

27 June 2025

File Ref: OIA 50454



Tēnā koe 

Official Information Act request

Thank you for your information request dated 30 May 2025. Your request has been considered in accordance with the Official Information Act 1982 (the Act). Your questions and our responses are as follows:

“Under the Official Information Act 1982, I am making a request for the following information held on record since 1 January 2023:

A copy of the agency’s current work from home policy, including the date it was last updated and any accompanying documentation outlining the rationale for the most recent changes”.

Two documents have been identified in scope of this part of your request. Te Puni Kōkiri’s current *Flexible Working Arrangements Policy* (Document 6 refers), which was updated in May 2025 and Te Kawa Mataaho’s *Guidance: Flexible Working (Work from Home)* (Document 5 refers).

The rationale for the recent changes to Te Puni Kōkiri’s *Flexible Working Arrangements Policy* was to ensure the policy reflected the updated guidance provided by Te Kawa Mataaho.

“Copies of any previous versions of the work from home policy within the specified timeframe, including the dates each version was in effect (to and from) and any documentation explaining the reasons for changes made”.

One document has been identified in scope of this part of your request, *Flexible Working Arrangements Policy*, which was in effect for the period May 2022 to May 2025 (Document 1 refers).

“Copies of all documents (including but not limited to briefings, memos, internal advice, and reports) provided to or from the Chief Executive or Executive Leadership Team relating to proposed or actual changes to the work from home policy”.

Three documents have been identified in scope of this part of your request, excluding those identified in response to your questions one and two (Documents 2, 3 and 4 refer).

The six documents that have been identified in scope of your request and my decisions with regard to the release of the information are set out in the table attached as Appendix A.

I trust my response satisfies your request.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that Te Puni Kōkiri publishes some of its OIA responses on its website, after the response is sent to the requester. The responses published are those that are considered to have a high level of public interest. We will not publish your name, address or contact details.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact us at oiatpk@govt.nz.

Ngā mihi

A handwritten signature in blue ink, appearing to read 'Manaia King', with a stylized flourish at the end.

Manaia King
Hautū, Te Puni Rangatōpū | Deputy Secretary, Corporate

Appendix A: Documents - OIA request from [REDACTED] dated 30 May 2025

Item	Date	Document description	Decision
1	19 May 2022	Flexible Working Arrangements Policy, May 2022	Released in full
2	23 September 2024	Letter to Mr Dave Samuels – working from home expectations	Released in full
3	1 October 2024	Memo to Executive Leadership Team - Work from home approach	Release in full
4	14 November 2024	Memo to Executive Leadership Team – Working from Home Data and Criteria	Release in full
5	12 December 2025	Flexible Working (Work from Home) Guidance from Te Kawa Mataaho: Note this document is publicly available at: Guidance: Flexible Working (Work from Home) - Te Kawa Mataaho Public Service Commission	Refused under section 18(d)
6	May 2025	Flexible Working Arrangements Policy, June 2025	Released in full

Kaupapa Mahi Whakaritenga

Ngāwari

Flexible Working Arrangements Policy



Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

Why we have this policy | Ko Te Pūtake o tēnei Kaupapa Here

The purpose of this policy is to provide guidance on the application of flexible working arrangements to ensure all kaimahi are aware and have a consistent understanding of their ability to request a change in their working arrangements (hours and/or location). This policy is separate to any Business Continuity Planning which may include the requirement to work flexibly.

Background | He Kupu Whakamārama

The Employment Relations (Flexible Working Arrangements) Amendment Act 2007 took effect from 1 July 2008. This gave employees providing care for another person an entitlement to request flexible working arrangements. This right was extended to all employees by the Employment Relations Amendment Act 2014.

Since 2019, employees affected by family violence have had statutory rights to request a short-term (2-month or shorter) variation of their working arrangements to assist them deal with the effects of family violence.

All these matters have been incorporated into the Employment Relations Act 2000.

Additionally, in 2020 Te Kawa Mataaho (the Public Service Commission) provided guidance and resources to support agencies to introduce flexibility practices. Flexible Working Arrangements are an acknowledged mechanism to create more diverse and inclusive workplaces.

For the purpose of clarity, flexible working arrangements refer to one or more of the following: hours of work, days of work, place of work. Examples of flexibility are outlined in the table below:

Flexi-time	Flexi-place	Flexi-role/career
<p>Options that allow kaimahi to vary their work hours or from time to time</p> <ul style="list-style-type: none"> • Flexible start and finish times - variable start and/or finish times are worked on a regular or needed basis • Swapping workdays or hours with non-work hours or days (useful for part-time kaimahi) • Part-time hours 	<p>Options that allow kaimahi to work from locations other than their designated workplace</p> <ul style="list-style-type: none"> • Remote working - working from another office or from home, regularly or from time to-time (this requires confirmation of a suitable workstation and suitable availability of technology including connectivity) 	<p>Options that allow kaimahi to manage their roles and careers more flexibly</p> <ul style="list-style-type: none"> • Phased return to work i.e. kaimahi gradually increase their hours on returning from long-term leave • Phased retirement i.e. kaimahi gradually reduce their hours as they approach retirement • Job sharing - splitting a role with another kaimahi

At Te Puni Kōkiri there is an established practice of enabling kaimahi to work flexibly; this policy outlines how the intent to allow flexible working is to be applied.

Policy | Kaupapa Here

Kaimahi of Te Puni Kōkiri can engage with their manager at any time about flexible working arrangements.

This Policy applies to all flexible arrangements, regardless of whether it is a permanent/long term or temporary arrangement.

There are two ways of accessing a flexible working agreement:

1. Application for a formal flexible working arrangement (making a request under the Employment Relations Act 2000 (“the Act”))
2. Application for an informal flexible working arrangement

An arrangement agreed under the Act provides a high degree of certainty for both kaimahi and the employer and should be considered when requiring an ongoing, regular change to your normal pattern of work. A formal arrangement allows kaimahi to, for example, commit to care arrangements for an elderly parent with the certainty of knowing that the flexible arrangement is fixed (longer than 3 months) and not subject to change.

An informal arrangement is more appropriate when the changes required are for a short time (less than 3 months), or when there might be frequent changes to the arrangement. They are also appropriate when trialling or testing how an arrangement might work or utilising the flexi-time arrangement.

Kaimahi should review the information below, to determine which situation suits their needs best and discuss with their manager.

Managers should work with their Human Resources Business Partner when considering an application and before making a decision.

Requests under the Employment Relations Act 2000

All kaimahi have a statutory right to make a written request to vary the terms and conditions of employment relating to their *working arrangements*.

Working arrangements, in relation to an employee, means one or more of the following:

- (a) hours of work
- (b) days of work
- (c) place of work (for example, at home)
- (d) if the employee is affected by domestic violence, additional terms that need variation

The written request to their manager must state the following:

- employee’s name
- the date on which the request is made
- that the request is made under Part 6AA (the general flexible working) or Part 6AB (family violence short-term flexible arrangements) of the Act
- specify the variation of the working arrangements requested
- whether the variation is permanent or for a period of time
- the date on which the employee proposes that the variation take effect

- if the variation is for a period of time, the date on which the variation is to end
- explain, in the view of the employee, what changes, if any, Te Puni Kōkiri may need to make to business arrangements if the request is approved

Once an application is received the manager must notify the kaimahi of the decision as soon as possible. The recommended timeframe to respond would be one week but no later than two.

Refusal of a request to access a flexible working arrangement

A request can be refused if the manager determines that the employee is not eligible to make a request and/or the request cannot be accommodated on one or more of the grounds specified below. In refusing the request, the manager must notify the employee of the ground for refusal and provide an explanation of the reasons for that ground:

- (a) inability to reorganise and reallocate work among existing kaimahi
- (b) inability to recruit additional kaimahi
- (c) detrimental impact on quality of work
- (d) detrimental impact on work performance
- (e) Detrimental impact on the wider team
- (f) lack of work during the periods the employee proposes to work
- (g) planned structural changes
- (h) burden of additional costs
- (i) detrimental effect on the ability to meet the demand needs of customers.

A manager must refuse a request if the proposed new working arrangement is inconsistent with the provisions of the employee's collective agreement if the request were approved.

Requesting an informal flexible working arrangement

Kaimahi may request an informal flexible working arrangement by approaching their manager.

To prepare for a discussion with a manager, kaimahi should be able to answer the following questions:

- Why is the request being made?
- What length of time will the arrangement be in effect? e.g. is it a one-off instance or for a few weeks?
- What specific changes are being requested? e.g. starting or finishing work at different times, changing the location of where your work is performed.
- What impact, if any, might your arrangement have on your work? your team? your wider colleagues? your customers?

The manager will consider the request, considering, amongst other things, the reason for the request, the workload of the team, customer and colleague interaction, health and safety considerations and equipment requirements.

The decision as to whether or not to approve the informal request remains with the manager. If the request is declined the manager will provide an explanation and the opportunity for the employee to submit any further requests that take into account, the feedback.

Managers should genuinely consider the request and its impacts and should aim to respond to the informal flexible working arrangement within one week.

Informal arrangements can be reviewed at any time in response to changing circumstances, work demands etc

Responsibility and Enforcement | Ko Ngā Haepapa me Ngā Uruhi

All kaimahi and managers either making or considering a request for flexible working arrangements are expected to comply with this Policy.

Managers approving flexible working arrangements under this Policy are responsible for ensuring they have the required delegation.

Managers should consult with their People and Capability Business Partner for advice on any aspects of this Policy. Any breach of this Policy may constitute misconduct and will be dealt with in accordance with Te Puni Kōkiri's [Misconduct and Poor Performance Policy](#).

Informal arrangements can be reviewed at any time.

Policy Approval | Ko Te Whakaaetanga o te Kaupapa

This Policy is owned and updated by:	It was approved by:	On the date of:	It is due for revision by:
People & Capability	Deputy Secretary Organisational Support	19 May 2022	May 2024

This policy replaces the previous policy titled Flexible Working Arrangements Policy approved by the Deputy Secretary, Organisational Support on 11 April 2018.

Related Documents | Ko Ētahi atu Kaupapa Here

- [Te Kawa Mataaho Flexible-Work-by-Default Guidance and Resources](#)

Relevant Legislation

- [Employment Relations Act 2000](#)

Contact | Whakapā Mai

Please see your Human Resources Business Partner for assistance.



23 September 2024

Mr Dave Samuels
Secretary for Māori Development
Te Puni Kōkiri: Ministry of Māori Development

By email: dave.samuels@tpk.govt.nz

Dear Dave

Today at post Cabinet the Minister for the Public Service is going to announce the Government's expectations on working from home arrangements for the Public Service.

She acknowledges that many public servants make use of working from home arrangements in good faith and are able to maintain levels of productivity without compromise. However, the Minister believes that if the pendulum swings too far in favour of work-from-home, there can be major downsides for both employers and employees. The Minister has raised concerns about the adequacy of oversight arrangements. Working from home can also impact on CBD businesses.

The government's expectations are:

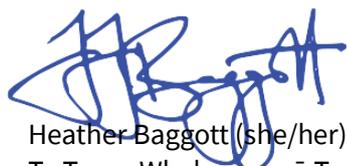
1. Working from home arrangements in the Public Service are not an entitlement and must be by explicit agreement between an employee and their employer. Chief Executives and managers must ensure that where any arrangements are made, they are subject to consistent monitoring and oversight.
2. Working from home arrangements should only be agreed to where they will not compromise the performance of employees, their teams or their agencies. This requires agencies to adequately weigh the benefits of employees being physically present for work, the cumulative impact of widespread working from home arrangements, and to consider performance in its widest sense: including potential impacts on learning and development, productivity, team culture and engagement.
3. Agencies must actively monitor working from home arrangements and be able to regularly report to the Public Service Commission about the number and nature of the agreements they have in place, including having a clear understanding of the impact these agreements will have on particular days of the week.

The Minister has asked the Public Service Commission to review the Hybrid Working and Flexible-By-Default Guidance to ensure it reinforces the government's expectations. This is a re-look at our guidance to ensure it aligns with the new Government Workforce Policy Statement and the government's clarified expectations. This will require you to review your agency's policies and arrangements to ensure alignment with the updated guidance, and I will be asking you to provide assurance to me that your arrangements reflect these expectations.

The work updating the guidance has begun, and we will consult you on the new guidance shortly. In the interim, I encourage you to look at your current policies and approaches to working from home and ensure they meet the Government's expectations.

In addition, the Minister has asked that we centrally collect information about working from home arrangements across agencies and so we will also be writing to you shortly with guidance on how to provide this information to us.

Yours sincerely



Heather Baggott (she/her)
Te Tumu Whakarae mō Te Kawa Mataaho
Acting Public Service Commissioner | Head of Service

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Current approach to work from home

Te Rā 22/10/2024

Whakapānga kōnae

Ki a	Executive Leadership Team
Nā	Manaia King, Deputy Secretary Corporate
Meeting date	15 Whiringaānuku 2024
Kaupapa	Current approach to work from home
Attachment/s	<ul style="list-style-type: none"> a. Flexible Working Arrangements Policy b. Letter dated 23 September 2024 from the Public Service Commissioner

Purpose

1. The purpose of this memorandum is to provide a briefing to the Executive Leadership Team (ELT) with our current approach to working from home arrangements and recommended next steps, following the announcement from the Minister for the Public Service on 23 September 2024.

Recommendations

2. It is recommended that you:

Note

- i. Te Kawa Mataaho have been asked to capture and publicly report on work from home arrangements across the Public Service. Agencies are expected to receive templates on the 18 October. Responses are due back by Friday 22 November.
- ii. Te Kawa Mataaho are also updating their Hybrid Working and/or Flexible by Default guidance for the Public Service in line with the Governments expectations to working from home arrangements.
- iii. PC&C are undertaking a 'discovery' phase to collate how many formal and informal arrangements are currently in place.
- iv. There are currently 29 formalise work from home arrangements in place. These cannot be changed without first consulting individual kaimahi.

Background / Context

3. On 23 September 2024, the Public Service Commissioner issued a letter to all Public Service agencies regarding the Government's expectations on working from home arrangements.
4. The government's expectations are:
 1. *Working from home arrangements in the Public Service are not an entitlement and must be by explicit agreement between an employee and their employer. Chief Executives and managers must ensure that where any arrangements are made, they are subject to consistent monitoring and oversight.*
 2. *Working from home arrangements should only be agreed to where they will not compromise the performance of employees, their teams or their agencies. This requires agencies to adequately weigh the benefits of employees being physically present for work, the cumulative impact of widespread working from home arrangements, and to consider performance in its widest sense: including potential impacts on learning and development, productivity, team culture and engagement.*
 3. *Agencies must actively monitor working from home arrangements and be able to regularly report to the Public Service Commission about the number and nature of the agreements they have in place, including having a clear understanding of the impact these agreements will have on particular days of the week.*
5. Te Puni Kōkiri has a Flexible Working Arrangement Policy which is in line with the current Te Kawa Mataaho "Flexible-By-Default" and Hybrid Working guidance. The current policy was due for revision in May 2024, which was delayed due to the FSEP change process and has now been paused until updated guidance is received from the Public Service Commission.
6. Furthermore, the Employment Relations Act (S69AA) sets out what types of flexible working arrangement are available to kaimahi (including work from home) and considers requests as an "employee's statutory right to make a request".
7. Te Kawa Mataaho have been asked to capture and publicly report on work from home arrangements across the Public Service. They have now developed an approach and consulted with the Heads of HR on the methodology. They require agencies to provide metrics about work from home arrangements for a 'typical week' including the number of staff who work from home each day of the week. Agencies are expected to receive templates on the 18 October. Responses are due back by Friday 22 November.
8. Te Kawa Mataaho are also updating their Hybrid Working and/or Flexible by Default guidance for the Public Service in line with the Governments expectations to working from home arrangements. It is expected that these will be sent to agencies at the same time as templates.
9. PC&C are undertaking a 'discovery' phase to collate how many formal and informal arrangements are currently in place.
10. There are legislative and contractual obligations which limits Te Puni Kokiri's ability to change any current formal arrangements without first consulting individual kaimahi and even then, the legislation isn't clear on what grounds a formal arrangement can be rescinded.

Current Practice

11. There are 29 formalised work from home arrangements in place.
12. The Flexible Working Arrangements Policy allows for the following work from arrangements:
 - 12.1 **Formal requests.** These are regular, and defined arrangements (such as work from home Monday and Thursday or two days from home and three in the office)
 - 12.2 **Informal requests.** These are ad-hoc and/or subject to change (such as plumber coming in to fix a leak at home).
13. Formal work from home arrangements is required to be submitted through Flowingly by kaimahi, which managers review and approve or decline. Requests that are approved are flowed to the People, Capability and Culture (PC&C) team for appropriate paperwork. Requests that are declined require a discussion with the Senior HR Advisor and General Manager/Regional Directors and must meet one or more of the grounds under the Employment Relations Act 2000 (S69AAF(2)):
 - inability to reorganise work among existing staff:
 - inability to recruit additional staff:
 - detrimental impact on quality:
 - detrimental impact on performance:
 - insufficiency of work during the periods the employee proposes to work:
 - planned structural changes:
 - burden of additional costs:
 - detrimental effect on ability to meet customer demand.
14. Informal work from home arrangements can be agreed between the kaimahi and the Manager, with the requirement that these arrangements are in line with the Flexible Working Arrangements Policy. These arrangements are adhoc and/or one-off arrangements and therefore currently are not required to be recorded centrally.
15. All formal flexible working arrangement requests must be responded to within one month of the request as per the legislation.

Alignment to Legislation/agreements

16. The Employment Relations Act (S69AA) sets out what types of flexible working arrangement are available (including work from home) and considers requests as an “employee’s statutory right to make a request”.
17. Any kaimahi can make a request under the provisions of the Act and the employer is required to consider all requests in good faith and can only refuse the request for one or more of the grounds outlined in ERA200 (S69AAF(2)).
18. Of the 29 known formal work from home arrangements, although Te Puni Kōkiri can review the arrangements, any changes to the current arrangements would need to be in consultation with the individual and could create an employment risk.

19. Any current and future policy or guidance updates would need to be aligned with the provisions of the Act.
20. In addition, the Collective Employment Agreement (CEA) clause 7 describes flexible working arrangements, which includes working from home arrangements provisions.
21. Te Puni Kōkiri cannot make any changes to the CEA without agreement from the PSA and union members through a ratification process. Te Puni Kōkiri has entered into the collective bargaining process and the PSA have raised flexible working arrangements as a claim they would like to discuss further. The PC&C will ensure that any agreement to changes to the clause are in line with the Government's expectations and Te Kawa Mataaho's guidance.

Reporting of work from home arrangements

22. As stated in paragraph 7, reporting on work from home arrangements will become mandatory for Public Service Agencies. The level of data required and how to submit the data will be communicated shortly by Te Kawa Mataaho.
23. Currently our payroll system is set up to record formal work from home arrangements when they are submitted through flowingly. However, due to the small number (29) of formal requests which have currently been submitted through flowingly, it is likely many arrangements have not been formalised or documented.
24. Pending guidance provided by Te Kawa Mataaho, it is likely we will need to update our processes and systems for recording work from home arrangements in order to provide the level of data required.

Risks

25. There is risk that the guidance from Te Kawa Mataaho is not imminent and therefore creates an issue of interpretation or alternative approaches across other Public Sector agencies. The PC&C has commenced engagement with Te Kawa Mataaho and other agency leads to ensure system wide consistency of approach.
26. Data and research shows the benefits for employee engagement where flexible working arrangements are available for kaimahi in an organisation. To make a significant shift in the current flexible arrangement practices, would have an impact on employee engagement and attracting future applicants for vacant positions. To mitigate this risk its recommended that Te Puni Kōkiri considers their approach with a balanced perspective.
27. If Te Puni Kōkiri were to adopt an approach of asking all kaimahi to return to the office unless if there are formal flexible working arrangements the following could occur:
 - Increase in formal flexible working arrangements
 - Higher staff turnover
 - Low moral and staff engagement
 - Higher sick leave usage
 - Lower productivity due to more time for travel

28. There are legislative and employment obligations that are required to be met and considered in good faith as outlined above.

Consultation

29. For the purposes of this briefing paper, no consultation outside of the PC&C team has been undertaken. However, consultation with Heads of HR across the Public Sector has commenced to ensure consistency of approach across the Public Service.
30. Future review and policy changes would also require consultation with the PSA.

Next Steps

31. PC&C will work with managers to review current work from home arrangements and capture these centrally.
32. Provide ELT with an update following release of guidance and seek approval on way forward.
33. Pause the review of the Flexible Working Arrangements Policy that was due for revision in May 2024.

Deputy Secretary / Acting Deputy Secretary Sign-Off

This paper has been reviewed and approved by Deputy Secretary:

Name	Position	Date
Manaia King	Deputy Secretary, Corporate	16/10/2024

**Working from Home – Public Service Commission
reporting and requests from people leaders**

Te Rā 19/11/2024

Whakapānga kōnae

Ki a	Executive Leadership Team
Nā	Anaru Matthews, Acting Deputy Secretary, Corporate
Meeting date	19 Whiringaārangi 2024
Kaupapa	Working from Home – Public Service Commission reporting and requests from people leaders
Attachment/s	<ul style="list-style-type: none"> a. Guidance on the provision of work from home data b. Te Puni Kōkiri response to Work from Home Data Collection Survey c. PSC letter to Chief Executive – working from home expectations

Purpose

1. This memorandum provides the Executive Leadership Team (ELT) with key insights from the data collected to meet the work from home reporting requirements released by the Public Service Commission | Te Kawa Mataaho (TKM) on 17 October 2024. This memorandum also provides draft criteria to support ELT in considering Working from Home (WFH) requests from people leaders.

Recommendations

2. It is recommended that you:
 - a. **Discuss and Approve**
 - i. The Working from Home criteria for people leaders to work from home.
 - b. **Note**
 - i. The Guidance on the provision of work from home data from TKM and key insights. Te Puni Kōkiri will provide the data to PSC by 22 November 2024.
 - ii. Te Puni Kōkiri has received draft WFH guidance from TKM for agency consultation. Feedback is due by 22 November 2024.
 - iii. ELT will be provided with a noting memorandum for their meeting on 19 November 2024 which summarises the WFH reporting that will be provided to TKM by 22 November 2024.

Background / Context

3. On 17 October 2024, TKM issued Guidance on the provision of work from home data advising agencies of the requirement to provide information on the typical WFH patterns of their workforce (**Attachment A**). The data collection is designed to provide a

snapshot of current agency WFH practices to form a baseline measure of the prevalence of WFH across public servants.

4. The data is due to TKM on 22 November 2024. It is anticipated it will be made publicly available in early 2025. The People, Capability and Culture (PC&C) team have completed the gathering of Te Puni Kōkiri data.
5. Data was collected from 384 employees, as at 24 October 2024. The data set, in accordance with TKM guidance, does not include kaimahi on leave of absence, external secondments and privates secretaries.
6. Key insights from the data show:
 - a. 41% (157 out of 384) kaimahi never work from home.
 - b. 13% (50 out of 384) kaimahi work infrequently from home (less than one day per week or one day per month)
 - c. 46% (177 out of 384) kaimahi typically work from home at least one day per week.
 - i. Of the 177 kaimahi, 24% work from home two days per week.
 - d. 7% (28 kaimahi) have formal remote working or working from home arrangements.
 - e. The majority of kaimahi work from home on Fridays (22%).
7. The full Te Puni Kōkiri response to TKM is attached (**Attachment B**).
8. Ongoing timelines and schedules of reporting have not been confirmed by TKM. PC&C will continue to update ELT as required.
9. In anticipation of continued reporting requirements, PC&C will identify a mechanism for recording WFH arrangements. This may involve the use of existing systems to track WFH arrangements, either by self-reporting or through people leaders.
10. Te Puni Kōkiri has received draft WFH guidance from TKM for agency consultation. Feedback is due by 22 November 2024.

Working from Home Requests from People Leaders

11. On 25 October 2024, following receipt of the request for data from TKM, the Acting Deputy Secretary, Corporate emailed all kaimahi regarding increased approval requirements in relation to WFH arrangements, for people leaders.
12. The email advised that all people leaders, either directly or through their one-up, need to seek approval from their Deputy Secretary for any formal, or informal, WFH arrangements, including existing arrangements extending beyond November 2024.
13. In the absence of formal guidance from TKM, it has been identified criteria is needed to support ELT to consider, approve and decline WFH requests in a consistent manner.

Working from Home Criteria

14. The following criteria are based on the expectations outlined by the Commissioner in the letter sent to agency Chief Executives 23 September 2024 (**Attachment C**):

- a. Will the WFH request compromise the performance of employees or the team? i.e. will the request have a detrimental impact on the ability of the people leader to provide the necessary support, monitoring and oversight of their employees or team.
 - b. Will the WFH request compromise the performance of wider business? i.e. will the request have a detrimental impact on the ability of the people leader to ensure cross-puni, directorate, or team deliverables or work programmes are delivered.
 - c. Will the WFH request impact on the ability of the people leader to support learning and development, productivity, or team culture and engagement? i.e. will the request limit the people leader's:
 - i. *availability to ensure employees have access to coaching/mentoring;*
 - ii. *ability to ensure employees and teams are working efficiently and effectively; and/or*
 - iii. *capacity to be present to ensure a positive, and engaged, team culture that aligns with Te Puni Kōkiri values.*
 - d. Will the WFH request mean the people leader is not visible to their team, or to the wider business? i.e. is the period of working from home (either consecutive or non-consecutive days) going to result in a significant time away from the office?
 - e. Are there any cumulative impacts of approving the WFH requests? i.e. will approving the WFH request decrease the presence of a wider group, or will others be significantly impacted by the request to WFH.
15. If following consideration of the above, the Deputy Secretary considers the request does not align with the needs of the business, then can decline the request or suggest an alternative arrangement.
 16. If following consideration of the above, the Deputy Secretary considers the requests does not compromise the needs of the business, then they can approve the request.

Consultation

17. PC&C are actively engaging with TKM through All-of-Government channels to remain up to date with guidance.
18. PC&C continue to work closely with the PSA and ensure they are made aware of any communications to the business ahead of time.

Deputy Secretary / Acting Deputy Secretary Sign-Off

This paper has been reviewed and approved by Deputy Secretary:

Name	Position	Date
Anaru Matthews	Acting Deputy Secretary, Corporate	14/11/2024

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Kaupapa Mahi Whakaritenga Ngāwari

Flexible Working Arrangements Policy



Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

Why we have this policy | Ko Te Pūtake o tēnei Kaupapa Here

1. The purpose of this policy is to provide guidance on the application of flexible working arrangements at Te Puni Kōkiri. This policy is separate to any Business Continuity Planning which may include the requirement to work flexibly.

Background | He Kupu Whakamārama

2. Te Puni Kōkiri has an established practice of supporting requests for flexible working arrangements where possible.
3. The Public Service Commission | Te Kawa Mataaho (TKM) Flexible Working (Work from Home) Guidance supports agencies to ensure flexible working practices align with the expectations of Government, and applicable legislation including the Employment Relations Act 2000 and the Health and Safety at Work Act 2015.¹
4. Flexible working arrangements refer to one or more of the following agreed variations to:
 - a) hours of work;
 - b) days of work;
 - c) place of work; and/or
 - d) working from home.
5. Examples of flexibility are outlined in the table below:

<u>Flexi-time</u>	<u>Flexi-place</u>	<u>Flexi-role/career</u>
Options that allow kaimahi to vary their work hours or days from time to time	Options that allow kaimahi to work from locations other than their designation workplace	Options that allow kaimahi to manage their roles and careers more flexibly
<ul style="list-style-type: none"> • Flexible start and finish times on an as required basis. • Swapping workdays or hours with non-work hours or days (useful for part-time kaimahi). • Part-time hours. 	<ul style="list-style-type: none"> • Working from another office or from home. • Working from another country. 	<ul style="list-style-type: none"> • Phased return to work i.e. kaimahi gradually increase their hours on returning from long-term leave. • Phased retirement, i.e. kaimahi gradually reduce their hours as they approach retirement. • Job sharing – splitting a role with another kaimahi.

¹ In accordance with section 69AB of the Employment Relations Act 2000, employees affected by family violence have statutory rights to request a short-term (2-month or shorter) variation of their working arrangements to assist them deal with the effects of family violence.

Policy | Kaupapa Here

1. Te Puni Kōkiri continues to be supportive of flexible working arrangements.
2. This Policy applies to all flexible arrangements, regardless of whether it is a permanent/long term arrangement or a temporary arrangement.
3. Kaimahi can engage with their manager at any time about flexible working arrangements.
4. All flexible working arrangements must be expressly agreed with the manager and recorded in writing.

Working from home arrangements

5. Requests to work from home must be considered on a case-by-case basis by the relevant manager who should consider the following when assessing requests to work from home. These questions are intended to help the manager assess the benefits for the employee of working from home versus in the office, including whether the WFH request will compromise the performance of the employee or the wider team.
 - a) Whether the request to work from home impacts the benefit of the employee being physically present for work?
 - b) The cumulative impact of widespread working from home arrangements *i.e. will approving the WFH request decrease the presence of a wider group, or will others be significantly impacted by the request to WFH;* and
 - c) Will the work from home arrangement impact on learning and development, team culture, productivity and engagement *i.e. will the WFH request impact the employees' access to coaching/mentoring or their capacity to be part of a positive, and engaged, team culture that aligns with Te Puni Kōkiri values.*
 - d) The nature of the employee's role, specifically:
 - i. the type, frequency, and/or novelty of activities or tasks they undertake;
 - ii. their experience level; and or
 - iii. the extent to which kanohi-ki-te-kanohi interaction is essential to the delivery of their responsibilities either in terms of relationship management or collaboration.
6. Managers must regularly review all work from home arrangements and consider the ongoing suitability of arrangements including any impact on team or organisational performance in its widest sense *i.e. impacts on learning and development, productivity, team culture and engagement.*

Working outside of Aotearoa New Zealand

7. Requests to work outside of Aotearoa New Zealand will be considered on a case-by-case basis and for a temporary period of time by the relevant manager and must be in consultation with People, Capability & Culture.

8. Consultation with the General Manager, Information Systems is required to ensure the request aligns with the IT Acceptable Use Policy and considers any Protective Security Requirements for the proposed country.
9. The considerations in Section 5 of this policy will apply when considering this request.
10. Working from overseas requests must be approved by General Managers, or those with Level B or above delegations.

Requesting a flexible working arrangement

11. Employees can request a flexible working arrangement by completing the Flexible Working Flow in Flowingly. In accordance with the Employment Relations Act 2000, all kaimahi have a statutory right to make a written request to vary the terms and conditions of employment relating to their working arrangements.
12. The workflow requires the employee to provide the following information:
 - a) Name;
 - b) Approving manager;
 - c) The start and end date of their request i.e. the duration of the requested arrangement;
 - d) The type of flexible working arrangement i.e. change in hours, change in location, working from home, or other;
 - e) The rationale for requesting a flexible working arrangement; and
 - f) Any supporting documentation.
13. Once the Flowingly is submitted it will notify both the approving Manager and People, Capability and Culture. People, Capability and Culture or the Manager may request to meet to discuss the request for flexible working arrangements before they are approved.
14. Managers must consider flexible working requests as soon as possible and should aim to respond to the formal flexible working arrangement within two weeks, but not later than one month after receiving the request and must notify the employee in writing if the request has been approved or refused.

Refusing a request for a flexible working arrangement

15. A request for a flexible working arrangement can be refused if the manager determines that the employee is not eligible to make a request and/or the request cannot be accommodated on one or more of the grounds specified below.
16. In refusing the request, the manager must notify the employee in writing of the ground for refusal and provide an explanation of the reasons for that ground being on, or more of, the following:
 - a) Inability to reorganise and reallocate work among existing kaimahi;
 - b) Inability to recruit additional kaimahi;
 - c) Detrimental impact on quality of work;
 - d) Detrimental impact on work performance;
 - e) Detrimental impact on the wider team;
 - f) Lack of work during the periods the employee proposes to work;
 - g) Planned structural changes;

- h) Burden of additional costs; and/or
- i) Detrimental effect on the ability to meet the demand needs of customers.

17. A Manager must refuse a request if the proposed new flexible working arrangement is inconsistent with the provisions of the employees' employment agreement.

18. If the Manager intends to refuse the request for flexible working arrangements, then they must consult with People, Capability, and Culture.

Informal flexible working arrangements

19. There may be instances where an informal flexible working arrangement is appropriate in instances of one-off occurrences, *i.e. an employee needs to start and finish early to attend an appointment*. In these instances, Managers are to use their own judgement to approve or decline an informal request for flexible working.

20. The manager should consider the following:

- a) the reason for the request;
- b) the workload of the team;
- c) customer and colleague interaction anticipated at the time requested;
- d) health and safety considerations and equipment requirements; and
- e) the frequency of informal flexible working requests and whether a formal arrangement is more appropriate.

21. If managers are unsure whether to approve or refuse a request for an informal flexible working arrangement they should seek guidance from People, Capability and Culture.

Reporting obligations – working from home arrangements

22. To ensure Te Puni Kōkiri is able to regularly report to the Public Service Commission on the prevalence and impact of working from home arrangements active monitoring is required.

23. Te Puni Kōkiri needs to maintain accurate records of the number and nature of working from home agreements in place, in particular what days of the week employees are working from home.

24. People, Capability and Culture will be responsible for provision of data to the Public Service Commission. However, managers must also maintain accurate records of the working from home agreements in place for their team.

Responsibility and Enforcement | Ko Ngā Haepapa me Ngā Uruhi

25. All kaimahi and managers either making or considering a request for flexible working arrangements are expected to comply with this Policy.

26. Managers are responsible for:

- a) regular review of work from home arrangements within their team;

- b) maintaining accurate records of the work from home arrangements within their team to ensure that reporting requirements to the Public Service Commission are met i.e. be able to report on the number of employees regularly working from home and on what days of the week;
- c) communicating regularly with their team, and wider directorates and puni, about flexible working arrangements, how they are working and how challenges can be addressed;
- d) ensuring they have the required delegation to approve flexible working arrangements; and
- e) consultation with People, Capability and Culture for advice on any aspects of this Policy.

27. Employees are responsible for:

- a) submitting requests for flexible working arrangements through Flowingly; and
- b) ensuring they continue to meet the expectations of their position, and any expectations set by managers, when working flexibly.

28. Any breach of this Policy may constitute misconduct and will be dealt with in accordance with Te Puni Kōkiri Disciplinary Policy or Unsatisfactory Work Performance Policy.

Policy Approval | Ko Te Whakaaetanga o te Kaupapa

This policy is owned and updated by:	It was approved by:	On the date of:	It is due for revision by:
People, Capability & Culture	Deputy Secretary, Corporate	25 June 2025	25 June 2027

This policy replaces the previous policy titled Flexible Working Arrangements Policy approved by the Deputy Secretary, Organisational Support on 19 May 2022.

Related Documents | Ko Ētahi atu Kaupapa Here

- [Employment Relations Act 2000](#)
- [Health and Safety at Work Act 2015](#)
- [Te Puni Kōkiri Disciplinary Process Policy](#)
- [Te Puni Kōkiri Unsatisfactory Work Performance Policy](#)
- [Public Service Commission Flexible Working \(Work from Home\) Guidance](#)
- [IT Acceptable Use Policy](#)

Contact | Whakapā Mai

Please contact People, Capability and Culture for assistance at askHR@tpk.govt.nz.