



24 August 2022

Tēnā koe

On 4 July 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

I request the following information from the Ministry of Social Development under the Official Information Act 1982. Please provide the following information relating to salary for legal staff. I define legal staff as a role where a current practising certificate is required.

Salary steps or bands

Salary or salary bands/ranges for legal staff with 0 – 8 years of relevant legal experience. Please provide as much detail as possible.

- a. If there is a salary step or band for each year of experience, please provide the relevant salary amount to the respective level of experience. Please provide this in as much detail as possible.*
- b. If there is a salary band for a range of experience levels, please provide the full range of the band and the experience range it applies to, broken down into as much detail as possible.*
- c. If there are salary steps or bands for graduate, junior, and senior legal staff (or equivalent or similar titles), please provide the definition and applicable years of a experience for each level, and the salary steps or bands for each level. Please include any steps or bands within each role if applicable.*
- d. Please indicate whether there is a set increase in salary each year, if so what this increase is, or, if progression is not automatic, what is considered when deciding salary progression.*

Other financial benefits

- a) *Do advertised salaries at your organisation include the employer's kiwisaver contribution?*
- b) *Please provide details on any other financial remuneration applicable to legal staff. For example, if your organisation provides a wellness subsidy, please provide a description of the payment, how frequently it is paid, and the amount.*
- c) *Does your organisation pay legal staff monetary bonuses? If so, please provide the relevant policies around how and when bonuses are paid.*
- d) *Does your organisation have an overtime policy for legal staff? If so, please provide this policy.*
- e) *Does your organisation have a time off in lieu policy for legal staff? If so, please provide this policy.*

Demographic details

- a) *How many legal staff does your organisation employ?*
- b) *What are the titles of your legal staff and how many employees hold each title?*

On the 28 July 2022, the Ministry email you to advise we required more time to respond to your request.

For the sake of clarity, the Ministry will respond to your questions in turn. Some questions have been grouped together as they are about the same topic.

Please provide all salary figures excluding the employer's Kiwisaver contribution.

Salary or salary bands/ranges for legal staff with 0 – 8 years of relevant legal experience. Please provide as much detail as possible.

- e. *If there is a salary step or band for each year of experience, please provide the relevant salary amount to the respective level of experience. Please provide this in as much detail as possible.*
- f. *If there is a salary band for a range of experience levels, please provide the full range of the band and the experience range it applies to, broken down into as much detail as possible.*
- g. *If there are salary steps or bands for graduate, junior, and senior legal staff (or equivalent or similar titles), please provide the definition and applicable years of a experience for each level, and the salary steps or*

bands for each level. Please include any steps or bands within each role if applicable.

- h. Please indicate whether there is a set increase in salary each year, if so what this increase is, or, if progression is not automatic, what is considered when deciding salary progression.*

We have included the roles of Graduate Lawyer, Lawyer, and Senior Lawyer as within the scope of your request. Please note that as at 1 July 2022, the Ministry does not have any employees currently in the role of a Graduate Lawyer.

Graduate Lawyers and Lawyers are remunerated on the Staff Core salary bands which range from 90% to 110% with pay steps. Employees are appointed to a step within the range based on skills and experience and then progress to the next step on an annual basis (1 October).

Please see **Table One** enclosed in the **Appendix**, which outlines the remuneration ranges and progressions steps for these roles.

Senior Lawyers are remunerated in the Managers and Senior Specialists (MSS) salary bands that span a range of 80% to 120%. Employees are appointed to a Position in Range (PIR) which is represented as a percentage. Pay progression occurs through a percentage increase matrix that is linked to performance outcomes (subject to available funding). The MSS pay and progression framework is currently under review.

Please see **Table Two** enclosed in the **Appendix**, which outlines the remuneration for a Senior Lawyer.

- 2. Do advertised salaries at your organisation include the employer's kiwisaver contribution?*

The Ministry's advertised salaries exclude employer contributions to Kiwisaver.

- 3. Please provide details on any other financial remuneration applicable to legal staff. For example, if your organisation provides a wellness subsidy, please provide a description of the payment, how frequently it is paid, and the amount.*

Other financial remuneration provisions applicable to legal staff are outlined on table three (overleaf):

Provision	Staff roles (Includes Graduate lawyer, and Lawyer)	Managers and Senior Specialists (Includes Senior Lawyer)
Vision Care: subsidises the costs of eye tests and eyewear, including glasses and contact lenses.	Up to \$400 (GST inclusive) per annum	Up to \$400 (GST inclusive) per annum
Health and well-being	Well-being payment: two payments of \$110 gross (paid on 1 September 2021, and 20 July 2022).	Well-being payment: one-off \$220 gross payment (replaces biennial health screen check in 2022). Health insurance contribution: annual contribution of \$750 net.
Te Reo allowance: recognises an employee's competence in te reo Māori.	From \$500 (level 1 - basic routine language) to \$3,500 (level 5 - complete proficiency) gross per year.	From \$500 (level 1 - basic routine language) to \$3,500 (level 5 - complete proficiency) gross per year.
Ex-gratia payment after returning from parental leave.	Up to 32 days' pay as a lump sum or on-going payment.	Up to 32 days' pay as a lump sum or on-going payment.
First Aid allowance: paid to a designated first aid attendant who is the holder of a current certificate.	\$330 per annum (paid fortnightly).	\$330 per annum (paid fortnightly).

Does your organisation pay legal staff monetary bonuses? If so, please provide the relevant policies around how any when bonuses are paid.

The Ministry does not pay bonuses.

5. *Does your organisation have an overtime policy for legal staff? If so, please provide this policy.*
6. *Does your organisation have a time off in lieu policy for legal staff? If so, please provide this policy.*

The Ministry does not have an overtime policy or time off in lieu policy for legal staff. Provisions for overtime and time off in lieu are outlined in the relevant employment agreements. As such, your request for this information is refused in full under section 18(e) of the Act as this information does not exist.

7. *How many legal staff does your organisation employ?*
8. *What are the titles of your legal staff and how many employees hold each title?*

As at 1 July 2022, the Ministry has 37 legal staff. This includes 21 people in the role of Lawyer and 16 People in the role of Senior Lawyer.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by publishing this letter on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response regarding information relating to the salary of the Ministry's legal staff, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



Hayley Evans
Chief Legal Advisor
MSD Legal



Appendix.

Table One: Remuneration ranges and progression steps for the roles of Graduate Lawyer and Lawyer

Role	Step 1	Step 2	Step 3	Step 4	Step 5 (mid- point)	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
Graduate Lawyer (Band 4)	\$62,660	\$64,401	\$66,141	\$67,882	\$69,622	\$70,667	\$71,711	\$72,755	\$73,800	\$74,496	\$75,192	\$75,888	\$76,585
Lawyer (Band 6)	\$83,011	\$85,317	\$87,623	\$89,929	\$92,235	\$93,618	\$95,002	\$96,385	\$97,769	\$98,691	\$99,613	\$100,536	\$101,458

Note: The role of Graduate Lawyer is in remuneration band four of the Ministry's core salary ranges. The role of Lawyer is in remuneration band six of the Ministry's core salary ranges.

Table Two: Remuneration for Senior Lawyer

Role	Remuneration range Minimum	Remuneration Range Midpoint	Remuneration Range Maximum
Senior Lawyer	\$100,014	\$125,018	\$150,022

Note: The role of Senior Lawyer is in remuneration band five of the Ministry's Managers and Senior Specialists (MSS) salary ranges.