

3 December 2024

s9(2)(a)

Tēnā koe s9(2)(a)

Thank you for your request, received on 16 November 2024, under the Official Information Act 1982 (the Act) for the following information:

*“Copies of your organisation’s parental leave policies and relevant documents outlining information and support provided to employees on individual contracts and/or collective agreements who take parental leave. Please provide a summary of support, information and entitlements you provide to your employees who take parental leave and return to work at your agency.”*

The Authority is releasing one document within scope of your request. We have also provided a summary of the information as you requested, which you can find in Appendix A.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact us by emailing [oia@ea.govt.nz](mailto:oia@ea.govt.nz).

Nāku noa, nā,



Airihī Mahuika

**GM Legal, Monitoring and Compliance**

## Appendix A

| Support Before Parental Leave                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                        | <p>The Authority supports employees before they go on parental leave by:</p> <ul style="list-style-type: none"> <li>- providing parental leave guidelines</li> <li>- providing information about parental leave on its intranet</li> <li>- providing support from a dedicated People and Capability Business Partner</li> </ul>                                                   |
| Support During Parental Leave                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                   |
| Parental leave payment, ex-gratia payments and 'top-ups' for primary carers, as well as the conditions employees need to meet to receive such payments | In addition to statutory entitlements under the Parental Leave and Employment Protection Act 1987, the Authority offers four weeks paid parental leave for employees who are permanent, have worked at the Authority for 12 months or more, and are eligible for primary carer leave. This leave is paid at the employee's average daily rate of pay.                             |
| Paid leave for partners/secondary carers, as well as the conditions employees need to meet to receive such payments                                    | In addition to statutory entitlements, the Authority offers four weeks paid parental leave for employees who are permanent, have worked at the Authority for 12 months or more, and are eligible for partners' leave. This leave is paid at the employee's average daily rate of pay                                                                                              |
| KiwiSaver                                                                                                                                              | <p>Employer contributions to KiwiSaver are not made during unpaid parental leave. However, contributions continue during any paid leave (eg., Authority paid Parental or Partner leave).</p> <p>Employees can choose to have KiwiSaver deductions made from their statutory parental leave payments through IRD who will also make employer contributions of 3% to KiwiSaver.</p> |
| Eligibility Criteria                                                                                                                                   | Employees are entitled to Parental Leave in accordance the eligibility criteria set out in the Parental Leave and Employment Protection Act 1987.                                                                                                                                                                                                                                 |
| Keeping In Touch Hours                                                                                                                                 | Employees on parental leave can work Keeping In Touch hours in agreement with their manager in accordance with statutory requirements.                                                                                                                                                                                                                                            |
| Continued access                                                                                                                                       | <p>Employee Assistance Programme (EAP)</p> <p>Access to systems</p>                                                                                                                                                                                                                                                                                                               |

|                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                               | <p>Employees on parental leave continue to access:</p> <ul style="list-style-type: none"> <li>• annual wellbeing allowances (if applicable) upon return to work</li> <li>• long service leave recognition (if applicable) upon return to work.</li> </ul> <p>Access to some benefits may be paused during parental leave, unless otherwise specified as statutory requirements.</p>                                                                                                                                                                             |
| Miscarriage, stillbirth or loss of child      | In addition to statutory entitlements, the Authority provides access to EAP and flexible working arrangements.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Support for fertility, adoption and surrogacy | In addition to statutory entitlements the Authority provides access to EAP and flexible working arrangements.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Supporting Returning to work</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Returning to work transition                  | <p>Employees returning from parental leave can request a temporary change in their working conditions in line with the Authority's flexible working procedures and remote working guidelines (see below).</p> <p>Flexible working options are available at the Authority, depending on the role and individual needs.<br/>Examples include:</p> <ul style="list-style-type: none"> <li>• Fully remote working</li> <li>• Hybrid working (some remote, some from the office)</li> <li>• Part-time (eg. four days per week)</li> <li>• Alternate hours</li> </ul> |
| Feeding and expressing                        | The Authority provides returning parents with a wellness room (which can be locked for privacy and includes a fridge) and breaks as needed.                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Contributions towards childcare               | The Authority does not provide direct contributions towards childcare costs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

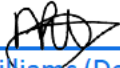
## Parental leave guidelines

|                              |                                                                                                                                                                                                             |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overview</b>              | The purpose of the parental leave procedures is to provide a parental leave framework that informs and provides guidance on the process and entitlements when applying for parental leave at the Authority. |
| <b>Policy</b>                | These guidelines sit underneath and implement the People Policy                                                                                                                                             |
| <b>Policy owner</b>          | Head of People and Capability                                                                                                                                                                               |
| <b>Contact person</b>        | Senior Advisor – People and Capability                                                                                                                                                                      |
| <b>Legal review and date</b> | Amy Williams 25 October 2023                                                                                                                                                                                |
| <b>iManage reference</b>     | #1,413,509                                                                                                                                                                                                  |

### Document history

| Date           | Author                                                         | Title and location                                 | Description                                     |
|----------------|----------------------------------------------------------------|----------------------------------------------------|-------------------------------------------------|
| 3 October 2023 | Nicole Hayward<br>Senior Advisor –<br>People and<br>Capability | Parental Leave<br>Guidelines<br>iManage #1,413,509 | Guidelines relating to the<br>leave procedures. |

### Approvals

|                                                                        |                                                                                                                                                 |              |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Chief Executive</b><br>Sarah Gillies                                |                                                              | 5 Feb 2024   |
|                                                                        | iManage ref # or signature                                                                                                                      | Date         |
| <b>Policy owner</b><br>Gina Imlach<br>Head of People and<br>Capability |                                                              | Nov 30, 2023 |
|                                                                        | iManage ref # or signature                                                                                                                      | Date         |
| <b>Legal review</b><br>Amy Williams<br>Senior Legal Counsel            | <br><a href="#">Amy Williams (Dec 11, 2023 11:49 GMT+13)</a> | Dec 11, 2023 |
|                                                                        | iManage ref # or signature                                                                                                                      | Date         |

## 1 Purpose

- 1.1 The purpose of the parental leave guidelines is to:
- (a) Provide a parental leave framework that informs and provides guidance on the process and entitlements when applying for parental leave at the Authority.
  - (b) To ensure statutory parental leave requirements are met.

## 2 Scope and definitions

- 2.1 These parental leave guidelines apply to all employees at the Authority.
- 2.2 Employees for the purposes of this guideline are defined as all permanent and fixed terms full-time and part-time employees.

## 3 Roles and responsibilities

- 3.1 Employees are responsible for notifying their manager of their intention to take parental leave in accordance with section five of this document. Employees must provide their manager with written notice stating whether their intention to return to work no later than 21 days before the end of their parental leave.
- 3.2 Managers are responsible for ensuring the employee is notified of their entitlement to take parental leave within 21 days of receipt of the notice of intention to take parental leave, in accordance with section 36 of the Parental Leave and Employment Protection Act 1987.
- 3.3 People and Capability are responsible for maintaining consistency across the organisation, ensuring parental leave is processed correctly and advising on parental leave issues.
- 3.4 The Head of People and Capability has overall responsibility for ensuring the systems and processes for recording employees leave data are properly maintained.

## 4 Eligibility

- 4.1 Sections four through eleven in these guidelines explain the rules and outline process around legislative parental leave.
- 4.2 The Authority offers additional paid parental/partner leave, on top of legislative requirements. This is explained in section twelve.
- 4.3 Employees are entitled to Parental Leave in accordance with the Parental Leave and Employment Protection Act 1987.
- 4.4 An employee is eligible for parental leave if they meet either the 6 month or 12-month eligibility criteria:
- (a) Have worked for the Authority for an average of at least 10 hours per week for a 12-month period (or a 6-month period, as the case may be) immediately preceding;
  - (b) The due date of the baby or;
  - (c) The date on which they become the permanent primary carer of a child under six years old, through adoption, whāngai, home for life or similar permanent arrangement.

- 4.5 An employee who has taken parental leave previously is only eligible for further parental leave if they have been back at work for at least six months from the conclusion of the previous leave.
- 4.6 An employee who has worked for the Authority for six months or more is eligible for special leave, primary carer's leave, payment for primary carers leave (parental leave). Those who have worked for the Authority for 12 months or more are also eligible for extended leave.

## 5 Notice of intention to take parental leave

- 5.1 An employee intending to take parental leave is required to provide notice at least three months before the expected date of delivery by completing and sending the Parental Leave Application Form to their Manager and People and Capability.
- 5.2 Employees who are due to become the primary carer of a child under 6 years, and intend to take leave, should notify the Authority as soon as possible, must notify the Authority at least 14 days prior to taking leave. Complete the Parental Leave Application Form to their Manager and People and Capability.
- 5.3 The employee should discuss their leave options with their manager or the People and Capability team to ensure that they have adequate guidance and support.

## 6 Special leave

- 6.1 An employee who is pregnant is entitled, before taking primary carers leave, is entitled to take a total of up to 10 days' special leave without pay for reasons connected to their pregnancy.
- 6.2 To request special leave the employee should email the request through to their manager. The manager will need to approve the request via email and send the request and approval to payroll to action.

## 7 Primary carer leave

- 7.1 An employee may be entitled to primary carer leave in accordance with section 8 of the Parental Leave and Employment Protection Act 1987.
- 7.2 Eligible employees are entitled to up to 26 weeks primary carer leave. The leave must be taken as one continuous period.

## 8 Partner's leave

- 8.1 An employee who is the spouse or partner of a person who meets the eligibility criteria may take partner's leave in one continuous period not exceeding two weeks (if employed for the preceding 12-months) or one week (if employed for the preceding six months). Partner's leave is without pay.
- 8.2 To apply for partner's leave the employee needs to complete the Parental Leave Application form. This leave needs to be approved by the employee's manager.

## 9 Payment for parental leave

- 9.1 Employees entitled to payment for parental leave are employees who:
  - (a) Meet the criteria for primary carer leave (pregnant person)

- (b) Meet the criteria for primary carer leave who is taking on permanent responsibility for a child under six.
  - (c) All or part of an entitlement to a parental leave payment is transferred.
  - (d) success in all or part of an entitlement to a parental leave payment under Section 72B of the Parental Leave and Employment Protection Act 1987
- 9.2 An entitled employee is eligible for up to 26 weeks payment for parental leave, paid by the Inland Revenue Department (**IRD**).
- 9.3 See the IRD website for more detail: <https://www.ird.govt.nz/topics/paid-parental-leave>.

## 10 Extended leave for primary carers

- 10.1 Entitlements to extended leave for primary carers are set out in section 26 of the Parental Leave and Employment Protection Act 1987. In summary:
- (a) If a staff member has been an employee for at least 6 months, they are entitled to take a maximum amount of 26 weeks as extended leave.
  - (b) If a staff member has been an employee for 12 months or more, they are entitled to take a maximum amount of 52 weeks as extended leave.
  - (c) The extended leave period includes the amount of parental leave the employee is entitled to.
  - (d) Extended leave entitlements can be impacted by the individual entitlement of the employee's partner or spouse. The People and Culture team can assist with guidance on this.
  - (e) To apply for extended leave, the employee needs to complete the Parental Leave Application Form.

## 11 Notice ending or extending parental leave

- 11.1 An employee who is on parental leave and whose position is being kept open must, no later than 21 days before the date on which their parental leave ends, give their employer written notice stating whether they are returning to work or not at the end of their parental leave. This notice is to be sent to the employee's manager and People and Capability.
- 11.2 An employee returning to work from parental leave is entitled to resume the same position occupied at the time they commenced parental leave unless the employee's position is defined as a key position or the Authority undertakes a redundancy process.

## 12 Authority paid parental/partner leave

- 12.1 The Authority provides an additional four-weeks special paid leave to permanent employees who meet the eligibility criteria.
- 12.2 To be eligible a staff member must:
- (a) Be a permanent employee.
  - (b) Have worked at the Authority for 12 months or more.

(c) Be eligible to take primary carer leave or partner leave.

12.3 An eligible employee entitled to Authority paid special parental or partner leave can apply for this leave through their manager by completing the Parental Leave Application Form.

12.4 Please note that the Authority's paid parental/partner leave is in addition to paid parental leave received via IRD.

12.5 Employees are encouraged to take this leave in one continuous period, within six months of their return to work from parental leave, at the end of their primary carers paid parental leave or end of their partner leave.

12.6 Employees are not entitled to be paid cash in lieu of any unused Authority paid parental/partner leave, including upon termination of employment.

12.7 Authority paid parental leave will be paid at the employee's average daily pay rate in the next available pay period.

## 13 Guidance review

13.1 The Authority will review this document every two years or when new legislation comes into effect.

## 14 Related documents

14.1 People Policy

14.2 Leave Procedures

14.3 Parental leave application form

14.4 Health, Safety and Wellbeing Policy

14.5 Flexible Work Procedures

14.6 Employees will be informed or consulted with as other procedures or guidelines are added from time to time. All documents will be available on the intranet.



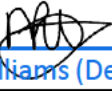
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