



FLEXIBLE WORK BY DEFAULT POLICY

Date of Issue	Review Date
14/07/2020	18/10/2021
18/10/2021	30/06/2022

Purpose

The purpose of this Policy is to –

- describe the objectives and principles of the Agency’s approach to flexible work by default
- identify the accountabilities and responsibilities of Managers and employees for implementing this flexible work by default policy and procedures

Scope

This Policy applies to –

- all Agency employees (permanent, fixed term or casual)
- people seconded to the Agency from other organisations.

This policy and the procedures that go with it recommend practices that go beyond the minimum flexible working requirements in the Employment Relations Act 2000 (ERA). Information, tools and guidance on rights and responsibilities under the ERA, including a checklist for requesting flexible working can also be found at www.employment.govt.nz/workplace-policies/flexible-work

Help

Should you require help or information about this policy please contact the Chief of Staff for assistance.

Key accountabilities and responsibilities

Role	Description of responsibility
Chief Executive	Approves this policy Promotes the benefits of flexible working for the Agency Supports flexible working amongst direct reports
Chief of Staff	Reviews data and information to ensure flexible by default is operating effectively and contributing to organisational goals Reviews this policy annually
Managers	Are familiar with this policy and associated procedures Exhibit the practices and behaviours (see procedures, page 6-7) necessary to successfully implement this policy and the procedures in all their interactions with employees



Related policies and documents

- Individual employment agreements
- Performance & development procedures
- Annual Leave Policy
- Payment of Overtime or Time in Lieu Policy
- Fatigue and Stress Management Policy and Procedures

Relevant legislation and regulations

- Employment Relations Act 2000, available [here](#)
- State Sector Act 1988, available [here](#)

Measures of the success of the policy

The policy will be monitored by the Chief of Staff and measures for success are:

- Managers are aware of their flexible work by default responsibilities and are having regular discussions about flexible work with their teams and employees.

Consultation processes in developing or reviewing this policy

This policy has been approved by the Chief Executive and must be reviewed at least annually to ensure any organisational changes are accounted for.

Compliance management

The Chief of Staff will oversee the general compliance with this policy. This will include:

- Checking employees are aware of this policy and their ability to request flexible work arrangements
- Managers and employees exhibit the behaviours described in the procedures on pages 6-7, necessary to implement the Agency's approach to flexible work by default arrangements.

Training and communication

All staff should have access to this policy either by being referred to a hardcopy held on site, or via the Agency's document management system (MAKO).



Policy objectives

The Agency will seek to achieve the following flexible work by default objectives:

- Considered to be flexible by default
- Flexibility becomes strategic in the mindset, systems and culture
- Flexible working is expected, normalised and equitably accessible and does not undermine career progression or pay
- Employment agreements may also include flexible-working policy and/or flexible working clauses to enable sustainable flexible-by-default work policies and practices
- Flexible-by-default is enhancing agency agility and performance.

Principles for flexible work by default

The following principles are to be used by the Agency, managers and employees to guide their implementation of the Flexible Work by Default Policy and Procedures.

Each role is treated as flexible unless there is good reason not to

All roles are treated as flexible unless there is a genuine business reason for a role not to be. Flexibility is equally available to women, men and gender-diverse employees, irrespective of the reason for wanting it. Working flexibly does not undermine career progression or pay.

Works for the role

Every role should be suitable for some form of flexibility, but not every type of flexibility will work for every role. Genuine business reasons may mean that some types of flexibility cannot be implemented for some roles.

Works for the Agency and for the team

Flexible working is not something which is just agreed between an employee and manager. The impact of flexible arrangements on teams and the Agency is also important.

Requires give and take

Flexibility requires give and take between the employee, manager and team. It also places collective obligations on employees, managers and teams to be open and adaptable so that it works for everyone.

Mutually beneficial

Flexible working needs to work for the Agency, teams and employees. Consideration should be given to how flexible work arrangements can maintain or enhance service delivery and the performance of Agency, teams and employees. It should not result in increased workloads for employees working flexibly, or for other team members who are not.

Actively championed by leaders

Leaders support, champion and role model flexible working for their teams and themselves.



FLEXIBLE WORK BY DEFAULT PROCEDURES

Date of Issue	Review Date
14/07/2020	30/06/2021

Purpose

This document supports the Flexible Work By Default Policy by describing the steps that managers and employees should follow when implementing the Flexible Work by Default Policy and these procedures.

Scope

These procedures apply to all Agency employees (permanent, fixed term or casual) and secondees.

Help

Should you require help or information about these procedures please contact the Chief of Staff for assistance.

Key accountabilities and responsibilities

Role	Description of responsibility
Chief Executive	Approves these procedures Promotes the principles of flexible work by default (see policy, page 3), putting flexible by default on the strategic and leadership team agendas Modelling a positive approach when responding to flexible working requests from direct reports
Chief of Staff	Provides advice and support to managers Ensures the Agency develops consistent and fair processes for establishing flexible working arrangements so that they work for the employee, teams and Agency, in line with the principles of flexible by default Ensures the Agency develops the health and safety, IT and information security systems to facilitate flexible working Reviews these procedures annually
Managers	Proactively discuss flexible working with their teams, rather than waiting for individual requests



	<p>Approach flexible working requests in an open and fair-minded way, in line with the principles of being flexible by default</p> <p>Work with their team to consider the impact of flexible working on deliverables and the working arrangements of other team members</p> <p>Regularly engage with employees working flexibly and their team as a whole to ensure that flexibility continues to work for everyone.</p>
Employees	<p>Familiarise themselves with the principles of being flexible by default, the agency's flexible by default policy and the flexible options that align with their type of role before they request flexible work</p> <p>Discuss flexible options with their manager and be open to finding a solution that also works for their manager and the team</p> <p>Self-manage their work and continue to meet delivery expectations when working flexibly</p> <p>Work with their manager and the team to ensure flexible arrangements are working for them, their manager and the teams they work with.</p>

Related policies and documents

- Individual employment agreements
- Performance & Development Procedures
- Annual Leave Policy
- Payment of Overtime or Time in Lieu Policy
- Fatigue and Stress Management Policy and Procedures

Relevant legislation and regulations

- Employment Relations Act 2000, available [here](#)
- State Sector Act 1988, available [here](#)

Measures of the success of these procedures

These procedures will be monitored by the Chief of Staff and measures for success are:

- Managers are aware of their flexible work by default responsibilities and are having regular discussions about flexible work with their teams and employees.

Consultation processes in developing or reviewing these procedures

These procedures have been approved by the Chief Executive and must be reviewed at least annually to ensure any organisational changes are accounted for.



Compliance management

The Chief of Staff will oversee general compliance with these procedures. This will include:

- Checking employees are aware of these procedures and their ability to request flexible work arrangements
- Managers and employees exhibit the behaviours described in the procedures on pages 6-7, necessary to implement the Agency's approach to flexible work by default arrangements.

Training and communication

All staff should have access to these procedures either by being referred to a hardcopy held on site or via the intranet.

Proactively released



Procedures for flexible work by default

There is a wide range of flexible working options.

Background

Arrangements can be formal or informal, ad hoc or regular, temporary or permanent.

Informal flexible working (on a regular or ad hoc basis) usually occurs when managers agree that employees have flexibility over when and where they carry out their work, subject to meeting position responsibilities and deliverables. This can mean that the exact arrangements (times or place of work) vary and are agreed between managers and employees as and when needed. It can also involve agreements to more regular arrangements, such as regular changes to start and finish times, as long as arrangements don't require changes to pay or employment contracts. This is likely to be the most common approach to flexible working in most agencies.

Formal flexible working occurs when a recurring work arrangement impacts on pay or involves changes to employment terms and conditions such as working hours, patterns and location. It may take place for an agreed period or on an ongoing basis with regular review. Examples could include regular part-time hours, job sharing, or working remotely on a regular basis.

Both formal and informal arrangements require cooperation, communication and flexibility by all parties.

Flexible working arrangements may involve more than one type, for instance a person working part time may agree flexible start and/or finish times and also that s/he works from home one day a week.

Examples of flexible working options

The following is an overview of some of the more common types of flexible working. Most of these can be combined e.g. a person working part time may also vary the hours they work on any given day or work some days remotely.

<p>Flexi-time</p> <p>Options that allow employees to vary their work hours or days either on a regular basis or from time to time</p>	<ul style="list-style-type: none"> • Flexible start and finish times i.e. variable start and/or finish times are worked on a regular or as-needs basis • Swapping workdays or hours with non-work hours or days • Part-time hours • Compressed week or fortnight i.e. full time employees work longer days over a 4-day week or 9-day fortnight • Flexible shifts – full time or part time • Fixed shifts – full time or part time • Combination of fixed shifts and flexible shifts – full time or part time
<p>Flexi-leave</p> <p>Options that allow employees to vary their leave patterns to create more flexibility</p>	<ul style="list-style-type: none"> • Leave without pay • Trading leave for salary



	<ul style="list-style-type: none">• Term time working, i.e., working during school terms and taking leave during holidays• Other types of leave, e.g., study leave, special leave
Flexi-place Options that allow employees to work from locations other than their designated workplace	<ul style="list-style-type: none">• Remote working, e.g., working from another office or from home, regularly or from time to time• Remote working – part time• Remote working – full time
Flexi-role/career Options that allow employees to manage their roles and careers more flexibly	<ul style="list-style-type: none">• Phased return to work, i.e., employees gradually increase their hours on returning from long-term leave• Phased retirement, i.e., employees gradually reduce their hours as they approach retirement• Seasonal working, i.e., to cover busy periods• Job sharing, i.e., splitting a role with another employee• Taking career breaks

Role redesign

The Agency will consider role redesign to facilitate flexible working through:

- changing, where, when or how the work is done (reshape the role to include at least one of these, to suit the employee)
- role rotation (shifting employees from one role to other similar roles)
- role enlargement (increasing the scope of a role, not necessarily by introducing the need for new skills/abilities)
- role simplification (breaking roles into sub-components/ specialties and assigning these to different employees)
- role enrichment (providing employees with greater responsibility and/or autonomy).

Agency role

The Agency will take a proactive and enabling approach to flexible working. The Agency will work with employees and unions to:

- use the principles of flexible work by default as set out in the policy as a touchstone for their thinking. They set out the balance that needs to be achieved between what works for employees, what works for teams and what works for the Agency. They also establish expectations of fairness for all – employees, team members and managers – and of openness and flexibility on all sides



- establish clear guidelines about the range of flexible working options likely to work for different types of roles
- revise flexible working policy and/or flexible working clauses in any employment agreements to promote and enable a sustainable flexible-by-default work culture
- encourage managers to have proactive discussions with their teams about flexible working in the context of their team's deliverables and responsibilities, rather than waiting for individual requests
- ensure a consistent process is applied for establishing informal and formal flexible working arrangements, for example:
 - managers and employees discussing the request and considering solutions and alternatives before any final decisions are made
 - managers considering the impact of flexible working on team deliverables (including deliverables involving work with other teams) and the working arrangements of other team members
 - teams discussing how the flexible working arrangement can work
 - having a 'one-up' or higher-level approval process for proposals to decline formal requests
- ensuring policies and processes are readily accessible and understandable to employees.

A successful flexible work by default policy will require managers and employees to exhibit the following behaviours:

Raise awareness about flexible working by:

- Sharing the principles of flexible work by default (see Policies, page 4) especially the principles on 'works for the role', 'works for team', 'mutually beneficial' and 'requires give and take'
- Discussing benefits and opportunities presented by flexible working and the challenges and how these can be addressed
- Ensuring employees know where to find information on the flexible by default policy and how to make requests
- Sharing information on the types of flexible working available to your team, any options that might be impractical or unworkable and why

Foster cohesion by:

- Adopting a team-based approach to managing flexible working. For instance, when you have approved a request, discuss how it will be managed with your team. Enable team members to raise any concerns and work through these as a team

Clarify respective expectations and responsibilities with flexible employees by:

- Being clear that flexible arrangements need to work for the agency, the team and the employee
- Being clear that flexible employees are responsible for maintaining delivery and that you will trust them to do this
- Considering review periods to test how arrangements are working with the agency, the team and the employee



- Making regular times to review how things are going with employees working flexibly and the team, and whether adjustments or clarifications are needed
- Agreeing when and how flexible employees will be available, how they can be contacted and whether they can shift times and hours to cover unexpected work and/or times when face-to-face (kanohi ki te kanohi) engagement is important, such as in Māori settings, with ministers, when establishing relationships with stakeholders, or when discussing sensitive or tough issues

Support employee wellbeing when employees work remotely by:

- Maintaining regular professional and informal contacts, remembering that you will have fewer incidental opportunities to check the health and wellbeing of employees working remotely and ensure they continue to feel part of the team
- Encouraging regular informal interactions between team members working in the office and those working remotely
- Being clear that employees working remotely are not expected to be available at any hour
- Encouraging employees to take breaks and establish clear distinctions about when they are 'at work' and when they are not

Foster inclusion within the team by:

- Distributing work evenly – employees working flexibly need to share in both the urgent, unexpected work and the long-term, challenging projects
- Treating employees working off site as if they were in the office and avoid shifting incidental or urgent work to employees you can see
- Distributing development opportunities equitably – flexible workers, especially part-time workers, can miss out on these opportunities and this can contribute to slower career progression
- Ensuring that in meetings you deliberately make space for the contributions of people who are participating remotely

Manage outcomes and trust by

- Setting clear expectations about quality standards and timelines for delivery
- Discussing performance regularly, rather than waiting for formal review times, when the stakes are higher
- Planning work allocation with the team so everyone knows what work is being done by who. This can support accountability for delivery within the team
- Remembering that when you have many team members working remotely, the structure and processes that work naturally in an office need to be replaced with more deliberate communications and expectations