

21 November 2024

Tēna koe [REDACTED]

Official information request regarding parental leave policy and entitlements

I refer to your official information request dated 16 November 2024 as follows:

"Please supply the following information under the Official Information Act (OIA):

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.

This should include:

- *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*
- *Paid leave for partners/secondary carers, as well as the conditions employees need to meet to receive such payments*
- *Remuneration review during leave*
- *Leave accrual during leave and the rate at which annual leave is paid after an employee returns from parental leave*
- *Flexible work policies*
- *Kiwisaver contributions - particularly whether employer contributions are paid during parental leave grant / ex-gratia payment / paid parental leave*
- *Any contributions towards childcare*
- *Support in the event of a miscarriage or stillbirth*
- *Any support provided for fertility, adoption and surrogacy*
- *Any other parental leave benefits or support. "*

The information you have requested is as follows:

Herenga ā Nuku does not have a parental leave policy. A parental leave clause is in all employment agreements. This clause states that employees can take leave in accordance with the Parental Leave

and Employment Protection Act 1987 (the Act). We do not have any additional parental leave entitlements beyond what is provided for in the Act.

Herenga ā Nuku does have a flexible working policy. This is based on the flexible working arrangements provided under Part 6AA of the Employment Relations (Flexible Working Arrangements) Amendment Act 2007 and follows the Public Service Commission guidance, which can be found here - <https://www.publicservice.govt.nz/guidance/guidance-flexible-work-by-default-guidance-and-resources>.

The flexible working policy is underpinned by flexible-by-default principles, as detailed here - <https://www.publicservice.govt.nz/guidance/guidance-flexible-work-by-default-guidance-and-resources/principles-that-underpin-a-flexible-by-default-approach>.

Under flexible-by-default principles, all roles must be treated as suitable for flexible working unless there is a genuine business reason for a role not to be flexible. Flexibility is equally available to all employees, irrespective of factors such as gender or reason for the request and does not undermine career progression or pay.

A bereavement/tangihanga leave clause is also included in all employment agreements. This provides up to 5 days of paid bereavement leave after 6 months of continuous employment. Employees can take bereavement leave if:

- they have a miscarriage or stillbirth, or
- another person has a miscarriage or stillbirth and the employee:
 - is the person's partner
 - is the person's former partner and would have been a biological parent of a child born as a result of the pregnancy
 - had agreed to be the primary carer of a child born as a result of the pregnancy (e.g. through a formal adoption or a whangai arrangement), or
 - is the partner of a person who had agreed to be the primary carer of a child born as a result of the pregnancy.

Please note that our policy is to proactively release our responses to official information requests where possible. Our response to your request will be published shortly at <https://www.herengaanuku.govt.nz/our-work/about/disclosure/official-information-act-responses>, with your personal information removed.

Nāku noa, nā



Phi Culling

Deputy Chief Executive