

Flexible working arrangement policy PC012

Purpose and Scope

This purpose of this policy is to provide a framework for flexible working arrangements and to ensure that it is consistently applied.

This policy must be read in conjunction with the Australian Health Practitioner Regulation Agency Enterprise Agreement 2019-2022 (**‘the Enterprise Agreement’**).

Coverage

This policy applies to all Ahpra employees covered by the Enterprise Agreement. The principles as outlined in this policy apply to all Ahpra employees covered by an individual contract.

Policy

Ahpra recognises that access to flexible working is a key component of contemporary workforce management. Flexible work arrangements can deliver a range of organisational and employee benefits including:

- increased employee engagement, retention and reduction in unplanned absences,
- increased productivity and performance,
- enabling operational flexibility and responsiveness in meeting fluctuating demands, and
- assisting employees to achieve balance between work and personal commitments.

By supporting flexibility, Ahpra is better positioned to attract top talent and build an appropriately skilled and diverse workforce, while retaining organisational knowledge skills and experience and reducing workforce turnover.

This policy outlines the flexible working options available to Ahpra employees and the factors to be considered in the implementation of such arrangements, noting that all individual requests for flexibility must be balanced against the operational needs of our business and the expectations of our stakeholders.

Flexible work arrangements are individually negotiated between the employee and Ahpra. Ahpra is committed to being fair and equitable in the management of requests.

Employee responsibilities

Employees are responsible for:

- submitting any request for a flexible working arrangement in writing and with sufficient detail to allow for proper consideration,
- complying with any rules and conditions that apply to the flexible working arrangement, and
- participating constructively in periodic review discussions.

Manager responsibilities

Managers have a responsibility to:

- be receptive, discuss and consider a range of flexible work options,
- seek advice, support and approval from their National Manager / National Director to ensure consistent application of approved flexible work arrangements across the business,
- regularly review written agreements of the flexible working arrangements in place in accordance with agreed timeframes,
- ensure that employees who are working flexibly are made aware of and have access to training and professional development programs,
- ensure that the performance of employees working flexibly is evaluated consistently with Ahpra's regular performance management system,
- make employees aware of their obligations under Work, Health and Safety legislation if appropriate,
- outline consequences of breaches of flexible working arrangements rules and conditions, and
- seek advice from a People and Culture representative if they believe a request for a flexible working arrangement cannot be approved.

Approval of flexible working arrangements

Leaders with a Level 4 delegation or higher have authority to approve requests for flexible working arrangements. These roles usually include (but are not limited to) National Managers/Directors, Executive Officers, and/or Executive Directors.

In reviewing requests for flexible working arrangements, approving authorities have the responsibility to:

- be receptive, discuss and consider a range of flexible work options,
- seek advice from a People and Culture representative if they believe a request for a flexible working arrangement cannot be approved,
- provide Line Managers with advice on the consistent application of flexible working arrangements across the function, and
- approve all requests for flexible working arrangements subject to operational needs and stakeholder expectations.

Line Managers do not have delegated authority to approve requests for flexible working arrangements, except for requests for [Flexitime](#).

Right to request a flexible working arrangement

Flexible working arrangements refer to work practices and arrangements that allow for flexibility in the way employees undertake and complete their work. Ahpra employees have access to a range of flexible work practices to accommodate both short-term and long-term needs.

A flexible work arrangement may be used to formally request:

- temporary increase or reduction in working hours,
- variation in start or finish times,
- variation to where work is performed (e.g. working from home), and
- compressed working hours.

An Individual Flexibility Agreement is an arrangement that may be made between Ahpra and an employee to vary the effect of terms of the Ahpra Enterprise Agreement, about how and when work is performed.

This type of arrangement can only be made at the instigation of the employee, and if agreed, must meet the genuine needs of both Ahpra and the employee. The Enterprise Agreement (Cl. 9) provides further information about individual flexibility arrangements and their application for Ahpra employees.

Eligibility

An employee may request in writing for a change in working arrangements. Ahpra will generally consider requests once an employee has had a minimum of six months employment, however, depending on the circumstances of the request and impact on operations, applications may be considered prior to six months.

A request for a flexible work arrangement must be:

- made in writing and include the reasons for and details of the request,
- considered and responded to in writing within 21 days of the request,
- recorded in writing and signed by both the employee and National Manager / National Director, and
- subject to periodic review.

Flexible working options

Flexitime

Flexitime is a scheme that allows for the variation of working hours and in some cases, discretionary accumulation of working hours subject to operational needs and management approval.

Flexitime must be:

- approved in writing by the line manager prior to any accrual, and
- worked within the bandwidth of hours and accrued to no more than the maximum limit, as specified in the Enterprise Agreement.

Flexitime requests are considered by the line manager and approval is discretionary. Employees need to be aware that flexitime may be denied in circumstances where:

- the employee is in a position where the hours of work are set by operational time constraints,
- the granting of flexitime would adversely impact upon other members of the team or work area and / or operational requirements, and/or
- there is insufficient workload to justify the accrual of hours.

Working from home

Working from home is an agreed arrangement whereby an employee undertakes some of part of their duties and responsibilities from a home office environment.

The employee is responsible for ensuring that the home-based worksite always complies with WHS requirements and is responsible for costs to maintain this compliance. This includes costs associated with the set-up / maintenance of home internet services.

Employees must complete a [WHS006 Working from home checklist](#) as part of their work from home request, which outlines WHS requirements. The employee must report any health and safety risks in the home-based worksite and notify their line manager of any work-related accident, injury, illness or disease arising from home-based work.

Working from home and COVID 19

As part of Ahpra's response to the COVID-19 pandemic, all employees are equipped to work remotely (work from home). The remote set up enables employees to continue to perform their roles remotely so that Ahpra complies with jurisdictional public health directions (e.g. 'stay at home orders', office occupancy limits due to physical distancing requirements) aimed at reducing the spread of COVID-19.

As employees return to office-based working arrangements in line with jurisdictional recovery roadmaps, Ahpra has introduced an 'office days' model. The office days model is designed to limit occupancy limits within Ahpra's offices in order to maintain physical distancing requirements. The office days model provides employees with fair and equitable access to office-based working, whilst also maintaining a partial remote working arrangement on non-office days. Further information is included in the [Office days protocol](#).

Employees may be required to work from home outside of their usual office days pattern if they are sick or displaying symptoms of illness, but still well enough to work. The [COVID-19 Preventing the spread of illness in the workplace protocols](#) outlines employee responsibilities towards reducing the spread of illness in the workplace by not attending the office if they have any symptoms of illness, even if it is a minor ailment (e.g. common cold symptoms).

Employees may work from home if they are well enough to work, for the duration of their illness or while symptoms are present. Employees who attend the office or develop symptoms of an illness while at the office, may also be directed to work from home by their line manager, in accordance with procedures outlined in the [Workplace response to COVID-19 in employees protocols](#).

Employees may request to work from home outside of their standard office days arrangement where:

- they or an immediate member of their family has a pre-existing health condition, which increases their risk of contracting COVID-19 (e.g. immune-compromised), or that exposes them to increased health complications (e.g. asthma, heart disease, etc.), and
- where public health guidance recommends reduced exposure.

Such requests must be supported by acceptable medical evidence and require approval from a National Manager / National Director in consultation with their People & Culture Business Partner.

Employees may negotiate 'ad hoc' work from home days with their line manager outside of the office days arrangement to attend to unscheduled or irregular activities or personal matters. Ad hoc work from home arrangements must not be used to establish a regular work pattern.

Consideration of requests to work from home

In reviewing a work from home request, line managers must consider:

- the quality of the customer service and any necessary actions required to maintain this,
- if the work can be completed efficiently and effectively from home and the duties are suitable for work from home e.g. can be done without direct supervision,
- impact on the team and whether the arrangement is consistent with other team members,
- the development of a plan to ensure that work undertaken from home is clearly defined, with clear outcomes and measures of performance,
- if the employees attendance and work performance history, including their ability to work unsupervised, supports working from home,
- if the employee can work safely from home (as well as travel with their work equipment to and from the office safely) and if the appropriate equipment is available to the employee to undertake the work,
- methods and frequency of the communication in place between the employee, stakeholders and manager, and

- monitor and review the work from home arrangement on a regular basis as recorded.

Part-time work

Employees may request to work part-time. The transition to a part-time role does not alter the employee's classification, unless the employee has requested to regress to a lower classified role.

A permanent part-time work arrangement allows the employee to work a reduced number of hours on a permanent basis.

A temporary part-time work arrangement is a finite agreement that allows the employee to work a reduced number of hours in their substantive full-time position or reduced number of hours in another employee substantive full-time position.

An employee's leave and entitlements will be calculated based on the reduced hours worked.

Job sharing

Job sharing is a form of flexible work practice and a form of part-time work where one position is shared between two or more employees.

Employees who are undertaking a job share arrangement are employed as part-time under separate employment agreements.

The operational management of the job share arrangement is at the discretion of the manager but will generally take the form of division of time or division of responsibilities.

Monitoring, reviewing and altering a flexible working arrangement

Where a flexible working arrangement is in place, the line manager must monitor and regularly review the effectiveness of the arrangement.

As part of this process, managers should document the impact on productivity, allocation of work to the participating employee, and any necessary changes to the flexible work arrangement.

Changes to a flexible work arrangement are subject to management approval. Any agreed changes need to be documented and appended to the original agreement.

Record keeping

Managers should clearly document any form of flexible working agreement in writing which should:

- detail the working arrangement
- the way the work will be managed
- the duration of the arrangement, and
- review periods.

The written agreement is signed by the employee and relevant National Director in accordance with the HR delegations.

Appealing of a decision for a flexible working arrangement

Where an employee is dissatisfied with any matter arising under this policy or a related procedure they should, in the first instance, meet with their manager and understand the reason as to why the request was denied.

Should they wish to have this decision formally reviewed they can raise a grievance in accordance with Ahpra's [Grievance Resolution Policy PC005](#).

Learning and development

Employees should not be unfairly disadvantaged from accessing learning and development opportunities due to their flexible work arrangement. This includes limiting access to learning and development programs designed to support the development of capabilities associated with the employee's role or that contribute toward their career development.

Related documents

- Australian Health Practitioner Regulation Agency Enterprise agreement 2019 – 2022
- [HR Delegations Policy HR033](#)
- [Office days protocol](#)
- [COVID-19 Preventing the spread of illness in the workplace protocols](#)
- [Workplace response to COVID-19 in employees protocols](#)
- [WHS006 Working from home checklist](#)
- Performance Development Plan

Relevant legislation

Fair Work Act 2009 (Cth)

Definitions

To be read in conjunction with the [Definitions – people policies and procedure PC002](#).

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