

Better Ways of Working - Flexible Working Framework

Overview

The Crown Solicitors Office (CSO) is committed to creating workplace where all employees are supported to work in a way that enables every individual to reach their full potential at work.

Offering flexible work arrangements to all our employees is critical to our efforts in building a workforce that reflects the diversity of the Clients and stakeholders which we serve and ensures that our organisational culture reflects the NSW Government's commitment for all public service jobs to be flexible.

Supporting our employees in working in a way which enables them to balance home, family and work commitments is also critical to ensuring we provide a work environment that fosters our core values of integrity, trust, accountability, service and respect.

The purpose of this framework is to:

- provide an overview of the flexible work options available to all employees and teams;
- provide principles and guidelines for implementation; and
- principles and guidelines for ongoing review.

All employees irrespective of seniority are expected to act in accordance with the philosophy of the framework which promotes a focus on a team's operational requirements and mutual accountability for success and an "if not why not" approach to implementing flexible work arrangements.

Scope

Flexible working is available to all (full time and part time) CSO employees, including employees who have just commenced employment at the CSO. It applies to ongoing, temporary and casual employees including employees seconded to CSO. Contractors may also request to work flexibly. This, however, is subject to agreement between the CSO and the relevant third-party labour hire agency.

What does flexible working mean?

Flexible working at the CSO attracts and encourages the retention of skilled employees. It enables the organisation to continually assess where, when and how work is done with a focus on maintaining and improving our legal services and client outcomes whilst enhancing job satisfaction and work /life balance.

There is no 'one-size-fits all' approach to flexible working. What a flexible working arrangement looks like, and how it works, will differ according to the role, the team, the nature of work being delivered and the location.

Guiding principles:

The CSO is committed to promoting and maintaining a flexible workplace. The Flexible Framework is aligned with CSO's approach to wellbeing, inclusion, and reinforces its commitment to attract, develop and retain a diverse workforce. Consistent with the principles of "if not, why not" to

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implementing flexible work arrangements, the CSO Flexible Working Framework incorporates the following guiding principles:

- Flexibility is about rethinking the where, when and how work is done in a way that maintains or improves existing service delivery standards and does not increase labour costs.
- Making flexible working a central part of how our organisation works will enable us to manage for outcomes and measure employee achievements rather than focus on the where and when work is performed.
- Flexible work arrangements support and empower our employees to do their best, bring their whole selves to the workplace and assist them to balance personal needs.
- Flexible work arrangements allow employees to have equitable access to opportunities at work and be rewarded and recognised for their contributions.
- All flexible work arrangements may not always be possible due to the nature of the work being performed. Managers and employees need to be open to discussing and considering a range of flexible work arrangements considering the operational requirements of the role and/or other limitations.

What options are available?

Part time work

Part time work allows a degree of flexibility in the workplace and provides employment opportunities for people who are unable to work full-time. This option allows managers to allocate work flexibly, and the ability to employ additional people (refer to job sharing arrangements) who can bring additional capabilities to the team.

Part time work is work that involves fewer than the full-time weekly hours for the role. This can take the form of working fewer than 7 hours per day or working 7 hours per day across fewer days or a combination of both. Part time work may also be undertaken on a part-month and part-year basis.

Part time work can be used in a number of circumstances, including:

- where an employee working full time wishes to:
 - alter their current working hours to part time or
 - enter into a job sharing arrangement;
- where an employee working on a part time basis wishes to further reduce their current working hours;
- where an employee is about to return from maternity leave / adoption leave and requests to work part time; and
- where an employee wishes to transition to retirement.

Managers should ensure that part time work arrangements are operationally sustainable, and this should be assessed on a case by case basis.

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Job sharing arrangements

A job share arrangement occurs when two or more people voluntarily share the duties of a single role. Employees undertaking job share arrangements are each employed under separate part time agreements have separate employment relationships.

The two most common ways duties can be divided are as follows:

- *Division of time* - This means both employees share all the tasks, and the components of their jobs are essentially interchangeable. Both sharers are expected to perform the full range of duties, with the duties divided only by the time each sharer is at work.
- *Division of responsibilities* - This arrangement is most suitable where jobs can be relatively easily divided by projects or tasks. These jobs could be split by giving each sharer a specific group of customers or specific projects.

Working from an alternative location

Requests for alternative workplace arrangements may be approved where the employee can demonstrate, and the manager is satisfied that:

- the employee can perform the work from the alternative workplace location;
- the work can be completed efficiently in this manner; and
- there are no adverse effects on the employee's team or on service delivery.

Working from an alternative location can include such places as the employee's home, working from another Agency office/hub and may be a formal arrangement or an occasional arrangement.

If an employee is approved to work from an alternative location, including home, they must comply with the CSOs work, health and safety standards and Data Privacy and protection Policy.

Compressed hours/days

Compressed working hours¹ is a formal arrangement where an employee works their normal, full-time hours over fewer than 5 days. For example, for full time employees this would mean either a 4 day working week (35 hours week may be worked at a rate of 8.75 hours per day) or a 9 day fortnight (e.g. 70 hours fortnight may be worked at a rate of 7.55 hours per day). Any request for compressed hours must be reasonable and not detrimental to an employee's health and wellbeing, and cannot exceed the bandwidth hours as outlined in the Attorney Generals Flexible Working Hours Agreement 2006.

¹ Note: The option to work compressed hours/days is available only for non-executive employees.

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Roles and Responsibilities

Actor	Responsibility
The Organisation (CSO)	Implement, encourage and promote flexible working arrangements that continue to meet operational requirements of the organisation.
The Leadership Team	Promote and role model flexible working. Enable their teams to work flexibly.
The People & Culture Team (P&C) Team	Advise managers and employees on the best suited flexible working arrangement applicable considering the employee's circumstances, nature of work performed and operational requirements of the role.
The Employee	Consider own circumstances and nature of the work performed while requesting flexible working arrangements. Maintain appropriate communication and physical presence with the team while working flexibly. Review and re-assess flexible working arrangements on a yearly basis.
The Manager	Review and approve/decline flexible working arrangement requests considering the employee's circumstances, nature of work performed by the team, current flexible working arrangements of the team and operational requirements of the team.
The Delegated Authority	Review and approve/decline flexible work arrangement requests considering the practice group/divisional requirements.

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Linked artefacts

Linked documents

Better Ways of Working - Flexible working Guideline *(TB hyperlinked once approved)*

Framework for Managing Health and Safety in the Workplace *(TB hyperlinked once approved)*

[Attorney Generals Flexible Working Hours Agreement 2006 Leave Policy](#)

[Flexible-teams-resources-for-managers](#)

Linked legislation

[Government Sector Employment Act 2013 NSW](#)

[Industrial Relations Act 1996 NSW](#)

[Work Health and Safety Act 2011 NSW](#)

[Work Health and Safety Regulation 2017 NSW](#)
