# Flexible Working – Example Policy

## Objectives and purpose

We recognise that to achieve our vision of XX we must be agile in our workforce management, and flexible working helps us to achieve this.

This Flexible Working Policy sets out our commitment to ensure that all roles can be flexible on an ‘if not, why not’ basis. Doing this will assist us to realise the benefits of using flexible working to improve service delivery and customer satisfaction.

Flexible working enables us to attract people with the best skills and attributes to develop a workforce whose diversity reflects that of our customer and the people of NSW.  We understand that organisations who value flexible working have productive and fulfilling workplaces that assist them to attract and retain employees, leading to savings in recruitment and training costs, as well as maintaining corporate knowledge and expertise. It also reduces the high costs associated with workplace exclusion such as increased turnover, absenteeism and reduced productivity.

This policy and supporting documents provide guidance to employees and their managers about flexible working arrangements.

Our objectives for flexible working are to:

* be an employer of choice for all our people and improve our ability to attract, develop and retain a diverse workforce;
* manage for outcomes and measure their achievement, rather than focus on inputs and activities such as where and when work is performed;
* make flexible working a central part of how our organisation and employees work;
* support and empower all of our employees to be able to do their best and bring their whole selves to the workplace; and
* ensure that all employees have equitable access to opportunities available at work and are rewarded and recognised for their contributions.

## What is flexible working?

Flexible working is employees having access to flexibility across all roles, for any reason, enabling them to have successful and engaging careers. This involves flexibility which improves the performance and wellbeing of organisations, teams, and individuals.

Flex time will continue to exist as a useful way to adjust your hours of work between busy and quieter periods. Flexible working, however, is a much broader range of informal and formal arrangements for the when, where and how work can be done. It can also include remote working, career breaks, compressed weeks, job sharing, flexible rostering and much more.

For flexibility to work it must find an equilibrium between the needs of employees, their teams and their organisation. This means that the arrangement decided can be unique to its context, as long as all parties to it consent. Some of the typical arrangements available in this agency include, but are not limited to:

### WHEN

Bid rostering

Flex time and time banking

Flexible rostering

Flexible working hours/flexible scheduling (varying your start and finish times)

### WHERE

Activity-based working/Agile working

Telecommuting/remote working

Working from a different location (including different office/hubs)

Working from home

### HOW

Compressed working week/compressed hours

Job share

Part-time work

Shift swapping

Split shifts

## Our flexible working principles

These Principles set out the standards and values that underpin a culture of flexibility, and provide guidance to both managers and employees in carrying out their respective roles and responsibilities with respect to flexibility.

### For everyone

Everyone is able to request the types of flexibility that makes sense within their role, and what that arrangement looks like will vary depending on the role.

Managers and their teams consider what is possible on the basis of ‘why not?’

Flexibility is not a special provision or a reward that needs to be earned.

### Mutually beneficial

Successful flexibility embodies the best outcome for employees, employers and customers.

Flexible work must maintain or improve service delivery for the people of NSW and not increase labour costs.

### About the team

Flexible working should be considered in the context of the team, with all arrangements taking a team overview about how work will be distributed and solve for the needs of the team.

It must take into account the legislative provisions relating to flexible working that apply to certain categories of employees.

### Give and take

Not all types of flexibility will be available for every role and every individual all the time.

Flexible work requires give and take between employee, manager and teams.

Flexible working arrangements may change and cease (requiring a new proposal to be discussed) due to a number of reasons, including business and operational needs.

It is the obligation of the employee, their manager and their team to make any flexible working arrangement a success.

Flexible arrangements should be reviewed regularly to check they are working well and address any issues that may arise.

### Leader led

Senior leaders should lead the way and show what is possible with flexible working.

Senior leaders need to visibly demonstrate how they are building flexible working into their own lives and enabling their teams to work flexibly.

### Context matters

Different types of flexibility will suit different roles, given the size and diversity of the NSW government sector.

Assumptions will need to be challenged to rethink work design and business models to realise flexible working to improved service delivery.

## Audience

This policy applies to all full time, part time, ongoing and temporary employees including casual employees. Contractors may also request to work flexibly; agreement needs to be sought between the department and third party labour hire agency.

## Implementation responsibility

Implementation responsibility for this policy lies with the Secretary, Executive, managers and all roles with direct reports.

Managers and employees are responsible for ensuring that any flexible working arrangement continues to ensure the health and safety of the employee using it.

## Process for setting up a flexible working arrangement

Managers and employees have a mutual obligation to ensure that flexible working arrangements do not have a detrimental impact on others. The ability to continue to deliver on business outcomes must be a paramount consideration in any flexible work proposal. Flexible working is not a reward; all employees have access to request flexible working via a flexible working proposal, as long as it meets the needs of the employee, their team and their organisation.

Employees seeking ongoing arrangements should complete a proposal to work flexibly. A proposal to work flexibly can be motivated by any number of reasons and this will influence the arrangement sought. Employees can use the ‘checklist for making a flexible working proposal’ when thinking about and preparing their proposal.

Ad-hoc and short term arrangements may be agreed between employees and their manager from time to time. It is important that each proposal for flexible working is considered on its individual merits. Employees should schedule a meeting with their manager to discuss their flexible working proposal.

Proposals should outline the logistics of the arrangement, and include timeframes and review periods where required. An ongoing agreement must be formally recorded, approved and date/s for review noted.

Flexible working arrangements should be discussed as part of regular performance discussions to ‘check in’ whether it is working. Performance Development Plans in place are used to help assess whether the flexible working arrangement is contributing to the employee delivering on their performance objectives.

The manager and employee must openly discuss their flexible working proposal, understanding the business outcomes, and start from the perspective of seeking to make it work. Managers can use the ‘considering a flexible working proposal checklist’ as part of the review process.

If during these discussions the manager and employee do not agree on the flexible working proposal first made, they should consider identifying alternative suitable options to work flexibly.

If a manager does not agree with an employee’s flexible working proposal that it will still satisfy operational requirements, and an alternative arrangement cannot be agreed, the manager must articulate to the employee why it is not suitable, including the criteria for the decision made. It must then be reviewed and discussed with the manager’s manager (one manager up from employee) to ensure fairness and consistency, and that all proposals are considered on merit taking into account individual, team and business needs. The manager must be able to substantiate how the flexible working arrangement will not work by explaining the impact and outcomes on the individual/team/business.

If a proposal for flexible working is not approved it must be discussed with the employee and options for other flexible working arrangements should be jointly explored. All decisions and their reasons should be relayed to the employee in writing.

## Approval

Once there is a mutual agreement of the employee’s ongoing flexible working proposal, a written and signed agreement should be developed between the manager and employer prior to the commencement of any long term/ongoing new flexible working arrangement. The flexible working proposal template can be used.

An approved flexible working proposal that has work occurring outside of the office must ensure relevant WHS information is taken into account and approved.