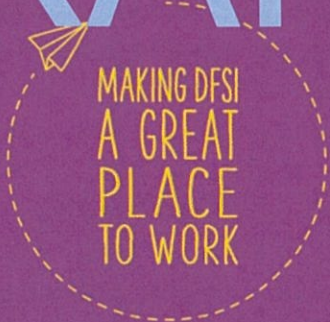


DFS
FLEXIBLE
WORKING
POLICY
DRAFT



MAKING DFSI
A GREAT
PLACE
TO WORK

September 2018

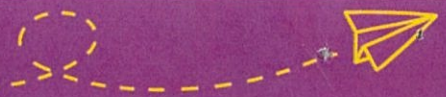


Table of Contents

1	Policy statement	3
2	Definition	3
3	Principles	4
4	Responsibilities	5
5	Types of flexible working options	6
	5.1 Flexible working hours	6
	5.2 Working from different locations	7
	5.3 Working from home	7
	5.4 Part time work	7
	5.5 Job share	8
	5.6 Compressed work week	9
6	Setting up flexible working arrangements	9
	6.1 Employee considerations prior to proposing flexible working	9
	6.2 Employee and Manager discussion	9
	6.3 Approval of flexible working agreement form	11
7	Document control	11
	7.1 Document approval	11
	7.2 Review date	11
	7.3 Document version control	11
8	Attachments	11
	Employee checklist for making a flexible working proposal	12
	Manager/Director checklist for considering a flexible working proposal	13
	Flexible Working Agreement Form	14
	WHS Assessment	17



1 Policy statement

The Department of Finance, Services and Innovation (DFSI) recognises that to achieve our purpose of delivering and enabling world-class public services across Government for the people of NSW we must be agile in our workforce management, and flexible working helps us to achieve this.

Our Flexible Working Policy underpins the following key initiatives:

- **DFSI's Great Place to Work Program** which is designed to re-shape our ways of working and propel ourselves to be more flexible, collaborative and innovative. We are focused on improving our workplace and looking after our greatest asset – our people.
- **Premier's Priorities of Improving Government Services and Driving Public Sector Diversity** by creating a flexible workplace which promotes an 'if not, why not' approach to work. We recognise that flexible working enables us to attract people with the best skills and attributes, develop a diverse workforce, foster a productive and engaging workplace to retain employees, and excel in service delivery and customer satisfaction for the people of NSW.

DFSI recognises the importance of supporting our employees to work more flexibly throughout different stages of their lives and to give our employees the opportunity to negotiate work-life balance. This policy aims to strengthen a genuine two-way cooperative workplace culture that fully considers our service obligations to the people of NSW.

2 Definition

Flexible Working is defined as employees having access to flexibility across all roles, for any reason, enabling them to have successful and engaging careers. This involves flexibility to improve the performance and wellbeing of DFSI, teams and individuals.

Flexible working includes any work arrangement that changes standard hours, days or locations of work on a temporary or permanent basis which can be supported by the business and meet employee needs, such as:

- changing the hours worked or start and finish times on any given day or working to a staggered roster
- changing the number of days worked each week as part of a reduced work week or reducing the total hours worked each week on a temporary or permanent basis in a job share or part time arrangement
- using paid or unpaid leave entitlements for extended breaks from full time work
- working closer to/or at home or other locations, on an occasional or regular basis to undertake work

Flexible Working does not replace or alter the DFSI Flexible Working Hours Agreement 2016 (DFSI FWHA) that provides for Flex Leave. FWHA arrangements continue unchanged. A person using a Flexible Working Arrangement is still able to access flexible working hours, except if a Compressed Week or fixed part time arrangement is put in place. Depending on the nature of the Flexible Working arrangement, it may need to specify how it interacts with flexible working hours.



3 Principles

DFSI recognises that there may be a variety of reasons for working flexibly and these will vary across and within DFSI Divisions according to work demands and service requirements. Managers and employees should be encouraged and supported to discuss which flexible work options are most appropriate for operational and employee requirements on the basis of 'if not, why not'. Directors are required to approve flexible working arrangements covered by this policy.

The following principles set out the standards and values that underpin a culture of flexibility, and provide guidance to directors, managers and employees in carrying out their respective roles and responsibilities with respect to flexibility.

For employees

- Everyone can request the types of flexibility that makes sense within their role
- Whether it is possible and what it looks like will vary depending on the role
- Managers, employees and their teams consider what is possible on the basis of 'if not, why not'
- Flexibility is not a special provision or a reward that needs to be earned

For the team

- Flexible working should be considered in the context of the team
- Flexible arrangements must have a team perspective about how work will be distributed and solve for the needs of the team and DFSI as a whole
- Legislative provisions relating to flexible working that apply to certain categories of employees must be considered

Mutually beneficial

- For flexibility to be successful it must create the best outcome for all parties
- Flexible work must maintain or improve service delivery for the people of NSW and not increase labour costs

Give and take

- Flexible working does not mean you will always be able to work flexibly
- 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, director and teams
- Flexible working arrangements may be piloted, changed and/or ceased (which requires a new proposal to be discussed) due to a number of reasons including business and operational needs
- It is the joint 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 as they arise

Senior Leader led

- Senior leaders should lead the way, show what is possible with regards to flexible working and be outcomes focused
- Senior leaders need to visibly demonstrate how they are flexible working individually and by enabling their teams to work flexibly



Context matters

- Due to the size and diversity of the DFSI, one size flexible arrangements cannot fit all
- Different types of flexibility will suit different roles and business requirements
- Assumptions about work design and business models to realise flexible working and to improve service delivery should be reconsidered

4 Responsibilities

This policy applies to all full time, part time, ongoing and temporary DFSI employees including casual employees. Flexible working requests must support DFSI’s goals and operational requirements and be in line with the relevant provisions of the Acts, Awards, Codes and Departmental Policies that govern the conditions of employment.

Who	Responsibilities
DFSI	<ul style="list-style-type: none"> • Implements flexible work arrangements within DFSI • Encourages and actively promotes flexible work practices • Provides appropriate support to managers and employees who want to work more flexibly • Deploys appropriate technology solutions to support flexible work • Ensures the <i>DFSI Flexible Working Policy</i> is accessible to all employees • Commits to a high degree of professionalism
Agency Heads	<ul style="list-style-type: none"> • Encourage managers to discuss flexible working possibilities and barriers
Directors	<ul style="list-style-type: none"> • Approve Flexible Working Agreements
Managers	<ul style="list-style-type: none"> • A leader in DFSI who is responsible for the management of an employee/s within a team • Reviews flexible work requests • Refers the request to the relevant Director for approval • Leads by example and role models behaviour that supports flexible working • Considers requests for flexible working with an open mind and approaches the discussion in a constructive, problem-solving manner • Considers direct/indirect business costs and discusses alternatives to flexible requests • Manages team workload and performance during flexible working arrangements • Proactively considers flexible working arrangements from a whole-of-team perspective • Communicates the rationale for declining a request 'if not, why not'
Team	<ul style="list-style-type: none"> • Supports their colleagues who work flexibly • Participates constructively in team discussions regarding flexible working arrangements
Employees	<ul style="list-style-type: none"> • Develops a proposal that addresses business and team needs and any possible impacts • Ensures any out of office work environment meets WHS standards and report issues • Delivers agreed work outcomes within the predetermined timeframes • Maintains a regular physical presence with the team and organisation • Maintains security and safe custody of equipment, information, systems and data (hard and electronic copies) in accordance with organisational policies and procedures • Ensures performance and conduct meets expectations during the arrangement



5 Types of flexible working options

Flexible work arrangements may vary across the different DFSI teams. Flexible working arrangements can be applied independently or in combination. For example, it is not necessary to work part time hours to request a change to start or finish times.

As noted above, the following arrangements are flexible working hours and continue unchanged by the Flexible Working policy. No further agreements or documents need to be completed to access Flexible Working Hours beyond the arrangements as agreed in the FWHA.

Options	How might the option meet an employee's need?	What are the relevant policies?
<i>Flexible working hours – "Flex"</i>	Providing ongoing and temporary employees with greater flexibility of their working hours	<ul style="list-style-type: none"> • <i>Crown Employees (Public Service Conditions of Employment) Award 2009</i> • <i>DFSI Flexible Working Hours Agreement 2016</i> • <i>Or any other relevant industrial agreement.</i>
<i>Flexible start and finish times</i>	Access flexible start and finish times within the bandwidth. Employees can commence work any time from 7am up to 10am and finish any time from 3pm to 7pm. A daily average of 7 ordinary working hours is required. Commencing and finishing times will take into consideration supervision and operational requirements	<ul style="list-style-type: none"> • <i>Crown Employees (Public Service Conditions of Employment) Award 2009</i> • <i>DFSI Flexible Working Hours Agreement 2016</i> • <i>Or any other relevant industrial agreement.</i>

5.1 Flexible working hours

The *DFSI Flexible Working Hours Agreement 2016* currently provides ongoing and temporary employees with greater flexibility to vary their working hours by mutual agreement with their manager, including:

- Flexible start and finish times within bandwidth
- Fixed start and finish times within bandwidth
- Vary lunch breaks to a minimum of 30 minutes and a maximum of 2.5 hours
- Accrue any time worked in excess of standard hours per day as flex time
- Take up to 6 flex leave days in a settlement period
- Manage their contract hours within a settlement period

This flexibility in the workplace allows employees and managers to make arrangements about working conditions that suit an individual's work-life balance.



The following options are the new possibilities under the Flexible Working Policy.

Options	How might the option meet an employee's need?
<i>Working from different locations</i>	Working from an office closer to home or closer to meetings an employee may need to attend during the day, such as working hubs or other government buildings
<i>Working from home</i>	Working from home some days of the week
<i>Part time work</i>	Working a regular pattern where you work less than full time hours, and are paid on a pro rata basis
<i>Job share</i>	Full time role is undertaken by two or more employees who are paid on a pro-rata basis
<i>Compressed work week</i>	Employee works the required hours over a reduced timeframe. The work week is reduced to a minimum of 4 days, and does not support flexing working hours credit or debit. This option will initially be available on a trial basis to determine long-term viability.

5.2 Working from different locations

Where there is no un-alterable business need to work permanently from a specific location, a request can be made for a flexible working arrangement to work from a different location or locations on an occasional or more regular basis. Working from a different location can include working from another DFSI building location, other government buildings or designated hubs.

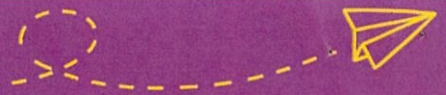
5.3 Working from home

Home base work on an occasional or more regular basis can provide benefits to both DFSI and employees. It is important that employees who are considering working from home ensure that they are able meet the requirements of their role. Working from home is not a substitute for dependent or carers responsibilities and alternative arrangements would need to be made to cover those responsibilities while working from home. If working from home, the manager and employee should discuss whether the arrangement is occasional or more regular in nature and if the latter, this would require more formal documentation to be completed and whether the arrangement will be undertaken initially on a trial basis.

- ***Occasionally working from home*** – short periods of time, flexible/irregular pattern to working days and or days in a month. This could be a suitable option for an employee when they have non-work-related appointments near home, when taking a half day's leave, when meeting a service provider at home for a private matter or other similar circumstances.
- ***Regularly working from home*** – an arrangement that is for a longer period of time or regular pattern to the working days/weeks.

5.4 Part time work

Part time work is an arrangement where an employee works less hours than full time work (other than casual work) and where conditions and entitlements accrue on a pro rata basis. Part time work arrangements may be available on a permanent basis (ongoing) or temporary basis (for a set period of time). Employees can request either of the following types of part time flexibility options:



- **Part time leave without pay** – Temporary change to hours of work to less than full time hours based on identified need, ability to revert full time hours.
- **Permanent part time** – Permanent change to contact hours of employment. No ability to revert to full time hours without applying for a new full-time role. May still require a flexible working arrangement for the pattern of work.

Elements of part time work

- Part time work involves less hours per day or days per week than a full time equivalent role
- Employees working under a part time work arrangement should not work more than their maximum daily contract hours except under a flexible work hours arrangement
- The salary of part time employees is calculated as a percentage of full time hours

Hours of part time work can be approved under any of the following arrangements:

Fixed Hours: Flexible working hours do not apply i.e. flex leave is not accrued	Hours are set and regular each day and cannot be varied e.g. 9am – 4pm, 1 hour lunch, 8am – 3pm, 30 minutes lunch
Flexible Working Hours: Extra hours above contract hours do accumulate	Hours are based on a total number of hours to be worked each settlement period. They can be worked irregularly subject to core and bandwidth provisions

5.5 Job share

Two employees voluntarily share the responsibilities of one full time job, and receive salary and benefits on a pro-rata basis. Job sharing creates regular part time work (half days, alternative days, alternative weeks etc.) where there was previously one full time position.

Managers and employees considering adopting job share as a flexible work option within the team can consider a number of role designs:

- **Shared responsibilities with no division of duties** – Each job sharer performs all aspects of the role. This is most suitable for operational, customer, administrative and supervisory roles. Individuals need to have similar skills for this design option.
- **Mix of separate and shared responsibilities** – Duties are divided between the jobsharers with some overlap. This is most suitable for project based, strategic and management roles. Individuals need complementary skills for this design.
- **Separate responsibilities** – Job sharers have different duties, with no overlap. This is most suitable for project based, strategic and management roles. Individuals may or may not need complimentary skills for this design.

The proportion of the job shared by each job share partner can be varied. For example, three days one week, two days the following week. Managers and employees should ensure job sharers are across joint responsibilities within the chosen role design and have an agreed handover system to ensure seamless service delivery. Managers should ensure that goals are clearly set for each job share partner.



5.6 Compressed work week

Employee works the required hours over a reduced timeframe. The work week is reduced to a minimum of 4 days, and work hours in line with the *DFSI Flexible Working Hours Agreement*. The main elements of the compressed work week are:

- Work week is reduced to a minimum of 4 days, flexible starting and finishing times in line with the *DFSI Flexible Working Hours Agreement* bandwidth
- Employees wishing to work 28 hours or less a week should consider requesting a part time work arrangement
- Employees cannot accrue flexing working hours credit or debit as this would likely require an excessive number of hours to be worked on any given day
- Leave is used at same rate of accrual. This means that if an employee takes a day of leave it is deducted at 8.75 hours (employee's normal work hours on a compressed working week)

6 Setting up flexible working arrangements

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 business outcomes is a paramount consideration for any flexible work proposal. The flexible working proposal should outline the logistics of the arrangement, timeframe and review periods. A flexible working proposal must be discussed between the manager and employee prior to gaining director approval for the commencement of any flexible work arrangement.

6.1 Employee considerations prior to proposing flexible working

A proposal to work flexibly can be motivated by any number of reasons, school pick up/drop off, personal development, community involvement, lifestyle reasons etc. The motivation will determine the type of arrangement the employee is seeking. Employees can use the '*Employee checklist for making a flexible working proposal*' (Attachment 1) when thinking about their request.

6.2 Employee and Manager discussion

Employees should then schedule a meeting with their manager to discuss their proposal. The discussion should include the employee's needs and business requirements, and come from the position of 'if not, why not?'. The manager and employee should then discuss the proposal with the relevant Director for approval.

Employee proposals should outline the logistics of the arrangement and include timeframes and review periods where required. In the event that the flexible working arrangement is not mutually beneficial DFSI reserves the right to cease the arrangement. Flexible working arrangements should also be discussed as part of ongoing performance management discussions.

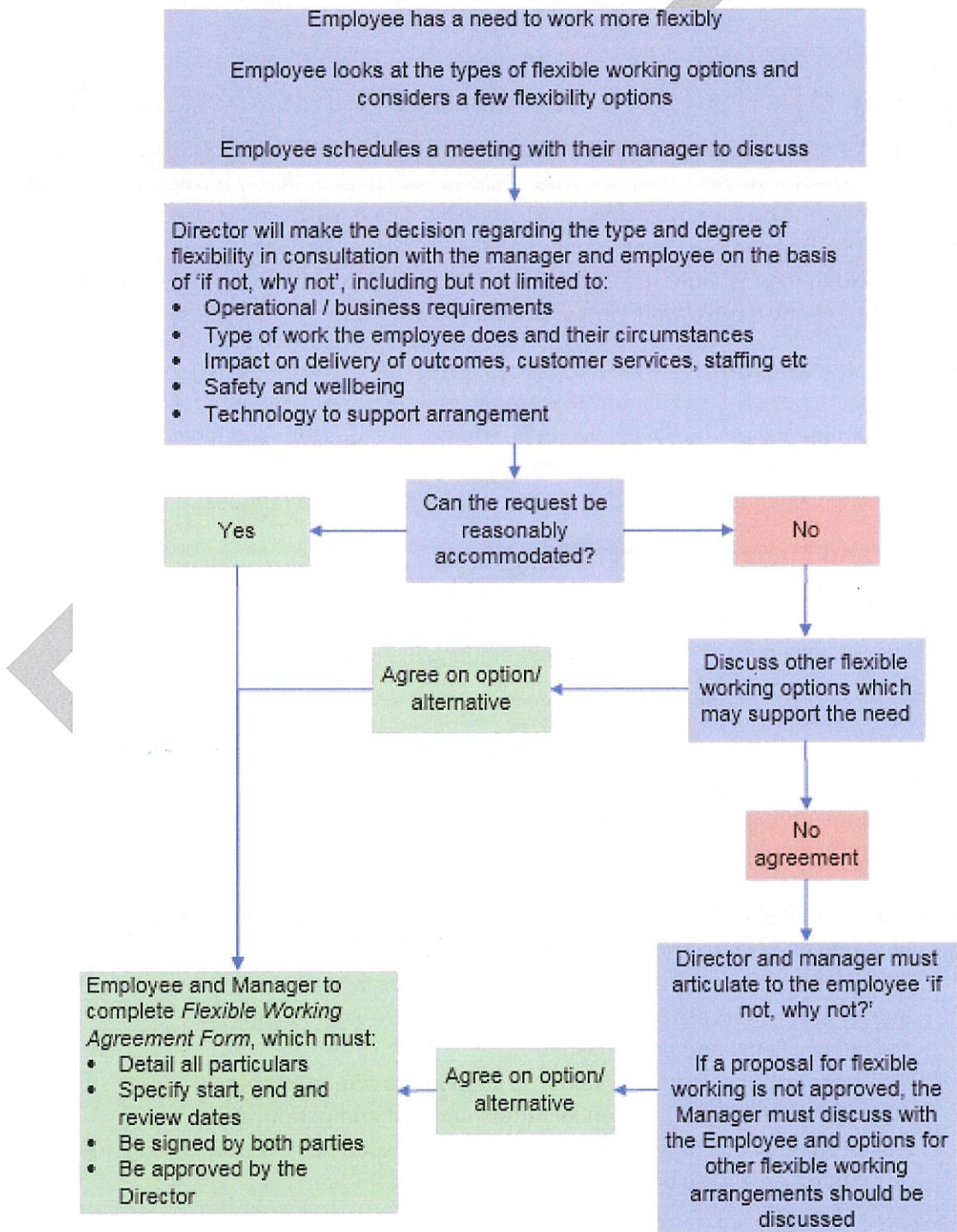
Directors will approve decisions regarding the type and degree of flexibility in consultation with the manager and employee by considering the following factors:

- Type of work the employee does and their circumstances
- Impact on the delivery of business outcomes and customer service
- Safety, wellbeing and equity issues
- Appropriate technology is available to support the arrangements
- Consideration should be given to current conduct and performance
- Not all types of flexibility will suit all roles and as such flexible work arrangements are to be considered on a case by case basis.



Managers and directors can refer to the 'Manager/Director checklist for considering a flexible work proposal' (Attachment 2) as part of the review process. If a Director does not agree with an employee's flexible working proposal and an alternative arrangement cannot be agreed, the Director and manager must articulate to the employee 'if not, why not?'.
 The DFSI Positive and Productive Workplace Policy should be referred to for resolution pathways. All decisions and their reasons should be communicated to the employee. The below decision flowchart can be utilised as part of the review and approval process.

Flexible working arrangement process flowchart





6.3 Approval of flexible working agreement form

Managers should explore all potential flexible working options with an employee and identify a preferred option before seeking approval by the relevant Director. Once there is mutual agreement of the employee's flexible working proposal a formal written and signed '*Flexible Working Agreement Form E-form*' (Attachment 3) must be completed and be signed by the manager and relevant Director. In addition, a flexible working option which has more regular work occurring outside of the office in the home, must also ensure that '*WHS Assessment*' (Attachment 4) information is considered and approved.

- A flexible working agreement can be approved for periods not exceeding 12 months
- A trial period should not exceed 3 months
- A further review should occur not exceeding 6 months after the commencement of the agreement
- Flexible working arrangements should be reviewed regularly and can be reviewed any time after the initial trial to check they are working well and address any issues that may arise
- At the end date, the employee will revert to their previous conditions, unless a further agreement has been agreed.

7 Document control

7.1 Document approval

Name & Position	Signature	Date
Martin Hoffman Secretary		

7.2 Review date

This policy will be reviewed in [Month Year].

7.3 Document version control

Version	Status	Date	Prepared By	Comments
1.0	Approved			



Employee checklist for making a flexible working proposal

The following statements and checklist can be used to help develop your proposal to work flexibly.

1. What sort of flexibility would you prefer?

Look at the types of flexible working options available and identify the preferred options.

2. What effect might it have on your team and your manager if you adopt this type of flexible working arrangement?

Take into consideration the impact this may have on your team delivering its objectives.

3. What will your manager be most concerned about in offering you your preferred type/s of flexible working?

Prior to meeting with your manager think about any concerns your manager may have and come up with suggestions/options.

4. What can you do to ensure that working flexibly will be effective for DFSI, your manager and team?

Commit to ensuring that your flexible working arrangement will not have a negative impact on your or your team's business outcomes.

5. What if you can't have the specific type or amount of flexibility you want or need?

Not all types of flexibility are available for all roles, therefore think about other options for working flexibly.

Complete the following steps in order to discuss your flexible working proposal with your manager	Yes / No
Schedule a convenient time to meet with manager (in person if possible) to discuss your flexible working proposal	
Clearly outline your situation and your needs	
Explore the implications of your proposed flexible working preferences on your work and your team	
Identify flexibility options that could work for you	
Speak with colleagues who may be affected by your flexible working arrangement in order to collaboratively determine options to effectively manage the work	
Ensure that your request is realistic for everyone in your team	
Be ready to discuss other flexible work options if your manager is not able support your proposal	
Propose an implementation plan, including monitoring and evaluating the proposal	



Manager/Director checklist for considering a flexible working proposal

This checklist can be used to help assess and implement requests for flexible work arrangements. General considerations when reviewing a flexible working proposal:

- Flexibility can take many forms and be for many reasons
- No one size fits all – everybody and every situation is different
- Come from the position of ‘how can we make this work?’
- All flexible work options should be considered on the basis of ‘if not, why not’
- Be creative and solutions focused
- Understand the business outcomes and employee needs
- Cultivate an open and trusting environment
- Understand the flexible working arrangements available, be open to options and be outcomes focused

Utilise the following steps to review and approve the flexible working proposal	Yes / No / N/A
Consider what types of flexible working arrangements would suit this role	
Will the arrangement continue to support the purpose and the objective of the role?	
Will the needs of the customer (internal/external) continue to be met?	
Does the workload need to be adjusted (for example moving to part-time arrangements)?	
Can the responsibilities be effectively re-allocated (if necessary)?	
Are there any restrictions on when and where the work can be performed?	
Consider any genuine concerns you have with the flexible working proposal. How could they be addressed?	
Is the employee willing to be flexible in their approach and work schedule?	
Does the team and employee have the resources required for the arrangement (example – remote access, working from another location)?	
Are there any WHS arrangements that need to be considered (i.e. is WHS paperwork up to date)?	
Have the communication needs been identified and addressed (i.e. how will the employee stay connected to the team if working away from the office)?	
Will the employee be accessible as required?	
Will there be an impact on the team, has this been reviewed and addressed?	
Does the proposal for flexible working consider all potential key risk areas and challenges that may arise?	
Do I have the delegation to review this request? Approval is required by the relevant Director.	
Have I sought advice from People & Culture (if required)?	
Consider how the arrangement will be reviewed (e.g. ongoing or periodic basis). When and how will the arrangement be measured? Set timeframes for review.	



Flexible Working Agreement Form

- Refer to the DFSI Flexible Working Policy to understand your responsibilities before applying for flexible work arrangements
- Duration and assessment of flexible work arrangements are subject to Section 6.3 of the DFSI Flexible Working Policy
- A flexible working option which has work occurring outside of the office in the home, must ensure the 'WHS Assessment' is completed

Employee details

Employee name:	Employee number/GEN:
Role:	Role number:
Ongoing or temporary:	Contract end date:
Full time or part time:	_____ hours / week
Phone (work):	Phone (personal):

Type of flexible work arrangement requested

Part time leave without pay Yes No Fixed hours Flexible hours

Permanent part time Yes No Fixed hours Flexible hours

Different work locations Yes No Occasional Regular Location: _____

Work from home Yes No Occasional Regular Location: _____

Job share Yes No

Compressed hours Yes No

Reason for flexible work request	
----------------------------------	--

Details of flexible work arrangement requested

Proposed start and end date of arrangement (arrangement not to exceed 12 months)	Date commencing:	Date ceasing:				
Trial period (normally no more than 3 months)						
Review date (no later than 1 month prior to end of arrangement)						
Week 1 Hours worked	Monday	Tuesday	Wednesday	Thursday	Friday	Week 1 total hours
Week 2 Hours worked						Week 2 total hours
					Total hours / fortnight:	



Flexible Working Agreement

DFSI prioritises safety for our employees and customers and is committed to creating a safe work environment regardless of where you are working. If you are working from different office work location or working from home, ensure you:

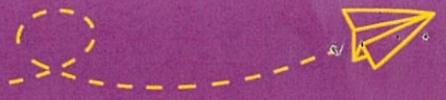
- Complete the 'WHS Assessment' Yes No N/A
- Are aware of the incident reporting procedures? [How do I report an injury?](#) Yes No N/A

I understand that:

- Approval of this flexible working agreement is dependent on business requirements
- This flexible working agreement may be reviewed and ceased at any stage, depending on circumstances and performance
- If moving to part time work, it will affect my superannuation and that I should seek independent financial advice on this matter. I also understand that additional hours must be approved prior to accumulation
- This agreement may be ceased by either party prior to expiry, Yes No N/A

I have read and accept the terms listed under the *Flexible Working Policy, DFSI Code of Conduct* and other relevant policies and agreements. Yes No N/A

Employee name:	Date:
Employee signature:	
Manager approval:	
Name:	Date:
Signature:	
Director approval:	
Name:	Date:
Signature:	



Notes of discussion:

DRAFT

If the application is proposed to be declined reasons must be documented and sent to People & Culture for review, prior to finalising the decision.



WHS Assessment

Employees who have approval to work from home or a different location continue to have an obligation to maintain a healthy and safe working environment under the Work Health and Safety Act 2011.

Employees must take reasonable care for their own health and safety, comply with reasonable instruction, and cooperate with DFSI's WHS governance material whilst working remotely.

Employees who have approval to work at home are covered by the Workers Compensation Act 1987 in the event of a work-related injury.

Employees must ensure that a suitable place is reserved at the location which is to be used exclusively for work purposes, with regard to identifying and reducing potential hazards. This includes working from home.

The following guidelines must be adhered to when working from home or a different location:

General WHS Requirements

The designated work place is suitable for the tasks being performed and maintained to eliminate or control the presence of hazards.

Emergency Response and First Aid

Adequate facilities are in place to enable the quick response to emergency situations which are likely to occur whilst working remotely.

Telephone or other communication devices must be readily available to allow effective communication in an emergency situation. A standard First Aid kit must be available and maintained.

Electrical Safety

Power points and power boards must be used appropriately where these devices are not overloaded and kept clear of items or debris. Frayed or defective electrical equipment must not be used.

Work Environment

Doorways allowing entry and exit into the work place must be kept clear of obstacles and unlocked (where appropriate to do so).

Floors and surfaces must be maintained to eliminate or control the presence of hazards which may result in a slip, trip, or fall.

Adequate lighting must be available through artificial or natural sources to promote ease in visibility of text, documents, and screens.

Room temperature should be regulated as required for comfort.

Work Place

The Workstation Set-Up Guidelines and Workstation Self-Assessment Checklist should be used as a reference to ensure the work surface, chair, keyboard, mouse, etc. is positioned appropriately and promotes positive ergonomic posture.

Acknowledgement:

I acknowledge that:

I have read and understand the above principles in respect of my WHS obligations when working from a different location or working from home. I will take all necessary action to proactively manage WHS risks.

Employee name		Role title	
Business unit		Review date	
Signature		Date	

To be retained by the employee and a copy to the manager. Forward a copy to Employee Safety and Wellbeing WHS@finance.nsw.gov.au

