

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

Portfolio

Question No. 77

Senator Humphries asked the following question at the hearing on 30 May 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 the period 1 February 2013 to 31 May 2013 – the data for the 1 July 2012 to 31 January 2013 was provided in QoN 108 (February 2013) however should not be added together as some employees will show in both periods:

	EL 2	EL 1	APS 6	APS 5	APS 4	APS 3	APS 2	APS 1	TOTAL
Attorney-General's Department	6	6	4	2	1	0	0	0	19
Administrative Appeals Tribunal	0	0	0	0	0	0	0	0	0
Australian Commissioner for Law Enforcement Integrity	0	0	0	1	0	0	0	0	1
Australian Crime Commission	2	1	1	2	1	0	0	0	7
Australian Customs and Border Protection Service	1	5	14	8	0	14	0	0	42
Australian Human Rights Commission	0	3	2	0	1	0	0	0	6
Australian Institute of Criminology	0	0	0	0	0	0	0	0	0
Australian Law Reform Commission	0	0	2	0	0	0	0	0	2
Australian Security Intelligence Organisation	4	6	9	9	0	0	0	0	28
Australian Transaction Reports and Analysis Centre	0	1	0	0	0	0	0	0	1
CrimTrac	0	0	0	0	1	0	0	0	1
Family Court	0	1	0	1	4	0	1	0	7
Federal Circuit Court	0	0	0	3	1	1	0	0	5
Federal Court (Includes National Native Title)	0	1	0	1	2	0	0	0	4
High Court of Australia	0	0	0	0	0	0	0	0	0
Insolvency and Trustee Service Australia	0	0	0	1	1	3	0	0	5
Office of the Australian Information Commission	0	1	0	2	0	0	0	0	3
Office of the Director of Public Prosecutions	0	7	1	0	1	1	0	0	10
Office of the Parliamentary Counsel	0	0	0	0	0	0	0	0	0
Australian Federal Police 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
		2	7	9	7	24	13	1	63

¹The 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.

- c) The following table represents the paid parental schemes offered by each department and agency and the number of staff who have utilised each scheme for the period 1 February 2013 to 31 May 2013 – the data for the 1 July 2012 to 31 January 2013 was provided in QoN 108 (February 2013) however should not be added together as some employees will show in both periods:

	Paid Parental Schemes	Number of staff
Attorney-General's Department	e.g. 12 weeks paid maternity leave + 2 weeks additional paid maternal leave 14 weeks paid adoption leave 14 weeks paid foster parent leave 10 days paid parental and supporting partner's leave	18 2 0 3 Total: 23
Administrative Appeals Tribunal	12 weeks paid Maternity Leave (or 24 weeks at half pay) 2 weeks paid Parental Leave (or 4 weeks at half pay) to employees following the birth, adoption, or long-term fostering of a child. 12 weeks paid Adoption Leave (or 24 weeks at half pay) 12 weeks paid Foster Parent leave (or 24 weeks at half pay)	1 0 0 0 Total: 1
Australian Commissioner for Law Enforcement Integrity	e.g. 12 weeks paid maternity leave + 2 weeks additional paid maternal leave 14 weeks paid adoption leave 14 weeks paid foster parent leave 10 days paid parental and supporting partner's leave	1 0 0 0 Total: 1
Australian Crime Commission	12 weeks paid maternity leave + 2 weeks additional paid maternal leave 2 Weeks paid supporting partner leave 14 weeks paid adoption/foster leave	7 6 0

	Paid Parental Schemes	Number of staff
	Unpaid Parental Leave	0 Total: 13
Australian Customs and Border Protection Service	e.g. 12 weeks paid maternity leave + 2 weeks additional paid maternal leave 14 weeks paid adoption leave 14 weeks paid foster parent leave 10 days paid parental and supporting partner's leave	30 0 0 52 Total: 82
Australian Federal Police	12 weeks paid maternity leave + 4 weeks additional paid maternal leave 6 weeks paid adoption leave 10 days paid paternity leave	124 0 37 Total: 161
Australian Human Rights Commission	12 Weeks paid maternity leave + an additional 6 weeks paid Leave 6 Weeks supporting parent leave 18 Weeks Primary Carer's leave on the adoption or fostering of a child	9 1 0 Total: 10
Australian Institute of Criminology	12 weeks paid maternity leave + 4 weeks additional paid maternal leave 15 days paid parental and supporting partner's leave 16 weeks paid adoption leave 16 weeks paid foster carers leave	1 1 0 0 Total: 2
Australian Law Reform Commission	12 weeks paid maternity leave + 2 weeks additional paid maternal leave; 10 days paid parental and supporting partner's leave; 14 weeks paid adoption and foster leave	2

	Paid Parental Schemes	Number of staff
	14 weeks paid adoption/foster leave.	Total: 2
Australian Security Intelligence Organisation	12 weeks paid Maternity Leave (including leave taken at half pay) 2 weeks paid Parental Leave (42 also included in above)	56 35 Total: 91
Australian Transaction Reports and Analysis Centre	12 weeks paid maternity leave + 4 weeks additional paid maternal leave 16 weeks paid adoption leave 16 weeks paid foster parent leave 10 days paid parental and supporting partner's leave	6 0 0 1 Total: 7
CrimTrac	12 weeks paid maternity leave + 2 weeks additional paid maternal leave 14 weeks paid adoption leave 14 weeks paid foster parent leave 10 days paid supporting parent's leave	3 0 0 2 Total: 5
Office of the Director of Public Prosecutions	12 weeks paid Maternity Leave plus 2 weeks additional paid Parental Leave 2 weeks paid Supporting Partner Leave	27 3 Total: 30
Federal Court (Includes National Native Title)	12 weeks paid maternity leave + 2 weeks additional paid maternal leave	7 Total: 7
Family Court	14 weeks paid maternity leave Up to 14 weeks paid adoption or fostering leave Up to 10 days paid parental leave	9 0 4 Total: 13
Federal Circuit Court	14 weeks paid maternity leave	6

	Paid Parental Schemes	Number of staff
	Up to 14 weeks paid adoption or fostering leave Up to 10 days paid parental leave	0 0 Total: 6
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>	0 Total: 0
Insolvency and Trustee Service Australia	e.g. 12 weeks paid maternity leave + 2 weeks additional paid maternal leave 14 weeks paid adoption leave 14 weeks paid foster parent leave 10 days paid parental and supporting partner's leave	7 0 0 5 Total: 12
Office of the Australian Information Commission	12 Weeks paid maternity leave + an additional 4 weeks paid Leave 6 Weeks supporting parent leave 16 Weeks Primary Carer's leave on the adoption or fostering of a child	6 1 0 Total: 7
Office of Parliamentary Counsel	Adoption leave Primary caregiver 16 weeks Partner 4 weeks Foster Carer's leave Primary caregiver 16 weeks Partner 4 weeks Maternity leave - 12 weeks + 4 weeks additional paid maternity leave Parental Leave - 4 weeks	0 0 5 1 Total: 6