator.

### **Border Member Agencies**

26. The departments of the six chief executives will inform and deliver the Board's work programme within the scope of their respective authority.

## **Review**

27. The Operating Protocols can be amended at any time, with the agreement of the Board.

## **Supporting Documents**

- Proactive release paper and Cabinet minute establishing Border Executive Board: COVID-19 Response Paper 4 – Overview of institutional and governance arrangements and funding for our ongoing COVID-19 response (CAB-20-SUB-0099) and CAB-20-MIN\_0099.

Approved: 13 October 2021