



October 2014

Developing a flexible working arrangements policy

Organisations leading the way in workplace gender equality have in place a policy that specifically supports flexible working arrangements for all employees. This briefing note provides guidance on the key features of a flexible working arrangements policy.

What is a flexible working arrangements policy?

A formal policy on flexible working arrangements states the principles, guidelines and procedures related to flexible working arrangements and conditions that support employees' personal choices.

It provides an overall framework for complying with legal requirements as well as for the responsibility and accountability of both employer and employees.

Why have a flexible working arrangements policy?

A formal policy on flexible working arrangements clearly outlines the organisation's stated intent and practices to provide a work environment that enables employees to optimise their contribution to the employer.

It assists employers to meet basic legal obligations and supports people managers to make consistent and reliable decisions, which promotes a culture of fairness.

It assists employees to manage their participation in paid work while providing clarity around entitlements and expectations.

It benefits both the business and its employees.

Benefits of a workplace gender equality policy

Under the *Workplace Gender Equality Act 2012* relevant employers are required to report against a set of six standardised gender equality indicators (GEIs). The precise reporting matters for each GEI were set by the Minister and can be found in the Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2013 (No. 1).

Gender Equality Indicator 4 (GEI 4): *availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities* requires relevant employers to report if a formal policy or formal strategy is in place.

Following consultation with industry, peak bodies and community groups, the Minister has set a new minimum standard as outlined in the Workplace Gender Equality (Minimum Standards) Instrument 2014. From 1 October 2014 relevant employers with 500 or more employees are required to have in place policies or strategies supporting one of four GEIs. GEI 4 has been set as one of four options.

In addition, a strategic approach to flexible working arrangements is a prerequisite for the Employer of Choice for Gender Equality (EOCGE) citation (criterion 4), and an essential underpinning for meeting other criteria.

Leading practice snapshot:

- Go beyond minimum legal obligations and strive to implement initiatives that benefit both business and employees.
- Consult to ensure the policy is tailored to the unique and specific needs of the employer and employees in a particular workplace.
- Communicate the policy to managers, particularly managers with responsibility for recruitment, performance reviews and training and development decisions.
- Communicate the policy to all employees, particularly during recruitment, performance reviews and training and development.
- Ensure that the flexible working arrangements policy is consistently applied across the organisation.

It is recommended that organisations have a formal flexible working arrangements policy, which will assist organisation:

- meet legal requirements
- increase staff loyalty, satisfaction and commitment
- improve workplace productivity
- reduce absenteeism and staff turnover, resulting in lower recruitment and training costs
- attract, retain and develop talents
- be recognised as an employer of choice
- provide smoother transitions for employees between work and parental leave
- enable employees to maintain their effectiveness at work by meeting the needs of the work area, while also accommodating other personal responsibilities
- provide both women and men access to equal opportunities and outcomes

Key features of a flexible working arrangements policy

Area	Key features that may be included
Statement	<ul style="list-style-type: none"> → an acknowledgement of the organisation's philosophy on valuing an employee's personal choices and complementing family-friendly specific policies by assisting employees achieve genuine balance → a statement of purpose that identifies benefits or outcomes of flexible working arrangements such as workforce efficiency, quality of life balance and cost savings → a statement that emphasises that flexible working arrangements are implemented to facilitate the accomplishment of work → a statement that employees working flexibly are treated no less favourably than any other employee and that flexible working is not a barrier to promotion or management responsibilities
Purpose	<ul style="list-style-type: none"> → provide a level of autonomy and flexibility within work role to accommodate various priorities at work, home and in community: <ul style="list-style-type: none"> • vocational education while in paid work • caring, parenting and/or cultural responsibilities while in paid work • managing health/medical issues while in paid work • reduced working hours whilst phasing in or out of paid work • any other personal commitments → describe the process and procedures for establishing flexible working arrangements
Guideline and procedures	<p>Definitions</p> <ul style="list-style-type: none"> → clear definitions of key terms (e.g. flexible working, official worksite, alternative location) and options available (e.g. compressed hours, job-sharing, purchased leave) <p>Eligibility and exclusions</p> <ul style="list-style-type: none"> → an outline of the conditions/exclusions applicable to employment status, tenure, to access flexible working arrangements → an outline of the conditions/exclusions applicable to variable working hours, to leave and other absences when working flexibly <p>Process</p> <ul style="list-style-type: none"> → an outline of the process involved in identifying positions eligible for flexible working arrangements or aspect of working arrangements that could possibly be modified → an outline on developing and implementing effective consultation mechanisms which encourage cooperation and engagement between employees and the employer → an outline of the operational process and steps involved in applying, reviewing, accepting or rejecting application requests (e.g. application, approval levels, timeline for approval/denial, training requirements, written agreements) → an outline of the operational process and steps involved in changing/modifying or terminating/withdrawing a flexible working arrangement

Area	Key features that may be included
References and resources	<ul style="list-style-type: none"> → an outline of support, materials, and equipment provided → an outline of the specific requirements for record keeping, reporting and monitoring of use → an outline of the expectations imposed upon employees who have entered into a flexible working arrangement and their managers: <ul style="list-style-type: none"> • define the responsibilities of supervisors and managers of employees working flexibly • define the responsibilities of employees working flexibly (e.g. performance expectations and monitoring, communication protocols, occupational health and safety issues)
	<p>Performance and review</p> <ul style="list-style-type: none"> → a statement confirming employees working flexibly access the same opportunities as other employees (e.g. work assignments, awards and recognition, development opportunities, promotions) and that the performance of employees working flexibly is evaluated consistent with the employer’s regular performance management system → a commitment to regularly review written agreement of the flexible working arrangements in place → an outline of the consequences of breaches of flexible working arrangements rules and conditions
	<ul style="list-style-type: none"> → a reference to relevant governing legislations such as Fair Work Act 2009 and National Employment Standards → a reference to relevant internal policies (e.g. gender equality policy, family-friendly policies, IT and cybersecurity policies, occupational health and safety policy)

Additional links that may assist you in developing your flexible working arrangements policy can be found on the WGEA website.