

Flexible Working Policy

1. Purpose

- We aim to create a productive and supportive work environment for everyone.
- The Flexible Working Policy (the policy) allows staff to submit flexible working arrangement requests to balance work and personal commitments while still meeting the needs of our department.
- The policy outlines the principles for implementing flexible working arrangements, ensuring they are equitable, transparent, and aligned with our obligations under Work Health and Safety (WHS) legislation, Gender Equality principles, and the Workplace Gender Equality Act (WGEA).
- The policy acknowledges that presence in the physical workplace plays an essential role for employees and managers. Arrangements to work from home must take into consideration the wider needs of the department, the division, the teams, the individuals and stakeholders, noting that employees should work principally in an approved workplace, office or related work site as referenced in [C2024-03 NSW Government Sector Workplace Presence](#).

2. Scope

- The policy applies to all employees of the Department of Creative Industries, Tourism, Hospitality and Sport (DCITHS) including:
 - ongoing, temporary and, and those on secondment to the department;
 - agency employees engaged to perform work for or provide services on behalf of the department;
 - work experience students; and volunteers and consultants where their engagement requires adherence to the Code of Conduct

For staff engaged in offices outside of Australia, this policy must be applied in compliance with applicable local laws.

3. Definitions

- **The Department:** The Department of Creative Industries, Tourism, Hospitality and Sport.
- **Principally in the workplace:** Means that, by default, the majority of your work and workdays should be conducted in an approved workplace.

- **Approved Workplace:** The office that is your current main place of work (McKell, The Rocks, 4PSQ, Orange, Newcastle, Gosford) and any other worksites you are required to attend.
- **Formal Agreement:** A written approval for regular flexible working arrangements that need to be submitted and approved by your manager and potentially the Deputy Secretary or Head of your Division.
- **Ad-hoc Arrangement:** A one-off flexible work arrangement, such as working from home for an occasional day, that does not require formal approval.
- **Employee:** Means all employees (ongoing, temporary and, and those on secondment to the department); and agency employees engaged to perform work for or provide services on behalf of the department; work experience students; and volunteers and consultants where their engagement requires adherence to the Code of Conduct.
- **Manager:** The person you directly report to, responsible for reviewing and approving flexible working requests.
- **Deputy Secretary / Commissioner / CEO:** The head of the division, responsible for approving more complex flexible work requests, such as working mostly from home.
- **Secretary:** The head of the department, responsible for approving flexible requests to work outside NSW.
- **Workplace Presence Circular:** The NSW Government circular that states employees should work primarily from an approved workplace unless a flexible working arrangement has been approved.

4. Responsibilities

- **Employees** are responsible for:
 - understanding the requirements of the policy.
 - ensuring your work meets the same standards, whether in the office or working remotely.
 - maintaining a safe and productive workspace if working from home or remotely.
 - ensuring any proposal for a flexible working arrangement considers the wider needs of the department, the teams, the individuals, and stakeholders.
 - informing your manager of any changes to your flexible working arrangement and seeking approval if required.
- **Managers** are responsible for:
 - In addition to the employee responsibilities, managers are responsible for:
 - ensuring ongoing conversations include flexible working arrangements and that these are reviewed on a regular basis.
 - ensuring flexible arrangements consider the wider needs of the department, the teams, the individuals, and stakeholders.
 - working with their director and team leads to ensure attendance is spread throughout the week.
 - ensuring all employees in your team have a formal agreement where required.

5. Flexible Working

- Everyone has access to flexibility; however, flexible working arrangements will mean something different to everyone as circumstances and priorities change. Continuous collaboration is required between team members, managers, and leadership to ensure that flexibility is effective for our department, our stakeholders, and the wellbeing of our staff.

5.1 Flexible Working Arrangements

- Flexible working means you can adjust **how**, **when**, and **where** you work.
- Flexible working arrangements can include (but are not limited to):
 - compressed working week/compressed hours
 - purchased leave
 - job share
 - part-time work
 - staggered hours (variation to start and finish times)
 - working remotely (working from home or another location for some working hours)
 - career breaks
 - transition to retirement

6. Workplace presence

- The expectation is that employees work mainly in an approved workplace. All flexible working requests should start from this position, noting that the goal is to achieve an even spread across the working week and making the best use of office space.
- Being in the office is important for employee wellbeing, teamwork, and connection. It helps build a sense of belonging and teamwork that can be hard to achieve when working remotely. This strengthens the public service as a whole.
- The C2024-03 NSW Government Sector Workplace Presence circular does not set specific attendance rules and allows for changes depending on what works best for both employees and the department.
- As a government employer, we are committed to making sure that all employees, no matter where they work, have a safe and healthy work environment. This includes giving the support and resources needed for safe remote work and addressing risks like feeling isolated. Employees also need to make sure they are working in a safe space, keeping private information secure, and are free from caregiving duties that could interfere with work.
- By formalising these flexible working arrangements, we can reduce the risks of remote work and keep employees connected and supported.

6.1 Requests for Flexible Working Arrangements – How to Apply

1. **Complete an Electronic Flexible Working Arrangement Request Form:** An electronic form will be provided for submission of flexible working requests. You can access this form [via this link].
2. **Submit the Form to Your Manager:** Once completed, the electronic form will be automatically forwarded to your manager for review and send for additional approvals if required as noted in section 6.2.

(For ad-hoc requests, no form is required—just discuss and agree with your manager.)

6.2 Requests for Flexible Working Arrangements– Approvals Process

- **Ad-hoc Requests:** If you need to work from home occasionally, no formal approval is needed. Just inform your manager and seek their approval.
- **Formal Requests:** For more regular working from home arrangements, your manager will review your request, considering:
 - The impact on your team
 - Your role and responsibilities
 - The department's needs
 - Your personal circumstances
- **Further Approval:**
 - If your request includes working mostly from home, your manager will forward the request to your **Deputy Secretary / Commissioner / CEO** for further approval.
 - If your request includes working outside NSW, your manager will forward the request to the **Secretary** for further approval.

6.3 Storage of Records

- All approved flexible working arrangements will be recorded and securely stored by People and Capability. Managers will ensure that the electronic forms and approvals are filed appropriately for future reference and compliance.

6.4 Review of Flexible Working Arrangements

- All approved flexible working arrangements will be reviewed regularly, usually as part of your performance review, to ensure they are still working for both you and the department.

7. Dispute Resolution

- If a flexible working arrangement request is not approved or an arrangement is terminated, the manager is to provide the employee with reasons in writing as to why the request cannot be approved.
- In the first instance, any disagreements about a flexible working arrangement request should be discussed between the employee and the manager.
- If, after further discussion, an employee believes the manager has unreasonably refused their request, they may seek a review from their Director or Executive Director.
- The Director / Executive Director will, complete a review of the decision to decline the employee's flexible work request. The Director / Executive Director will communicate their decision regarding the employee's request for flexible working to the employee and Director in writing (email).
- If the employee remains dissatisfied with the decision, they may seek a final internal review from People and Capability by contacting their P&C Business Partner or by utilising the provisions outlined in the Grievance Handling Policy.

8. Contact

- **People & Capability**
peopleandcapability@dciths.nsw.gov.au
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9. Related documents

- Premier's Department Circular C2024-03 NSW Government Sector workplace presence
 - Flexible Work FAQ
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10. Variation

- The department may amend this document as appropriate.

Policy Owner	Last revision	Next review date	Summary of changes
People and Capability	30 March 2023	31 October 2024	New Policy
CPO	August 2024	August 2026	Amended policy to align to Circular: <u>C2024-03 NSW Government Sector Workplace Presence</u>
