

## Policy and Procedure Register updates – Summary of changes to: Flexible working arrangements procedure

<b>1. Reason for new/updated policy or procedure</b> <i>(select all that apply)</i>		
<input checked="" type="checkbox"/> Change of policy/procedure requirements	<input type="checkbox"/> Audit/review recommendation	
<input type="checkbox"/> Change to legislation/delegations	<input type="checkbox"/> Due for review	<input type="checkbox"/> Other
<p>In March 2023 the Public Sector Commission released the Flex-connect framework and resources in support of departments implementing flexible work in accordance with their obligations under the <i>Industrial Relations Act 2016</i> (Qld) and the <i>Public Sector Act 2022</i> (Qld). In response, the department is updating its resources, including the Flexible work arrangements policy and procedure.</p>		
<b>2. Summary of changes</b>		
<p>Changes to the procedure have been included to align with the Flex-connect approach and provide more detail on processes to make and respond to flexible working arrangement requests. To summarise, the changes to process were:</p> <ul style="list-style-type: none"> <li>• Flexible work conversation <ul style="list-style-type: none"> <li>○ determine if the request is a flexible work request, or if another procedure needs to be used</li> <li>○ how to manage requests less than one month in duration</li> </ul> </li> <li>• Submit a flexible work request <ul style="list-style-type: none"> <li>○ Provided more specific detail about what is to be included in the request</li> </ul> </li> <li>• Consider the flexible work request <ul style="list-style-type: none"> <li>○ Clarified information to be shared when discussing requests with others</li> </ul> </li> <li>• Managing flexible work agreements <ul style="list-style-type: none"> <li>○ New section added to provide guidance on steps to take after approving a request</li> </ul> </li> <li>• Amendments to flexible working arrangements <ul style="list-style-type: none"> <li>○ Provided more information on how to manage when circumstance change</li> </ul> </li> </ul> <p>Under definitions, the types of flexible work were consolidated and reasonable grounds added.</p>		
<b>3. Impacts to roles and responsibilities</b>		
Does the new/updated content change staff roles/responsibilities <i>in any way?</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>If yes, select the type of change: (select all that apply)</i>		
<input checked="" type="checkbox"/> Revised responsibilities <input type="checkbox"/> New/additional responsibilities <input type="checkbox"/> Removed responsibilities		
<b>Position title</b>	<b>Summary of change</b>	<b>Page #</b>
Managers, Principals and Supervisors	Lead team conversations	2
	Assess if the request is a flexible work request or to manage under another procedure	3
	Communicate approved flexible work arrangements	6

	Complete roster variation forms if necessary	6
	Conduct regular review of arrangements	7
Employees	Seek independent financial advice	2
	For remote workers: <ul style="list-style-type: none"> <li>○ Complete a telecommuting safety self-assessment</li> <li>○ Self-fund home office equipment</li> </ul>	2
	Communicate approved arrangements	6
	Advise approval delegate or all workplace health and safety risks, hazards, injuries and incidents associated with their working arrangements	6

#### 4. Communication and support for implementation

Awareness sessions for leaders, employees and Human Resources are planned to coincide with the release of the Flex-connect framework and resources in April/May.

**For further assistance, please contact:**

- Policy/procedure contact:  
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# Procedure

## Flexible work arrangements procedure

Version: 2.0 | Version effective: 08/07/2024

### Audience

This procedure applies to department employees.

### Purpose

This procedure outlines the process, timeframes and due considerations that underpin requests for, and responses to, flexible work arrangements.

### Overview

Flexible work arrangements provide benefits to employees and employers. Well-designed and planned flexible working arrangements enable employees to manage professional and personal commitments, while increasing wellbeing and performance. They can also allow business units to respond more effectively to variations in work volumes.

A flexible work arrangement may include changes to when, how or where an employee works.

All employees have the right to request a flexible work arrangement under the [Industrial Relations Act 2016 \(Qld\)](#) (IR Act). Such requests are also subject to industrial instruments, policies and procedures which apply to the department.

This procedure does not apply to:

- a change required for medical reasons to accommodate an illness, injury or disability. These requests are managed in accordance with the department's [Reasonable adjustments procedure](#)
- a request for part-time work arrangements as part of a return to work from parental leave and the child is under compulsory school age. These requests are managed in accordance with the department's [Parental leave procedure](#) where employees meet the eligibility criteria. This does not prevent the employee requesting other flexible work arrangements in accordance with this procedure; or
- deferred salary or purchased leave.

## Responsibilities

### Employees

- Apply the principles of Flex-connect to discuss, agree and maintain flexible work arrangements.
- Maintain honest and open communication with their manager, principal or supervisor in initial conversations, throughout the application process and the duration of any implemented flexible work arrangement.
- Formalise requests using the flexible work arrangement online form on MyHR.
- Understand that either party can request a change or to cease the agreement with reasonable grounds and notice, and effective performance conversations should be used to discuss the expectations of the manager and employee.
- Notify their manager, supervisor or principal of any circumstances which inhibit them performing their work as agreed (for example, an internet outage which means they cannot log in from home).
- Seek independent financial advice regarding taxation, superannuation, leave and other entitlements as a result of the implementation of a flexible work agreement (for example, as a result of changing hours).
- Complete a telecommuting safety self-assessment and ensure they maintain their working environment so that it is free from hazards, if working remotely.
- Purchase or supply their own home office equipment to comply with the requirements outlined in the telecommuting safety self-assessment, if necessary, and in addition to equipment issued by the department (such as a laptop).
- Make reasonable efforts to accommodate ad-hoc requests to temporarily alter their arrangements, to accommodate emergent needs of the department, if the request is reasonable and reasonable notice is provided.

### Employee's immediate manager, supervisor or principal approving flexible work request (approval delegate)

Approval delegates are responsible for considering and deciding outcomes of flexible work requests and must:

- take into account and apply the [Flexible work arrangements policy](#) principles and requirements
- lead team conversations about flexible work, to agree team approaches, promote flexible work, and communicate service delivery and customer needs
- provide a response within 21 days of receiving a request
- take into account relevant industrial instruments, directives, policies and/or procedures that may apply and may impact the flexible work request (for example, Leave policy and Employee leave procedure)
- ensure that all supporting forms are completed if leave or working hours are being altered in the flexible work arrangement (such as leave forms and payroll-related forms)
- maintain accurate records of requests and responses through the flexible work arrangement online form in MyHR.

## Human Resources

- If requested, review a request with the approval delegate and provide advice on potential impacts of the decision.

## Process

### Making and responding to flexible work requests

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#### Step 1: Flexible work conversation

- The employee and delegate discuss the proposed work arrangement. The discussion should include:
  - the detail of the proposed request
  - reasons for the request
  - when the arrangement would commence and how long it is expected to be required
  - impacts of the decision if it is not agreed in full
  - benefits and impacts on the team and service delivery.
- An employee may submit a formal request regardless of the content/outcome of this discussion.
- The approval delegate should determine if the request is a flexible working request using the flowchart in [Managing flexible work](#).
- A flexible work arrangement of ad-hoc and/or short-term (less than one month duration) can be formalised by the exchange of emails between the manager, principal, supervisor and employee. The email correspondence must include at a minimum:
  - details of the agreed changes to the way the employee will work; and
  - start and finish dates for the flexible work arrangement.

#### Step 2: Submit flexible work request (longer than one month)

- The employee must formally request a flexible work arrangement using the [Flexible work arrangement – application and agreement form](#) (DoE employees only) in MyHR and submit the completed request to their approval delegate. The request must:
  - state the proposed change in the way the employee works in enough detail to allow the approval delegate to consider and decide the request (i.e. change to hours, patterns, location, schedule or way work is performed using the 'Proposed flexible work arrangement type' section of the online form)
  - state the reason(s) for the change (using the 'Additional details' section of the online form)
  - state the length of time the proposed changes will apply (using the start, review and end date sections of the online form), noting that arrangements must be reviewed at least once per year.
  - if the request contains remote working, complete and attach the [Telecommuting safety self-assessment](#) (DoE employees only)
  - include any email communications or supporting documents, as attachments to the online form.

If the request incorporates a change in working hours or leave entitlements, the employee must submit the relevant application or form to Payroll or the relevant department.

### Step 3: Consider the flexible work request

- The approval delegate must ensure they have a sound understanding of the request, which may require additional discussions with the employee.
- The approval delegate must consider each flexible work request on a case-by-case basis to align role and service delivery needs, team priorities and outcomes, and individual needs. Factors to consider include:
  - changes detailed in the flexible work request
  - the industrial instruments, directives, policies and/or procedures of the specific arrangements that may be applicable (for example, change of work hours, leave applications)
  - duties and responsibilities of the employee making the request and service needs
  - health and safety risk management for the employee particularly when the arrangements include remote working or compressed hours
  - impacts on service delivery, other team members, team priorities, connections and outcomes
  - different ways of working including communication processes to deliver business outcomes and timeframes
  - whether the decision engages any human rights, using the department's [assessment tools and information](#)
  - the principles listed in the [Flexible working arrangements policy](#) and the [Flex-connect framework](#).
- If discussion with others is required in order to assess a request, the approval delegate must ensure consent is obtained from the employee first. Only relevant details are to be disclosed and discussion is restricted to relevant parties. A considered approach should be taken to this consultation, ensuring that team members and colleagues understand that they are *not* approving or declining the application, but are contributing to the identification of:
  - possible team impacts and ways to manage these impacts; and
  - how to support the arrangement to ensure their colleague is set up for success.
- The approval delegate may contact:
  - their Human Resources Business Partner whenever necessary in relation to considering their response to a request for flexible work arrangements
  - other business areas to confirm that there is sufficient funding for any identified costs, and these are allocated to the appropriate cost centre.
- If the request is in relation to remote working, it is the employee's responsibility to ensure that their home office is set up to ensure a safe working environment in accordance with the [Telecommuting safety self-assessment](#) and the department's duties under the [Workplace Health and Safety Act 2011 \(Qld\)](#).

### Step 4: Approval delegate decision

In all instances, the flexible work arrangement is subject to approval by the relevant delegate as per the [Human Resources Delegations Manual](#) (DoE employees only).

The approval delegate must decide on the application and advise the employee within 21 days of receiving the flexible work arrangement form. The approval delegate must:

- record the decision in the relevant section of the flexible work arrangement online and agreement form and state if the application was:
  - granted
  - granted in part or subject to conditions (on reasonable grounds) or
  - refused (on reasonable grounds).
- Inform the employee of their appeal rights if the request was not fully granted.

Thereby meeting the legislative requirements for the response.

## Managing flexible work agreements

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### Maintaining flexible work arrangements

Once the flexible work arrangement has been approved, both employees and approval delegates are responsible for implementing and maintaining flexible work arrangements.

#### *Communication*

- Approval delegates:
  - communicate details of the agreed changes with the team
  - notify relevant parties, including co-workers and regular stakeholders who are impacted by the flexible work arrangement
  - encourage staff to raise queries or concerns and respond
  - establish work practices to maintain connection in the team.
- Employees:
  - update administrative aspects of their position to ensure a smooth transition to the flexible work arrangement (for example, update signature block, voicemail message, out of office email details, update calendar, etc.)
  - ensure that relevant team members have access to emails and calendars as required.

#### *Safety*

- Noting that employees and the department continue to have their respective duties under the *Workplace Health and Safety Act 2011* (Qld) regardless of where and how work occurs:
  - employees must advise their approval delegate of all workplace health and safety risks, hazards, injuries and incidents associated with their work arrangements and locations, update their telecommuting self-assessment if their working environment changes, and seek pre-approval for work-related travel
  - approval delegates manage any risks associated with the agreement.

#### *Work management*

- Teams collaboratively discuss work arrangements with colleagues, peers and team members to ensure business processes and communication strategies are in place to address any arising issues.
- Manage workload expectations and timeframes collaboratively and equitably across the team.
- The approval delegate must inform payroll services of any variations to roster by completing an [Appointment and roster variation form](#) (DoE employees only).
- When working remotely, the employee communicates in a timely way any impediments to being able to perform their work effectively and, if required, agree upon suitable alternative arrangements with their approval delegate. For example, significant interruptions to internet or VPN connections or unplanned changes to the working environment.

#### *Record keeping*

- Both employee and approval delegate are responsible for ensuring that online records of the flexible work agreement are maintained and up to date (for example, confirming agreement/review dates are current, marking outdated agreement plans as complete).

#### *Regular review*

- Approval delegates and employees must review flexible work arrangements regularly to ensure arrangements continue to meet the operational needs of the department and the needs of the employee. This may occur at any of the following opportunities to meet the needs of the work unit and employee:
  - as part of formal (6 monthly) performance discussions
  - as part of regular informal performance conversations
  - as part of workforce planning, scheduling or timetabling (for example, school terms/years)
  - at an agreed review date
  - at any time during the agreement when health, safety and wellbeing risks are identified; or
  - at any time during the agreement provided reasonable notice is given by the approval delegate or employee.
- An agreement should be reviewed at least once per year.

#### **Amendments to flexible working arrangements**

An ad-hoc request to alter a flexible work arrangement may be sought by either the supervisor or the employee. Ad-hoc requests may seek to accommodate emergent and temporary circumstances, which may include (but are not limited to) in-person attendance at a meeting, or adjusting a remote working day for personal reasons. There should be reasonable grounds for making request, reasonable notice given and reasonable efforts to accommodate the request should be made. Ad-hoc requests can be formalised via email exchange between the supervisor and employee.

An agreed flexible work arrangement can be amended by mutual agreement at any time.

Amendments to flexible working arrangements may be sought by employees or managers, principals or supervisors. Reasonable notice must be provided and changes recorded in writing.



*Employee-initiated changes to an existing agreement*

- An employee may request amendments to flexible work agreement plans. They must be discussed and agreed with the leader prior to formalising any changes.
- Following these discussions, employees submit changes in writing, using the flexible work online form, for approval delegate review and agreement.

*Employee moves to a new role*

- Flexible work plans do not transfer automatically to a new position. An employee must discuss flexible work arrangements with their new approval delegate and submit a new request.

*Department-initiated changes*

- In instances where an employee has an existing flexible working agreement plan in place, and there are department-initiated changes (for example, new approval delegate or position change), the existing agreement continues unless there are reasonable grounds for a new agreement to be negotiated.
- If circumstances or service delivery requirements change, the manager, principal or supervisor may seek to vary the agreement. There must be reasonable grounds for the existing agreement to be changed and reasonable notice given. Circumstances include identification of health, safety and wellbeing risks to one or more employees that cannot be reasonably controlled.

**Completion of an agreement**

A flexible work arrangement is completed upon reaching the end date as specified in the approved online agreement plan. Should the employee wish to continue with the arrangements the employee must:

- discuss continuing the existing agreement with the approval delegate, and submit a new or updated flexible work request, using the online form, or
- if both employee and approval delegate agree to continue the existing flexible work arrangement – without changes to hours, days or location of work – the end date of the existing flexible work agreement plan may be extended (no longer than 12 months). The amended plan must then be resubmitted for approval delegate review and agreement.

An employee may wish to conclude a flexible work arrangement prior to the agreement end date, or the approval delegate may wish to conclude an existing flexible work agreement plan. In both cases, the issue must first be discussed via a flexible work conversation between employee and approval delegate and reasonable notice provided.

An approval delegate decision to conclude the agreement must be:

- provided in writing to the employee via the flexible work online form, directly in appropriate sections and/or as attached documents, emails, etc
- based on reasonable grounds
- clearly detail the reasons to the employee
- provide reasonable notice of flexible work arrangement completion; and
- to inform the employee of their appeal rights.

## Appealing a decision

- If an employee is dissatisfied with the flexible work arrangement decision, they must make a genuine and reasonable effort to resolve the matter through a discussion with their approval delegate.
- If reasonable efforts to resolve the matter are unsuccessful, an employee may:
  - follow the department's [Individual employee grievances procedure](#)
  - follow the dispute resolution process of the relevant certified agreement or award
  - lodge a public service appeal with the Queensland Industrial Relations Commission (QIRC)
  - notify the QIRC of an industrial dispute; and/ or
  - seek advice from their union.
- Employees are encouraged to exhaust the internal employee grievance procedure prior to seeking external review by the QIRC.

## Definitions

Term	Definition
<b>Approval delegate</b>	Manager, supervisor or Principal <a href="#">delegated</a> to grant a request for flexible work arrangements, in full, in part or subject to conditions, or refuse the request.
<b>Compressed working hours</b>	Compressed working hours (also known as aggregated working hours) allow employees to enter into a formal arrangement where the standard weekly working hours are performed over fewer days. For example, 9-day fortnights.
<b>Employee</b>	Any person employed by the department to work in a state educational facility or corporate support role in a permanent, temporary or casual capacity.
<b>Flexible work arrangement</b>	<p>An agreement between a department and an employee to change the standard working arrangement.</p> <p>Flexible work arrangements include:</p> <ul style="list-style-type: none"> <li>• part-time – employees work less than the prescribed full-time weekly hours and accruing benefits such as leave on a pro-rata basis</li> <li>• job sharing – 2 or more employees share duties and responsibilities of one position</li> <li>• telecommuting – an employee's location of work is away from the base location such as at a regional office location or from home</li> <li>• compressed hours – an employee works their standard full-time hours over fewer days than normal, for example, working a 4-day week or 9-day fortnight</li> <li>• flexible hours – an employee has a staggered start and finish time</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• accrued time (also known as flex-time) – an employee working compressed or flexible hours utilises accrued time for specific purpose such as early or late finish times, or regular Accrued Days Off</li> <li>• purchased leave – employees (non-teaching) access additional annual leave and an annualised salary. This is effectively unpaid leave with the salary reduction spread over 12 months</li> <li>• deferred salary scheme – employees (permanent teachers) defer part of their annual salary over 4 years, with the deferred amount of salary paid to the employee during the fifth year while they access a pre-approved period of sabbatical leave.</li> </ul>
<b>Non-allocated workstations</b>	Non-allocated workstations are unassigned work areas where any employee may work. The employee is able to work from various workstations within the office location and Queensland Government <a href="#">distributed work centres</a> . This option may be used in connection with telecommuting and job sharing.
<b>Reasonable notice</b>	Notice that is fair in the set of circumstances and will differ on a case-by-case basis.
<b>Reasonable grounds</b>	Justifiable reasoning and supporting evidence for granting a request in part or subject to conditions or for the refusal of request.

## Legislation

- [Human Rights Act 2019 \(Qld\)](#)
- [Industrial Relations Act 2016 \(Qld\) ss27-29 and s544](#)
- [Workers' Compensation and Rehabilitation Act 2003](#)
- [Workplace Health and Safety Act 2011 \(Qld\)](#)

## Delegations/Authorisations

- [HR Delegations Manual](#) (DoE employees only)

## Policies and procedures in this group

- [Flexible work arrangements policy](#)

## Supporting information for this procedure

- Nil

## Other resources

- [Hours of work, accrued time off, time off in lieu and timesheet arrangements for non-school based public servants' procedure](#)
- [Individual employee grievance procedure](#)
- [Parental leave procedure](#)
- [Purchased leave and deferred salary scheme procedure](#)
- [Reasonable adjustments procedure](#)
- [Flexible work arrangements – Application and agreement form](#) (DoE employees only)
- [Flex-connect framework](#) (DoE employees only)
- [Distributed work centres](#)

## Contact

For further information, please contact:

Inclusion and Diversity

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## Review date

8/07/2029

## Superseded versions

*Previous seven years shown. Minor version updates not included.*

1.0 Flexible work arrangements

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