

9 March 2026



Our ref: OIA 2526-0843

s9(2)(a)

Tēnā koe s9(2)(a)

Response to your Official Information Act request

Thank you for your email of 13 February 2026 to the Ministry for Ethnic Communities (the Ministry) requesting the following information under the Official Information Act 1982 (the Act):

"I am requesting information relating to the clause negotiated between the Public Service Association and government agencies that provides Māori members with access to paid discretionary leave for cultural obligations.

Specifically, I request:

1. *A copy of the relevant collective agreement clause(s), including any explanatory notes or guidance issued to managers.*
2. *Since the clause came into effect, broken down by year:*
 - *the total number of staff who have accessed this paid discretionary leave*
 - *the total number of days of leave taken under this provision*
 - *the total salary cost associated with this leave.*
3. *The date this clause came into affect, the next date of contract renegotiations with the PSA and whether any minister was involved or informed when this clause was negotiated.*

This request does not seek personal details of any individual employee. If any part of this request is considered too broad, please contact me so it can be refined"

The Ministry is a departmental agency hosted by the Department of Internal Affairs (the Department), and Ministry staff are employed under the Department's employment agreements, including a collective agreement with the Public Service Association.

The Department's collective agreement does not have a clause that provides Māori members with access to paid discretionary leave for cultural obligations. Therefore, I am refusing your request in full under section 18(e) of the Act as the information requested does not exist.

However, the Department's collective agreement has a general cultural responsibilities clause, provided below, that applies to all employees. This is not paid discretionary leave, but leave, which may be annual leave, leave without pay or paid leave in some cases, agreed in advance by the employee's manager.

Meeting cultural responsibilities

Te Tari Taiwhenua embraces the diverse backgrounds, experiences, and perspectives of employees. We are committed to creating and maintaining an inclusive and collaborative work environment.

This means we will seek to understand and support the personal and cultural responsibilities that all employees are managing. We specifically recognise Māori cultural responsibilities as per Te Tari Taiwhenua commitment to partnership under Te Tiriti o Waitangi, the cultural responsibilities of our Pasifika employees and employees of other ethnicities.

Personal and cultural responsibilities may be because of an employee's position in their whānau/aiga (family) hapu and iwi, or to their community.

Employees may seek leave without pay for the purposes of connecting with or contributing to iwi, hapū and whānau or participating in Te Matatini, waka ama, or to meet responsibilities connected to marae and/or urupa, or for te reo Māori learning.

Employees may also seek leave for other cultural events such as Pasifika festivals, Diwali, Ramadan, Chinese New Year, dragon boating, or to fulfil religious responsibilities such as temple or mosque responsibilities.

Employees are encouraged to have ongoing conversations with their manager to agree an approach for when these circumstances arise.

Any request will be decided on a case-by-case basis, but approval should not be unreasonably refused. Wherever possible employees will be supported to meet their personal and cultural responsibilities with flexible working or leave, which may include using annual leave or providing either paid or unpaid special leave. Any unpaid leave interrupts but does not break service. If longer periods of leave without pay are required, the normal process for applying for leave without pay applies.

A clause similar to this has been in the Department's collective agreement since 2020. The Department moved to a new HR Information System in May 2022, which included recording of cultural leave. There have been no instances of cultural leave (paid special leave) approved for Ministry staff since May 2022.

Under section 28 of the OIA, you have the right to seek an investigation and review by the Office of the Ombudsman of my response relating to this request. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note, due to the public interest in our work, the Ministry may publish responses to requests for official information on our website, shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team:

Ministerial@ethniccommunities.govt.nz.

Ngā mihi



Edward Firth

Director of Ministerial Services