

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Portfolio

Question No. 108

Senator Humphries asked the following question at the hearing on 12 February 2013:

Paid Parental Leave

- a) Please list how many staff in each department and agency are eligible to receive payments under the Government's Paid Parental Leave scheme?
- b) For this financial year to date list which department/agency is providing its employees with payments under the Government's Paid Parental Leave scheme? Please list how many staff and their classification are in receipt of these payments.
- c) What is the paid parental scheme offered by each department and agency? How many staff have used the scheme this financial year to date.

The answer to the honourable senator's question is as follows:

The Australian Government Solicitor (AGS) is a government business enterprise operating on a commercial and competitive basis in providing legal and related services to government and its agencies. AGS does not receive any Budget or other appropriations and its employees are engaged outside of the *Public Service Act 1999*. The question is therefore not applicable to AGS.

a) All employees with more than 12 months service who earn less than \$150,000 per annum and are the primary care giver of the child are eligible to receive payment under the Australian Government's Paid Parental Leave Scheme. As eligibility is based on primary caring responsibility, the number of eligible staff cannot be identified.

Other responses are included on the following pages.

b) The following table represents the number of staff, at their substantive classification, who have received payments under the Australian Government's Paid Parental Leave Scheme for this financial year to date (1 July 2012 to 31 January 2013):

	EL 2	EL 1	APS 6	APS 5	APS 4	APS 3	APS 2	APS 1	TOTAL
Attorney-General's Department	8	17	12	2	3	-	-	1	43
Administrative Appeals Tribunal	-	-	-	-	-	-	-	-	0
Australian Commissioner for Law Enforcement Integrity	-	-	-	1	-	-	-	-	1
Australian Crime Commission	1	3	5	2	-	-	-	-	11
Australian Customs and Border Protection Service	1	7	21	24	-	37	-	-	90
Australian Human Rights Commission	-	3	2	1	-	-	-	-	6
Australian Institute of Criminology	-	-	-	-	-	-	-	-	0
Australian Law Reform Commission	-	-	1	-	-	-	-	-	1
Australian Security Intelligence Organisation	6	8	19	10	1	-	-	-	44
Australian Transaction Reports and Analysis Centre	-	6	4	1	-	-	-	-	11
CrimTrac	-	-	2	2	-	-	-	-	4
Family Court	-	1	-	3	5	2	2	-	13
Federal Court	-	-	-	1	1	-	-	-	2
Federal Magistrates Court	-	-	-	5	3	1	-	-	9
High Court of Australia	-	-	-	-	-	1	-	-	1
Insolvency and Trustee Service Australia	-	-	1	2	1	1	1	-	6
National Native Title Tribunal	-	-	3	-	1	-	-	-	4
Office of the Australian Information Commission	-	-	2	2	1	-	-	-	5
Office of the Director of Public Prosecutions	2	4	2	1	3	1	-	-	13
Office of the Parliamentary Counsel	1	-	-	-	-	-	-	-	1
	Exec Level	AFP Band 8	AFP Band 7	AFP Band 6	AFP Band 5	AFP Band 4	AFP Band 3	AFP Band 2	TOTAL
Australian Federal Police ¹	2	3	11	15	9	27	21	4	92

1. ¹ The Australian Federal Police (AFP) Classification Structure comprises eight Salary Bands, one Executive Level Band and the SES. As there are more classification levels within the AFP than in the APS, and AFP role responsibilities overlap across the APS classifications, there is no precise alignment between the AFP Band Classifications and APS Classifications.

a) The following table represents the paid parental schemes offered by each department and agency and the number of staff who have utilised each scheme this financial year to date (1 July 2012 to 31 January 2013):

	Paid Parental Schemes	Number of staff
Attorney-General's Department	12 weeks paid maternity leave	38
	2 weeks additional paid maternal leave	39 (38 also included above)
	14 weeks paid adoption leave	0
	14 weeks paid foster parent leave	0
	10 days paid parental and supporting partner's leave	20
	Total: 59	
Administrative Appeals Tribunal	12 weeks paid Maternity Leave (or 24 weeks at half pay)	0
	2 weeks paid Parental Leave (or 4 weeks at half pay) to employees following the birth, adoption, or long-term fostering of a child.	1
	12 weeks paid Adoption Leave (or 24 weeks at half pay)	0
	12 weeks paid Foster Parent leave (or 24 weeks at half pay)	0
	Total: 1	
Australian Commissioner for Law Enforcement Integrity	12 weeks paid maternity leave + 2 weeks additional paid maternal leave	2
	14 weeks paid adoption leave	0
	14 weeks paid foster parent leave	0
	10 days paid parental and supporting partner's leave	0
	Total: 2	
Australian Crime Commission	Maternity Leave 12 weeks plus 2 weeks parental leave = 14 weeks (or 28 weeks half pay)	21
	Adoption / Foster Parent's Leave – 14 weeks (or 28 weeks half pay)	0
	Unpaid parental leave	5
	Supporting partner leave – 2	9

	Paid Parental Schemes weeks (or 4 weeks half pay) to be taken in one block	Number of staff
		Total: 35
Australian Customs and Border Protection Service	12 weeks paid maternity leave + 2 weeks additional paid maternal leave	39
	14 weeks paid adoption leave	0
	14 weeks paid foster parent leave	0
	10 days paid parental and supporting partner's leave	93
		132
Australian Federal Police	12 weeks paid maternity leave + 4 weeks additional paid maternal leave	181
	6 weeks paid adoption leave	1
	10 days paid paternity leave	0
		Total: 182
Australian Human Rights Commission	12 weeks paid maternity leave + 6 weeks additional paid maternity leave	10
	6 weeks parental leave and supporting parent leave	2
	18 weeks primary carer's leave (caring for newborns, adopted children or fostered children)	0
		Total: 12
Australian Institute of Criminology	12 weeks paid maternity leave + 4 weeks additional paid maternal leave	1
	15 days paid parental and supporting partner's leave	1
	16 weeks paid adoption leave	0
	16 weeks paid foster carers leave	0
		Total: 2
Australian Law Reform Commission	12 weeks paid maternity leave + 2 weeks additional paid maternal leave;	2
	10 days paid parental and supporting partner's leave	0

	Paid Parental Schemes	Number of staff
	14 weeks paid adoption and foster leave	0
		Total: 2
Australian Security Intelligence Organisation	12 weeks paid Maternity Leave (including leave taken at half pay)	43
	2 weeks paid Parental Leave	72 (42 also included in above)
		Total: 73
Australian Transaction Reports and Analysis Centre	12 weeks paid maternity leave + 4 weeks additional paid maternal leave	10
	16 weeks paid adoption leave	0
	16 weeks paid foster parent leave	0
	10 days paid parental and supporting partner's leave	4
		Total: 14
CrimTrac	12 weeks' paid maternity leave + 2 weeks' additional paid maternity leave	6
	14 weeks' paid adoption leave	0
	14 weeks' paid foster parent leave	0
	10 days' paid supporting parents leave	4
		Total: 10
Family Court	14 weeks paid maternity leave	12
	Up to 14 weeks paid adoption or fostering leave	0
	Up to 10 days paid parental leave	0
		Total: 12
Federal Court	12 weeks paid maternity leave + 2 weeks additional paid maternal leave	5
		Total: 5
Federal Magistrates Court	14 weeks paid maternity	11

	Paid Parental Schemes	Number of staff
	leave	
	Up to 14 weeks paid adoption or fostering leave	0
	Up to 10 days paid parental leave	0
		Total: 11
High Court of Australia	The Court's employees are entitled to paid parental leave as per the <i>Maternity Leave (Commonwealth Employees) Act 1973</i> and the <i>Fair Work Act</i>	1
		Total: 1
Insolvency and Trustee Service Australia	12 weeks paid maternity leave (Mat Leave Act) + 2 weeks additional paid maternity leave (ITSA Enterprise Agreement)	11
	14 weeks paid adoption leave	0
	14 weeks paid long term foster parent leave	0
	2 weeks paid parental and supporting partner's leave	7
		Total: 18
National Native Title Tribunal	12 weeks paid maternity leave + 3 weeks additional paid maternal leave	4
	15 weeks paid adoption/foster parent leave	0
	15 days paid parental and supporting partner's leave	0
		Total: 4
Office of the Australian Information Commissioner	12 Weeks paid maternity leave + an additional 4 weeks paid Leave	7
	6 Weeks supporting parent leave	3
	16 Weeks Primary Carer's leave on the adoption or fostering of a child	0

	Paid Parental Schemes	Number of staff
		Total: 10
Office of the Director of Public Prosecutions	12 weeks paid Maternity Leave plus 2 weeks additional paid Parental Leave	27
	2 weeks Supporting Partner Leave	7
		Total: 34
Office of the Parliamentary Counsel	Adoption leave <ul style="list-style-type: none"> • Primary caregiver 16 weeks • Partner 4 weeks 	0
	Foster Carer's leave <ul style="list-style-type: none"> • Primary caregiver 16 weeks • Partner 4 weeks 	0
	Maternity leave - 12 weeks + 4 weeks additional paid maternity leave	2
	Parental Leave - 4 weeks	1
		Total: 3