MAINSTREAMING FLEXIBILITY ACROSS THE VPS

GUIDING PRINCIPLES

VPSC

Victorian Public Sector Commission

VICTORIA State Government

The Victorian Government has vested the Victorian Public Sector Commission with functions designed to enhance the performance of the public sector – fostering the development of an efficient, integrated and responsive public sector which is highly ethical, accountable and professional in the ways it delivers services to the Victorian community.

The key functions of the Commission are to:

- strengthen the efficiency, effectiveness and capability of the public sector in order to meet existing and emerging needs and deliver high quality services; and
- maintain and advocate for public sector professionalism and integrity.

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1. WORKING FLEXIBLY

1.1 Statement of Intent

To be a contemporary employer of choice, the Victorian Public Service (VPS) will need to cultivate a culture where working flexibly is business as usual.

Mainstreaming implementation of flexible working arrangements across the VPS reflects a genuine commitment to review how the Service can support both individual flexibility and business performance needs, recognising that not all forms of flexibility will be suitable for all roles at any time.

Processes will differ from agency to agency, but the goal should be to reach an outcome in which an individual's needs for flexibility are met, consistent with business requirements, industrial instruments and legislative requirements.

Flexible approaches are not new, and are already codified in multiple binding and advisory documents. For example, clause 8 of the *Victorian Public Service Enterprise Agreement 2016* (VPS Agreement) notes: 'An Employee and the Employer may enter into an individual flexibility arrangement'.

Further, the National Employment Standards contained within the *Fair Work Act 2009(Cth)* (Fair Work Act) require employers to consider requests for flexible arrangements from particular categories of employees. Clause 9 of the VPS Agreement reproduces this provision. The *Sex Discrimination Act 1984(Cth)* and the *Disability Discrimination Act 1992 (Cth),* among others, also contain relevant provisions.

These guiding principles should be the basis upon which the various rights which exist under the Fair Work Act, relevant state or federal legislation. the VPS Agreement and/or departments and agencies policies are implemented.

1.2 Definition

Flexible working arrangements give our employees a meaningful level of control over when, where and how work is accomplished. Subject to reasonable business needs, employees might be able to work remotely, change their hours, use leave, change the days they work or use other options that work for both employee and manager.

1.3 Principles

Flexible arrangements start with a conversation between manager and employee.

For flexibility to work, confidence in the effectiveness of flexible arrangements needs to be built on all sides. For the VPS, this means flexible arrangements must observe the concept that:

- *Everyone has the opportunity to embrace flexible work arrangements*
- *All employees have the right to request flexibility in their role, the types of which will differ from role to role*

- *All forms of flexible working will be genuinely considered by manager and employee*
- *Flexibility is enabled by organisational systems, processes and services (including access to technology)*
- *Flexibility is led and role modelled by senior leadership*
- *Arrangements will reflect different workforces, organisational arrangements and operational requirements across the VPS*
- *Any arrangement should be reviewed on a regular basis.*

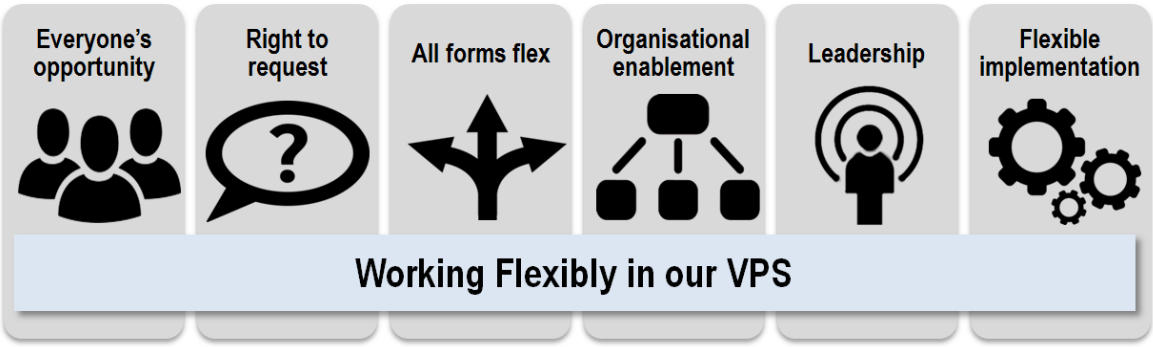

Figure 1 - Principles that underpin working flexibly in our VPS

1.4 Types of Flexible Working Arrangement

There are a variety of short and long-term arrangements that come under the umbrella of flexible work. The flexibility may relate to where, when and how work is done by the employee regarding:

When they work – changing hours:
- Shift swap
- Compressed week
- Flexible start and finish times

Where they work – working remotely:
- Home
- Other work environments

How they work – changing days:
- Part-time
- Job share
- Negotiated work days

And when they aren't working – using leave:
- Recreation/Annual leave
- Personal leave
- Long service leave
- Purchased leave
- Leave without pay

How individuals manage the relationship between work and other elements of their lives will differ. Individual priorities may range from caring for family members, contributing to the community, maintaining health and wellbeing, studying, transitioning to retirement, or participating in leisure activities.

2. GETTING TO FLEXIBLE

2.1 Approach

Collectively beneficial outcomes are achieved when employees, managers and teams work together. Individual employees play a vital role in achieving mutually beneficial outcomes from flexible work. As different people need different types of flexibility at various times in their working lives, it is important that individuals have the opportunity, and feel supported to communicate this need with their managers/supervisors.

Supportive line management is critical for the successful implementation of flexible work. As the 'enablers' of workplace flexibility, managers and supervisors play an essential role in interpreting and implementing flexible work policies and practices.

Flexible work often affects whole teams and teams play a vital role in ensuring the successful implementation of flexible work. There may be work to be redistributed, and team members should work together to communicate, engage with the process, set expectations and build understanding to ensure the business continues to operate effectively.

The process of negotiating flexible arrangements should follow a stepwise process that emphasises mutual obligation:

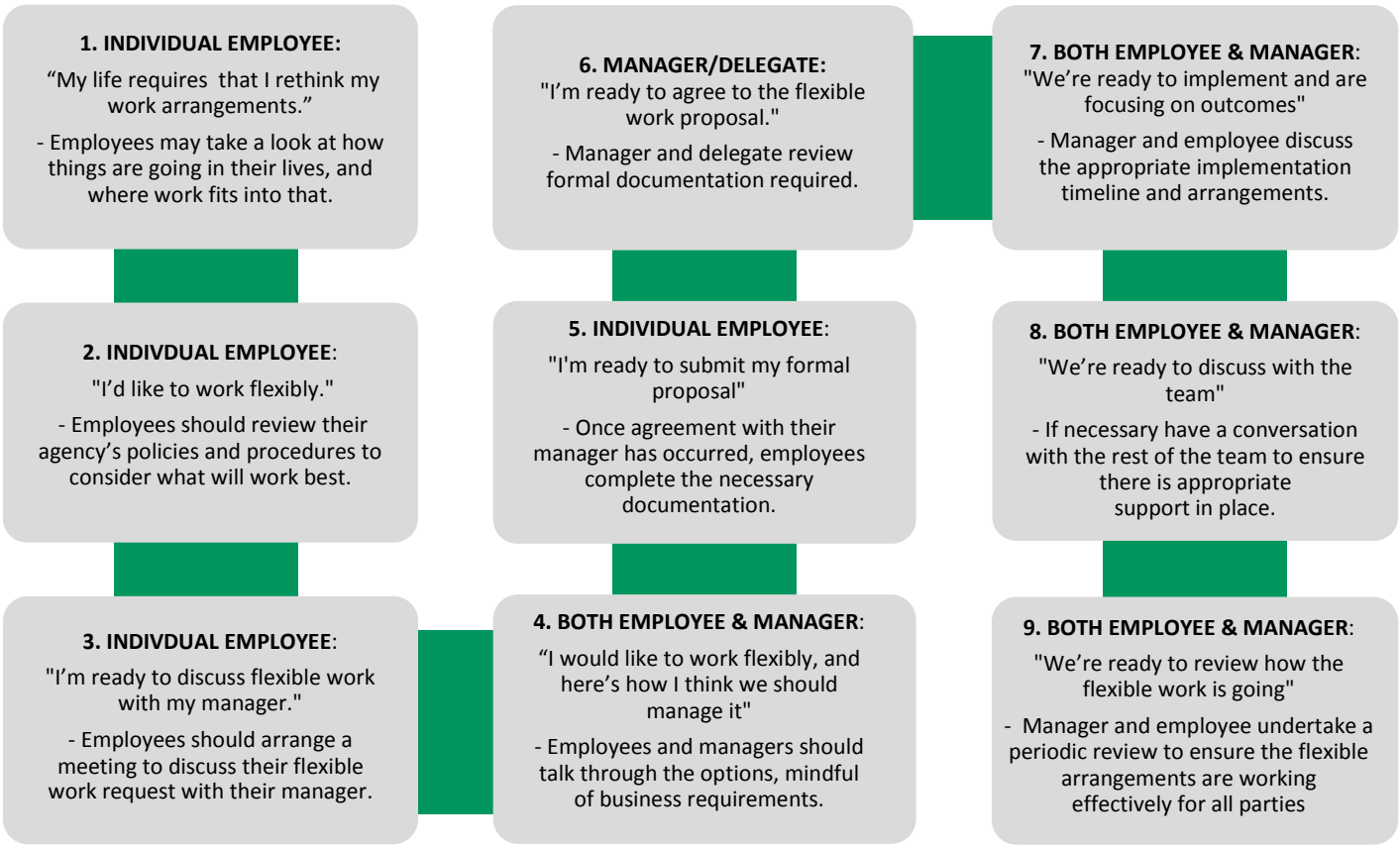

Figure 2 - Negotiating flexible work arrangements emphasises mutual obligation and requires its own flexibility

2.2 Checklists

Flexible work arrangements must balance the needs of individuals and the business requirements of work areas. Multiple groups may be affected and should be considered in the process of deciding arrangements.

Employees should understand:

- ☐ What needs to change in the structure of their work environment to meet their personal needs
- ☐ The requirements of their job and work area, and the impact of any proposed flexible arrangement on these requirements
- ☐ The trade-offs that may be required to satisfy a request for flexible workplace arrangements, including the needs of other work colleagues
- ☐ All relevant agency policies and the formal decision making processes that will need to be satisfied, including where necessary, documenting a particular arrangement
- ☐ The increased importance of communication, particularly with managers, that is likely to accompany flexible work and
- ☐ The continued effort and commitment to success that may be required to see that flexible arrangements are successful over the long term.

Managers/supervisors should understand:

- ☐ The importance of modelling a positive approach to flexible work
- ☐ The personal importance of a proposed flexible arrangement to a particular employee, and the consequences if a proposal is not agreed
- ☐ The performance that is expected of individuals requesting flexible arrangements and the performance expectations of the agency more broadly
- ☐ The job design and task profile of individuals requesting flexible arrangements
- ☐ The impact on team workloads and operation
- ☐ The importance of periodically monitoring and evaluating flexible arrangements to ensure ongoing effectiveness, and willingness to take action if problems arise
- ☐ The increased importance of communication that is likely to accompany flexible work and
- ☐ All relevant agency policies, and the formal decision making processes that will need to be satisfied.

HR practitioners should understand:

- ☐ The importance of modelling a positive approach to flexible work
- ☐ Their role in developing, implementing and reviewing agency policies, procedures and guidelines relating to flexible work arrangements
- ☐ Their role in providing advice and guidance to managers and employees, including on legal issues that may rise, the department's expectations, precedent, OHS and, where appropriate, bringing in external expertise, and
- ☐ The need to periodically assist in settling disagreements that may arise over flexible arrangements.