

DCJ Flexible Work Procedure

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1. Purpose

The purpose of this procedure is to provide guidance to the Department of Communities and Justice (DCJ) managers and employees on implementing the DCJ Flexible Work Policy. Flexible work is about rethinking the *where, when, and how work can be done and by who*, in a way that benefits service delivery outcomes. For flexibility to be sustainable, an equilibrium is required between the needs of employees, our teams, DCJ, and our stakeholders, including the communities accessing our services.

Using the Team Flexible Work Plan, available in the DCJ Flexible Work Toolkit, is a way for managers and their teams to explore the different types of flexibility available to their team to:

- best support them in achieving their objectives,
- establish a plan on how they will implement flexible working, and
- establish hybrid and remote work agreements for employees seeking this type of arrangement.

Establishing a Team Flexible Work Plan is optional.

This procedure also provides guidance on the process for employees seeking approval for flexible work arrangements, where a Team Flexible Work Plan is not in place.

The DCJ Flexible Work Procedure should be read in conjunction with the [Flexible Working Policy](#) (the Policy). This procedure supports the requirements of the [C2024-03 NSW Government Sector Workplace Presence](#) circular.

2. Definitions

Key terms and their definitions can be found in the Policy.

3. Scope

This procedure applies to all DCJ and Corrective Services NSW (CSNSW) employees. This includes full-time, part-time, temporary and casual employees. Contractors and contingent labour are out of scope; however, their ways of working should typically align with the requirements of the role and the working arrangements their team has in place.

Industrial provisions, such as those covered under the Flexible Working Hours Agreements and industrial instruments, e.g., flex time or leave, are not covered by this procedure.

Workplace adjustments may include components of flexible work, such as working principally from home to meet the inherent requirements of the role. Flexible work arrangements that form part of a workplace adjustment are out of scope and do not require an agreement under the Flexible Work Policy. An employee's workplace adjustment is supported by the [DCJ Workplace Adjustment Policy and Procedure](#).

Remote working is not generally available to frontline staff. This Policy supports the implementation of NSW Premier's Department Circular 2024-03 NSW Government Sector workplace presence in DCJ and CSNSW and it is not intended to introduce or expand remote working availability.

4. Planning for flexibility using the Team Flexible Work Plan

Effective flexible working arrangements balance the needs of the business within the context of the team, and individual employees. A team-based approach enables this balance to be realised. It best supports business requirements and the key role that flexibility plays in enabling DCJ's employee value proposition. This contributes to high quality candidates, staff retention and reduces the impacts of high levels of turnover.

Teams should regularly discuss how work is planned and completed, by reviewing their business outcomes, processes and workflows and promoting a positive culture that supports flexible working. This means:

- Teams are encouraged to consider ways to work flexibly that will benefit continued performance and wellbeing for individuals, teams, customers, and the organisation.
- Different options are considered for where, when, and how work is done and who does the work.

4.1 Developing a Team Flexible Work Plan

This procedure provides the steps that teams can undertake to develop, formalise, monitor and review team and individual flexible working arrangements. Team planning is encouraged but optional.



Resources have been developed to support each step detailed below and are available in the accompanying DCJ Flexible Work Toolkit (the Toolkit). The Toolkit has been designed to provide guidance on establishing and evaluating Team Flexible Work Plans. The processes and approaches in the Toolkit can be tailored to meet the needs of individual teams, working in varied environments.

Step	Activity
Step 1	<p>Starting the conversation about flexibility</p> <p>Teams start having conversations about flexible work by setting time aside specifically to discuss flexibility.</p> <p>In preparation, line managers and their teams should familiarise themselves with the policy, this procedure, and related documents, and be aware of the relevant Flexible Working Hours Agreement.</p> <ul style="list-style-type: none"> • The line manager must also consider the following before leading flexible work discussions with their team: <ul style="list-style-type: none"> ○ Current individual flexible working arrangements. ○ All existing workplace adjustment arrangements (formal, informal, approved and in draft). <p>Note: Flexible work arrangements under Workplace Adjustments (WPA) are not impacted by this procedure but will need to be factored into the team plan. Line managers should speak with employees who have or need a Workplace Adjustment prior to the meeting to discuss if they would like to share anything about their adjustment and what may be helpful for the team to know (sharing of information contained in the WPA is completely voluntary).</p> <p>The line manager sends an email to their team with an overview of the intended meeting to discuss building a Team Flexible Work Plan (see <i>Toolkit Section 2.1, Sample 1 – Pre-team meeting communications</i>). This email should be sent two weeks prior to the meeting. The meeting request should</p>

	<p>accommodate staff availability (i.e., part-time/ current workplace adjustments/ planned leave/ training).</p> <p>The line manager sends a meeting request (at least two weeks prior) with an agenda (See <i>Toolkit Section 2.2, Sample 2 - Planning for Flexibility – Team Meeting Agenda</i>.)</p>
<p>Step 2</p>	<p>Planning for Flexibility - Team Meeting</p> <p>The team comes together to explore flexible work options that will work in the context of their team and roles, and to draft a Team Flexible Work Plan to capture individual flexible work arrangements.</p> <p>The Team Flexible Work Plan provides the line manager and the team with visibility of all flexible work arrangements and how they interact with one another, and how they impact the overall outcomes for the team.</p> <p>Exploring flexible work options</p> <ul style="list-style-type: none"> The line manager following the agenda, uses <i>Activities 1 – 4 in Section 3 of the Toolkit</i> to lead a discussion about flexibility with their team. <p>Discuss the following topics:</p> <ul style="list-style-type: none"> Team roles, outputs, and objectives. Work processes and flows (peaks of busier periods and troughs where work may slow down). Flexible work parameters and guiding principles that will ensure sustainability and success when working flexibly. For example, technology, communication protocols, Work, Health and Safety (WHS), team connection and wellbeing. Explore all flexible work options. Refer to the Policy, Section 6.2 - Types of Flexible Work Available. Identify and discuss the benefits and challenges of each flexible work option for individuals and teams. Clarify how outcomes will be measured, and how often, to ensure that business outcomes/service delivery will be maintained or improved. Ensure all arrangements are within the parameters of the relevant awards or agreements applicable to the team. <p>Drafting a Team Flexible Work Plan</p> <p>Once the team has worked through the activities and discussed the above topics, the team should document the Team Flexible Work Plan (See <i>Section 4 of the Toolkit</i>) with their proposed individual flexible work arrangements. Note that employees with existing arrangements in place must add those arrangements in the Team Flexible Work Plan.</p> <p>Team agrees on a timeline for a review of the Plan (see Step 5 for more information).</p> <p>Note: The Team Flexible Work Plan should not include personal or confidential information e.g., medical or workplace adjustment information.</p>

Step 3	Line manager Review
	<p>Following the Planning for Flexibility Team Meeting, the line manager reviews the draft Team Flexible Work Plan within two weeks, to ensure it aligns with the requirements of the Policy and will meet operational requirements, service delivery objectives and the needs of individuals in the team.</p> <p>The line manager reviews the following:</p> <ul style="list-style-type: none"> ○ The activity sheets from the planning meeting, and ○ The draft Team Flexible Work Plan, while ○ prioritising all team members' Workplace Adjustments (where applicable). <p>When reviewing the draft Team Flexible Work Plan, line managers should review each of the individual flexible work proposals submitted, if any, by their team to determine:</p> <p>Are there clashes with other employees' requests? If so, what can be renegotiated with each employee? Consider 'how' that can be negotiated with each employee (e.g., open forum, one on one, a facilitated discussion). Each case may require a different approach.</p> <p>Do any of the individual employee flexible working arrangement requests require additional approval? (See Section 7 Approval and delegations)</p> <p>If the proposal relates to regular remote working for more than 50% of their work time, the line manager should consider additional factors listed in Annexure A - <i>Key Considerations for Remote Working</i>.</p> <p>Through this review, the line manager identifies opportunities or barriers to implementing proposed individual flexible work arrangements in preparation for individual discussions.</p>
Step 4	Individual flexible work arrangement discussion
	<p><u>Note:</u> Individual discussions are only required with employees who have proposed a new flexible work arrangement or for employees with existing approved flexible work arrangements that require review. This step in the process excludes employees with workplace adjustments. Employees seeking a new adjustment or a review of an existing adjustment must refer to the Workplace Adjustment Policy and Procedure.</p> <p>Following Step 3, the line manager meets with each team member individually as required to discuss their proposal.</p> <p>During this discussion, the line manager either confirms support for their proposal or if the arrangement isn't viable, the line manager and employee discuss other options that will meet both the team and the individual employee's needs. As part of this process, the line manager should be prepared to explain their rationale for their decision by referencing specific service delivery needs or role requirements that present the challenge. The Let's Talk tool provides a framework for discussing this request. The line manager should then provide the same advice to the employee in writing.</p>

	<p>If the request requires special approval (such as a request to work from interstate), the line manager must escalate the request noting that Secretary approval is required for interstate work (teams whose work is predominantly interstate will be separately considered).</p> <p>Employees seeking to establish an arrangement to regularly work from home for more than 50% of their work time, must submit a Hybrid and Remote Work Request Form via ServiceNow for their line manager to consider (see Section 7). Employees spending at least 50% or more of their work time in an approved work location, do not need to submit a form.</p> <p>Once all required individual discussions have taken place and additional approval requirements have been completed, the line manager finalises and approves the Team Flexible Work Plan and shares it with their team to familiarise themselves with it and confirm commencement of the plan (see Section 4.3 in the Toolkit for a sample email).</p>
Step 5	<p>Rethink, review, rework</p> <p>Talk about flexibility at team meetings and leadership forums, to monitor, evaluate and adjust the team plan and individual agreements as needed.</p> <ul style="list-style-type: none"> • Line managers should review their plan with their team at least annually, to ensure the overall plan is still working for individuals, the team, the organisation and stakeholders. • Continuous open communication is key. Be open to having conversations with your team and employees about flexibility especially if something needs adjusting or changing: <ul style="list-style-type: none"> ○ Discuss successes, business/team/individual outcomes, sustainability, and modifications. ○ Measure the agreed outcomes and change the plan quickly if needed. ○ Check in on each other, support each other to enable better ways of working for the team. ○ Team and individual plans should be formally reviewed using this procedure and when individual requests are received outside the planning cycle. The plan should be shared with the team each time it is updated. ○ When an employee moves to a new team, the employee will need to discuss their existing arrangements with their new line manager and if required establish a new or revised arrangement following the steps in this procedure. ○ Likewise, a new line manager coming into a team should not displace the current arrangements for flexible work already established for the team, unless business or individual circumstances necessitate it. <p>Note: Renegotiating an arrangement is only required if the arrangement doesn't work in the new team's plan or doesn't meet the inherent requirements of the new role.</p>

5. Requesting a flexible work arrangement where a Team Flexible Work Plan is not in place

An employee can request an individual flexible working arrangement at any time. Employees must discuss their requirements with their line manager in the first instance and follow the approval and process requirements specified in Section 7 of this Procedure.

Once an agreement has been reached between the employee and their line manager, the line manager must ensure the appropriate approvals have been obtained and confirm the agreement in writing with the employee. Where required the employee must submit a Hybrid and Remote Work Request form via ServiceNow for formal approval by their line manager (See Section 7).

6. Ad hoc flexible working requests

From time to time, an employee may need a one-off ad hoc flexible work arrangement to address a short-term need that is not already included in an individual agreement. Examples could include varying hours of work to enable medical appointment attendance, unplanned school children's drop-offs or pick-ups or transport disruption.

Ad hoc flexible working requests do not require a formal submission via ServiceNow.

However, all ad hoc flexible working requests must be discussed with the line manager to seek approval. This can be verbal or written approval.

Employees with an existing agreement in place that have an additional ad hoc request do not need to vary their formal agreement. This includes ad hoc adjustments to existing work from home agreements. Additionally, it is important to note that employees taking any form of leave on a day they are scheduled to work at an approved work location, do not need to make this time up in lieu.

7. Approval processes

7.1 Approval for flexible work arrangements

Below shows the level of approval required for flexible work arrangements. Approvals should be for a defined period and reviewed at regular intervals (upon expiry for short term arrangements or annually at a minimum).

A request to:	Approved by:	Process
a) Work interstate (excluding border towns)	Secretary	<ol style="list-style-type: none"> 1. A briefing note must be prepared and submitted for Secretary approval. 2. Following Secretary approval, the employee must submit a Hybrid and Remote Work Request Form in ServiceNow quoting the Briefing Note Reference.
b) Work short-term overseas	Deputy Secretary	Refer to the IDS Remote Working from Overseas Guidelines.
c) Work in a regional area in NSW when the principal location is a metropolitan or different regional location	Line manager	Requests must be approved by the line manager in writing.
d) All other flexible work requests (excluding ad hoc requests)	Line manager	<p>All other requests must be approved by the line manager in writing in line with delegations authority.</p> <p>Where the request relates to hybrid work, the employee must submit a Hybrid and Remote Work Request Form in ServiceNow, in line with the requirements of the policy, following discussions with their line manager.</p>

8. Record Keeping

The final approved Team Flexible Work Plan and other templates in this procedure should be stored locally within the business area using the approved record keeping system e.g., TRIM.

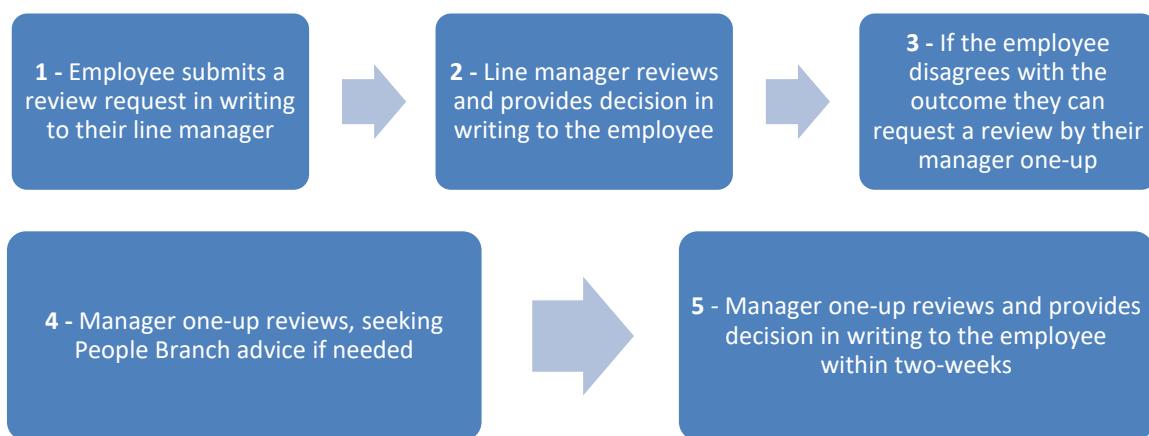
The Hybrid and Remote Work Request form will be automatically stored in ServiceNow upon line manager approval. The form will only capture the agreed arrangement and **should not contain any personal or medical information**. This is to ensure privacy and confidentiality is maintained in accordance with legislation and DCJ policies.

The Hybrid and Remote Work Request form can be shared with senior management of the team to inform workforce planning, where required only.

The Hybrid and Remote Work Request form and approval process in ServiceNow enables the central reporting requirements under the Premier's Circular [C2024-03 NSW Government Sector workplace presence](#).

9. Review Process

If the employee has discussed a flexible work arrangement with their line manager who cannot support the request, and the employee does not believe that the outcome is reasonable, they are able to have the decision reviewed. The process for review is:



1. The employee must (in the first instance) submit a review request in writing (See template in Annexure B) within 10 business days of receiving their line manager's decision, to their line manager for discussion. The [Let's Talk tool](#) provides a framework for discussing this request. The request must include the:
 - a) Initial flexible work arrangement request,
 - b) Rationale for seeking a review including the reason for the initial flexible work arrangement request, outlining the employee's circumstances and any other information that may be relevant, such as how the arrangement supports the inherent requirements of their role. Information that is not related to the request should not be included.
2. The line manager must review and provide their decision in writing using the template in Annexure C to the employee within 10 business days of receipt of the initial review request, with specific reference to how the arrangement does or does not meet the service delivery need and/or the inherent requirements of the role.
3. If the employee and their line manager are unable to come to an agreement, the employee can request that their manager one-up reviews their request and their line manager's decision. The employee must include their review

submission form and their line manager's review form (See Annexure's B and C).

Note: the employee should not bring any additional information that has not been included in the discussions with their line manager, except in exceptional circumstances (i.e., further change in circumstance since initial request).

4. The manager one-up will review all the available documentation and complete the template in Annexure C and consult further with relevant parties and seek further advice from the People branch if required, to determine if the employee's request can be supported.
5. The manager one-up will provide their decision in writing in relation to the request for the flexible work arrangement to both the employee and their line manager within 10 business days of receipt of the review request. Any delays must be communicated to both the employee and their line manager. The outcome advice must reference specific service delivery requirements/inherent requirements of the role and how they would be met/not met.

Employees can access support through DCJ's [Employee Assistance Program](#) and/or DCJ's [Peer Support Program](#).

10. Related legislation/regulation and other documents

- [Flexible Work Policy](#)
- [Flexible Work Toolkit](#)
- Premier's Department Circular [C2024-03 NSW Government Sector Workplace Presence](#)
- [Anti-Discrimination Act 1977 \(NSW\)](#)
- [Carers \(Recognition\) Act 2010](#)
- [DCJ Aboriginal Employment Strategy](#)
- [DCJ Disability Inclusion Plan](#)
- [DCJ Gender Equality Action Plan \(under development\)](#)
- [DCJ Inclusion Strategy](#)
- [DCJ Multicultural Plan](#)
- [Disability Inclusion Act 2014 \(NSW\)](#)
- [Let's Talk resources](#)
- [My Healthy Workplace](#)
- [Workplace Adjustment Policy](#)
- Relevant Flexible Working Hours Agreements and Awards

11. Document information

Document name	DCJ Flexible Work Procedure
Document reference	D25/877424
Replaces	This procedure replaces the Better Ways of Working Flexible Work Framework.
Applies to	This procedure applies to all DCJ staff. This includes full-time, part-time, temporary, and casual employees. Contractors are out of scope however their ways of working should typically align with the requirements of the role, as well as the working arrangements their team has in place.
Policy administrator	Strategic Initiatives, HR Services, People Branch
Approval	Approved by the DCJ Executive Leadership Team (ELT) on the 13 th of March 2025.

12. Support and advice

Who can people go to if they need more advice?

Business unit	Contact
Strategic Initiatives, HR Services, People Branch	strategicinitiatives@dcj.nsw.gov.au
People Branch	People Business Partner

13. Version and review details

Version	Effective date	Reason for amendment	Due for review
1	31/03/2025	Developed in responses to C2024-3	30/09/2025

14. Annexure A – Key considerations for remote working

When reviewing flexible working arrangement requests to regularly work more than 50% of their work time, from remote locations (other than an approved workplace, office, or worksite/s), line managers should consider a number of factors, such as those outlined in the table below. These considerations should be discussed between the line manager and employee.

Category	Considerations	Comments (see notes also)
Organisational and role considerations	<ul style="list-style-type: none"> • What are the outcomes and responsibilities of this role? 	
	<ul style="list-style-type: none"> • How would the responsibilities be undertaken remotely? 	
	<ul style="list-style-type: none"> • Does this role/work require a location, equipment or people that is/are only available at the designated team location? 	
	<ul style="list-style-type: none"> • What elements of this role are best completed face to face? How else, if needed, could these elements be completed? 	
	<ul style="list-style-type: none"> • If the person will be working from home, do they have sufficient internet access for the work they need to do? Will isolation be an issue for them? 	
	<ul style="list-style-type: none"> • Will the person need access to a regional office and how will this be managed? 	
	<ul style="list-style-type: none"> • What is the expectation re travel to team hub? Why and what are the activities that require the employee to be at the team hub? 	
	<ul style="list-style-type: none"> • How will this be managed, including how travel costs will be covered? Note: Hiring managers should make this clear at the time of employment. 	
	<ul style="list-style-type: none"> • Does this role have community responsibilities that will be impacted by working regionally or remotely? 	

Team and organisational impact	<ul style="list-style-type: none"> • How will operational requirements of the work unit and delivery of business outcomes be maintained? • What impact would having a person working remotely have on the team and DCJ in terms of outputs, service delivery and interactions? How will this be mitigated? • How will key workforce management activities such as performance and development be successfully managed remotely? • How will customer/client expectations and needs (i.e., any face to face or interactive requirements) be performed remotely? • How will arrangements for the remote employee be communicated to the team? 	
Employee experience and wellbeing	<ul style="list-style-type: none"> • How will the employee and team manage and build team connections? • How will the employee participate in individual/team development opportunities? • How will the line manager and the team support wellbeing and WHS, including safety and ergonomics? Refer to the 'Working from Home Checklist' in the Hybrid and Remote Work Form or DCJ intranet for further information and guidance. • How will the manager and team promote engagement and manage development opportunities for remote employees? • How will working remotely affect the employee's wellbeing and WHS? Please consider both positive (e.g., closer to family) and possible negative (e.g., isolation from team) aspects. • How will the negative aspects be managed? 	

	<ul style="list-style-type: none"> • How will the line manager and the team ensure that the employee stays connected with team-mates and colleagues within the organisation? • How will access to a local office space be organised if required? • Does the employee have any specific needs that should be considered? 	
	<ul style="list-style-type: none"> • What are the risks related to travelling to and from the team hub for the employee based on: 	<p>Note: These will differ depending on the distance between where the employee lives and the team hub and travel times, the requirement to be in the team hub and the individual circumstances of the employee (e.g., do they have a disability or caring responsibilities that will be impacted by travel).</p>
	<ul style="list-style-type: none"> • how far they are travelling? • their method of travelling? • the time of day they are travelling (e.g., driving at twilight on regional roads is riskier) • individual circumstances (e.g., financial impacts) 	
Role outcomes and management	<ul style="list-style-type: none"> • How will the manager and employee agree and communicate progress on, work outcomes and performance expectations? 	
Cost benefit analysis	<ul style="list-style-type: none"> • How will feedback be delivered and how will performance be managed, if required? 	<p>Note: Unsatisfactory performance should be managed as per the Unsatisfactory Performance Policy</p>
	<ul style="list-style-type: none"> • How will development activities be organised and managed? 	
	<ul style="list-style-type: none"> • What are the approximate travel and accommodation costs for the employee to attend the team hub? • Will the travel costs be owned by the person or the organisation or by both? What impact does this have on organisational budget and/or the employee financially? Refer also to DCJ's Travel Policy. 	<p>Note: If the employee was hired with approval to undertake the role regionally or this was subsequently approved, and/or the role is location agnostic, and no office location is available nearby, then the employee may need to work primarily from home in exceptional circumstances. DCJ will typically cover the cost of</p>

		<p>travel to the central team location, unless there is an established mutual agreement that the employee will cover travel costs. The level of travel required to the team based central location will depend on the role, the stakeholders and the team context.</p> <p>If the employee seeks to move regionally within NSW after employment, discussions are necessary as to how the work can be done this way and any arrangements needed to attend the central team location periodically to connect with stakeholders and colleagues, typically at the individual's expense. These expenses can be varied by mutual agreement.</p>
	<ul style="list-style-type: none"> • What are the benefits of the person working regionally or remotely to the: • Organisation • Team • Individual 	<p>For example – recruiting an Aboriginal person to work regionally or remotely in NSW.</p> <p>a) Increase the number of Aboriginal people working in the organisation.</p> <p>b) Increase the diversity, engagement, and perspective of the team, particularly with respect to service delivery and improving outcomes for Aboriginal people supported by DCJ.</p> <p>c) Better wellbeing for the person and their community as they don't need to leave their traditional lands to gain employment.</p>

15. Annexure B – Flexible work request outcome – Employee review form

This form is for employees seeking a review of a flexible work request outcome. All completed forms should be submitted initially to your line manager within 10 business days of being notified that your request was declined. Refer to Section 9 of the Flexible Work Procedure for further information.

Employee details	
Name	
Team/Branch/Division	
Employee ID	
Role number and title	
Email	
Phone Number	

Manager details	
Name	
Email	
Phone Number	

Flexible work arrangement required	
Provide details of the flexible work arrangement that was requested	

Managers reasons for declining the request	
Provide details of reasons provided by your line manager for why the request was declined	
Have you and your line manager discussed alternate options that may be implemented?	

Reasons for Review	
Please provide a description of your request for review, including relevant details and specific reasons for the review.	
Date submitted	

16. Annexure C – Flexible work request outcome - Manager review form

This form is to be completed by the employees' line manager in the first instance to review a flexible work arrangement decision.

An initial review must be completed by the line manager and advice given to the employee within 10 business days of the review request being submitted.

Following this review, should the employee choose to escalate the review request to the line manager one-up, the line manager one-up must follow the same process and timeframes.

Refer to Section 9 of the Flexible Work Procedure for further information.

Submission summary	
Employee name	
Line manager name	
Line manager one-up name (if applicable)	
Date submitted to line manager/line manager one-up	
Type of flexibility requested	
Frequency of flexibility requested	
Employees reasons for the request	

Reasons for declining the request	
Provide details of why the request was declined	
Describe alternative flexible work options that were explored and discussed with the employee.	

Flexible work request review	
<p>Review the employees review request form using the following criteria and document your analysis.</p> <p><u>Note: Do not include personal and/or confidential information in this form.</u></p> <p>Does the arrangement:</p> <ul style="list-style-type: none"> • Enable the employee to meet the inherent requirements of the role? Provide details. • Have an adverse impact on the overall objectives i.e., organisation, customers, teams, and other individuals i.e., workload, service delivery? Provide a summary. • Meet the requirements of the Flexible Work Policy? Provide details. • Other – Add additional relevant information. 	

Final decision following review	
Initial decision to decline the request maintained? Y/N	
Initial request now approved? Y/N	
Alternative arrangement approved following further discussions with the employee? Y/N If yes, please detail the agreed arrangement/s.	

Line manager one-up only - Endorsement of decision	
I have reviewed the employees Flexible work request outcome review form (Annexure B) Y/N?	
I have reviewed the line manager's Flexible work request outcome - Manager review form (Annexure C) Y/N?	
Date endorsed	