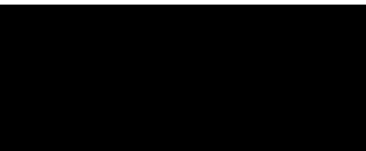




6 May 2019



Dear 

Thank you for your email of 11 April 2019 to the Ministry of Education requesting the following information:

1. *parental leave policies, procedure and arrangements for your organisation*
2. *this should include: parental leave payments and 'top-ups', leave for partners' or secondary carers, pay review while on leave, any payments on leave accrued while on parental leave (is this the full rate?), flexible work arrangements, Kiwisaver contributions, and any contributions towards childcare.*

Your request has been considered under the Official Information Act 1982 (the Act).

We have identified two documents in scope of your request. Please find attached the Ministry's Leave Policy as well as an excerpt of the Leave Guidelines (as per section 16(1)(e) of the Act).

Please note, we are currently reviewing the leave guidelines to reflect changes in practice and in legislation (i.e. Domestic Violence leave).

Please note, the Ministry now proactively publishes OIA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. If you have further questions please feel free to contact our media team in the first instance at media@education.govt.nz. If you are unsatisfied with my response, you have the right to ask an Ombudsman to review it. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Stuart Wakefield
Acting Deputy Secretary
Business Enablement and Support

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Leave Policy

Purpose - why we have this policy

We take your health and wellbeing very seriously and each year it is important that you have sufficient time off to maintain a good work-life balance. This policy provides a high level summary of your leave options. Leave can be taken in accordance with your individual or collective employment agreement and relevant legislation.

Scope - who the policy applies to

All employees.

Principles/Expectations – how the policy applies to you

You are able to apply for various types of paid and unpaid leave covering different situations. These may include:

- Annual leave
- Sick leave
- Bereavement/Tangihanga leave
- Parental leave
- Accident/injury (ACC) leave
- Adverse weather leave
- Study leaveSpecial leave with or without pay
- Representation and EREL leave

Where possible, applications for leave should be completed and approved by your manager prior to the leave being taken.

MyPayHub is the primary record for all leave taken. In the event that pre-booked leave isn't taken or changes, a Leave Adjustment may be required and it should be approved by the appropriate manager and fill out the Manual Leave request.

Time in lieu, overtime and flexi-time are covered by the flexible working policy and hours of work guidelines.

End of year office closures

At the end of each year our offices close between Boxing Day and New Year's Day. In accordance with your employment agreement, you will be required to take either annual leave, leave without pay (where you have no annual leave available), or time in lieu (where this is available and accrued) over this period.

Delegations

Managers in most instances can approve leave.

See Delegations

Related to this policy

Guidelines

-  Leave guidelines

Web Links

- New Zealand - Employment Leave and Holiday Information

Released under the Official Information Act 1982

Excerpt of the Ministry of Education Leave Guidelines (as per section 16(1)(e) of the Official Information Act)

Leave guidelines

These guidelines give managers and employees guidance on different leave types, your entitlements and the process of application.

We encourage you to take leave throughout the year, however it is at the manager's discretion to approve most leave types according to resourcing levels and work requirements.

Delegations

Managers in most instances can approve leave. Please click [here](#) to view our people delegations

Accountabilities

Employees

You are encouraged to seek apply for planned leave (e.g. annual leave) to seek your manager's approval at least 14 days prior where possible. If you are unable to attend work due to unplanned leave, e.g. sick leave you must notify your manager as soon as practicable. You will then need to complete the relevant approvals on the day that you return to work. You are also expected to apply for regular annual leave breaks during the year.

Managers

Managers will approve leave applications where they can and have the delegated authority to do so, however there may be an occasion where they decline certain leave types for example due to staffing levels, working requirements etc. Managers are also responsible for ensuring their team members take regular periods of annual leave.

Managers should notify payroll and complete any relevant approvals for any leave type which has not been applied for in advance, if the employee is not able to take the necessary action prior to the next payrun (e.g. because they are away sick and can't access the MyPayHub).

Parental leave

You are entitled to parental leave in accordance with the Parental Leave and Employment Protection Act 1987. For more information, see the Ministry of Business, Innovation and Employment (MBIE) website located here [<https://www.employment.govt.nz/leave-and-holidays/parental-leave/>] Or ring the help line: 0800 20 90 20.

Examples of leave that you may be entitled for depending on the length of your employment are:

- 10 days unpaid special leave for pregnancy related reasons such as midwife appointments, scans and antenatal classes (if pregnant)
- 22 weeks primary care leave or 22 weeks paid parental leave (paid through IRD)
- 52 weeks unpaid extended leave (this entitlement can be split between partners)
- 2 weeks unpaid partner leave

Released under the Official Information Act 1982

HOW TO APPLY FOR STATUTORY PAID PARENTAL LEAVE

To receive paid parental leave, if you fit the criteria as listed at the MBIE website [<https://www.employment.govt.nz/leave-and-holidays/parental-leave/eligibility/>], then you need to apply to your manager for the leave and Inland Revenue for the payment.

1 Check your entitlements

You are entitled to parental leave in accordance with the Parental Leave and Employment Protection Act 1987. For more information, see the Ministry of, Innovation and Employment (MBIE) website or ring the help line: 0800 20 90 20.

2 Apply in writing

You are expected to apply for the leave in writing to your manager at least one month before your baby is due (please note that special provisions apply for adoption, and you should seek advice from the Employment Relations Infoline 0800 800 863). The letter should include all details of the leave you intend to take and must include a certificate of pregnancy from your doctor or midwife stating when the baby is due. When you apply for a parental leave, your manager will respond writing within 21 days.

3 Complete an Inland Revenue Form IR880

Once approved, you will need to complete the 'Applicant' section of the Paid Parental Leave Application Form (IR880) and send it to Payroll with copies of the letter of application, your manager's letter of approval and the certificate of pregnancy. The paid parental leave form can be downloaded from Inland Revenue [<https://www.ird.govt.nz/individuals-and-families>], or can be collected from a lead maternity provider.

4 Payroll completes employer section

Payroll will complete the employer section of the paid parental leave application form. Payroll will then return the form to you to send to IRD for processing.

5 Returning to work

At least one month prior to the agreed date of return, we ask you to notify your manager in writing whether you intend to return to work or not.

Returning to work

At least one month prior to the agreed date of return, we ask you to notify your manager in writing whether you intend to return to work or not.

If you decide to return to work prior to the agreed date, you should contact your manager to discuss the reason for returning to work early and give at least three weeks' notice of your intention to return to work. We will make every practical effort to keep your position, or similar position, open for you until you return.

Related to this guide

Policies

- Leave Policy

Web Links

- Paid Parental leave on IRD website [<https://www.ird.govt.nz/individuals-and-families>]
- Parental leave on MBIE website website [<https://www.employment.govt.nz/leave-and-holidays/parental-leave/eligibility/>]

Released under the Official Information Act 1982