



**Victorian
Public Sector
Commission**

Flexible work policy

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How the flexible work policy applies to your organisation

About this policy

This is a policy to embed flexible work in the Victorian Public Service.

This policy supports new ways of working, so we can all create the best public value for Victorians.

It replaces the old 'all roles flex' policy.

The policy:

- tells you why we have a flexible work policy
- gives you principles to follow to help your team work flexibly
- gives you a set of tools to support you to use this policy
- shows you the other [policies and laws](#) that support this policy

Who this policy applies to

This policy applies to all [Victorian Public Service](#) employees including executives.

How your organisation must implement this policy

It's up to your organisation to work out how you implement this policy. This includes how you update existing processes, in line with whole-of-Victorian-government guidance.

You must align what you do with the [flexible work guiding principles](#).

For more support, read [how to implement flexible work in your organisation](#).

The laws you must comply with

Some employees have a legal right to request changes to when, where and how they work.



To find out more, read:

- Section 65 of the [Commonwealth Fair Work Act 2009](#)
- Clause 8 of the [Victorian Public Service Enterprise Agreement 2020](#)
- legislation and agreements for your organisation's context



Aim of flexible work and how it changes our work

Flexible work is the government's default position.

This means:

- every role can have some form of flexibility
- organisations need to embed flexible work into the design and structure of their workforce
- managers must work with their employees and team to come up with solutions that work for everyone
- an employee has a meaningful level of control over when, where and how they work

But it shouldn't:

- lead to reduced service delivery to the Victorian community
- negatively impact the achievement of your team and organisation's objectives
- materially change the work that you are doing

Above all, your use of flexible work must align with your commitment as a Victorian Public Service employee to improve outcomes for the community we serve.

Aim of the policy

The aim of this policy is to help the Victorian Public Service:

- attract and retain employees
- balance the employee's needs with ongoing service delivery
- better meet the needs of the Victorian community we serve
- build a positive workplace culture
- create a more diverse and inclusive workplace
- help everyone have a better work-life balance

Why flexible work matters

Flexible work means we can all manage a work-life balance.

This includes things like how we:

- contribute to the community
- maintain health and wellbeing
- parent or care for others
- return to a COVID-normal workplace
- study
- transition to retirement

How to achieve flexible work

To achieve flexible work, we all need to have ongoing discussions and make a strong commitment to this policy.

This:

- helps us all understand the flexibility we each need
- helps managers support their team's work and organisation's needs

To support flexible work, organisations need to:

- adapt their processes
- communicate clearly and consistently
- embed a culture of learning and improvement
- embrace new technology and ways of working

Guiding principles of flexible work

Use these principles to help embed this policy in your team.

We start from a position of flexibility

Flexible work is available to you by default, regardless of:

- the reason you want it
- when you started your employment
- your role

All roles can have some **type of flexibility**.

But not all types of flexibility will work for every role.

If there's a good reason a role can't have a type of flexibility, managers and employees must look for a type of flexibility that will work.

We focus on outcomes

Rather than when, where and how we work, we focus on:

- the outcomes of our roles
- our team's and organisation's priorities

If you're an executive or manager, you need to set clear expectations with your employees about:

- what outcomes they need to achieve
- what support they need from you to succeed

We lead by example

We can all support and champion flexible work.



This means executives and managers must model the principles set out in this policy to their employees.

And as we all serve the Victorian community, we must lead by example in how we work.

We put health, safety and wellbeing first

The health, safety and wellbeing of employees is at the core of flexible work.

With any flexible work, organisations, managers and employees must look at:

- what the risks are
- what harm those risks could cause
- how they could mitigate risks

If you're a manager, check in with your employees regularly to make sure they have what they need to work safely.

We embed flexibility through the employment lifecycle

Flexible work means we may attract more diverse people to work in the Victorian Public Service.

So we need to **embed flexible work at every stage** of the employment lifecycle. This will help us attract, retain and develop our people.

With a more diverse and inclusive public service, we'll better meet the needs of the Victorian community we serve.

We come up with solutions that work for everyone

Flexible work needs to suit us all and reflect a strong commitment to each person's and team's needs.

But we also need to balance this with our commitment to improving service delivery and outcomes for the community.

The best way to balance these is through open dialogue to work out how teams can best work together.



Flexible work must never result in:

- more work for employees who do or don't work flexibly
- reduced service delivery to the Victorian community

We maintain privacy

We're all entitled to have our privacy respected when we work flexibly.

And we all must comply with relevant privacy laws.

If you're a manager, you must maintain your employees' privacy when you discuss flexibility with them.

We embed a culture of growth and development

Regardless of position, we all need to work together to make flexible work successful.

This means organisations:

- train managers to support flexible work in their team
- support employees to succeed when they work flexibly

This means managers:

- promote flexible work in the team
- discuss and review flexible work with their team regularly at least every 6 months
- work with their people to support their performance

We champion equity

Each employee's flexibility is different. Flexibility is available to all.

Flexible work helps employees balance paid work with other demands.

For example, flexible work may:

- help a guardian or parent work while someone else takes care of their child



- let carers meet the needs of the person they're caring for
- support employees with chronic illness or chronic pain to balance their health with their role
- allow employees to observe their religion or culture
- give employees who are experiencing domestic violence time to seek support and resources
- support employees as they move to retirement
- support employees as they transition to a new gender

All of this helps us create a diverse and inclusive workforce that reflects the Victorian community we serve.

If you're a manager and your employee has approved **reasonable adjustments**, you must support them to keep using these when they work flexibly.

Flexible work must not undermine career progression, pay or development opportunities.



Types of flexible work

Types of flexible work

There are many types of flexible work, which can be ad-hoc, formal, informal, short- or long-term.

Employees can ask for flexible work at any stage of their employment and careers.

Examples

When you work

Examples of this are:

- compressed work week
- flexible start and finish times
- shift swap
- flexible daily schedules

Where you work

Examples of this are:

- primary workplace
- other workplaces, such as a suburban hub
- from your home
- other safe work environments
- a combination of these

How you work

Examples of this are:

- job sharing



- part-time
- negotiated working days

Other types

Examples of this are:

- leave entitlements, such as purchased leave
- flexitime

Read clause 8 of the [Victorian Public Service Enterprise Agreement](#) to see what flexible arrangements employees can use.

If you don't know what any of these types mean, you can speak with your HR team or get in touch for advice.



Employee legal rights

When an employee has a legal right to request flexible work, you must comply with the law.

These documents tell you when employees may have a legal right to request flexible work:

- section 65 in the [Fair Work Act 2009](#)
- Victorian [Equal Opportunity Act 2010](#)
- clause 8 of the [Victorian Public Service Enterprise Agreement](#)
- [Senior Executive Service Employment Contract and Handbook](#)

This includes when an employee:

- is a parent, or has responsibility for the care of a child who is of school age or younger
- is a carer
- has a disability or long-term health condition
- is 55 or older
- is experiencing violence from a member of the employee's family
- needs to give care or support their immediate family
- needs to give care or support a member of their household
- needs to give care or support someone who is experiencing violence from the member's family



Further reading for the flexible work policy

Advice for embedding flexible work

Organisations can use these to support their employees:

- [Working remotely resource suite](#)
- [Wellbeing toolkit: tips, tools and activities for managing team wellbeing](#)

What informs this policy

The commitment to flexibility is set out in the:

- [Commonwealth Fair Work Act 2009](#)
- [Commonwealth Sex Discrimination Act 1984](#)
- [Commonwealth Disability Discrimination Act 1992](#)
- [National Employment Standards](#)
- [Public Administration Act 2004](#)
- [Victorian Equal Opportunity Act 2010](#)
- [Victorian Public Service Enterprise Agreement 2020](#)
- [Victorian Occupational Health and Safety Act 2004](#)
- Other applicable awards and enterprise agreements

