



Flexible work arrangements policy

Version: 2.0 | **Version effective:** 08/07/2024

Audience

Department-wide

Purpose

This policy describes the Department of Education's (the department's) approach to flexible work and provides the key principles and requirements for leaders, teams and employees to manage flexible work arrangements.

Policy statement

The department is committed to fostering an inclusive and high-performing workplace culture that is responsive to current and future needs. Flexible work is a strategic tool used to deliver high-quality services by attracting and retaining capable people, enabling career and service delivery continuity, and to support all employees in managing personal and professional responsibilities.

All employees have the right to request a flexible work arrangement under the [Industrial Relations Act 2016 \(IR Act\)](#). The department has an obligation to promote an equitable and flexible working environment under the [Public Sector Act 2022 \(Qld\)](#).

Principles

| Principle | What this means for the department |
|------------------------------|--|
| Balance | Approaches are considered in the context of individual circumstances, such as obligations to culture, community and family, along with the needs of the team, customers and leaders, and organisational priorities. |
| Equity | Flexible work supports equity and inclusion, recognising that we do not all start from the same place and, by engaging in conversations on a case-by-case basis, we can make adjustments to support inclusion. Some level of flexibility is available to all employees. All requests are open for consideration. |
| Leadership by example | Senior leaders role model flexible work and seek innovative and practical ways to embed access across the organisation. |

| Principle | What this means for the department |
|--------------------|---|
| Performance | Employees work together to build a progressive, high-performing system to realise the potential of every student. |
| Teamwork | Teams design approaches that suit all. The best approach is where everyone in the team understands and balances their individual role and collective obligations to deliver outcomes. |
| Wellbeing | Integrated, proactive approaches to health, safety and wellbeing, including psychosocial hazards and cultural safety, are prioritised. |

Requirements

Types of flexible work

Flexible work arrangements apply changes to the way employees work, including (but not limited to):

- working hours (for example, job sharing, flexible hours, flexible shifts, compressed hours, change from full-time to part-time work)
- working locations (for example, remote, hybrid, distributed work centres)
- ways of working (for example, use of different equipment).

The [Flex-connect framework](#) provides examples of flexible work options including benefits and key enablers of successful flexible work arrangements across the department.

There are other changes that can be made to working arrangements that are not 'flexible work arrangements' under the IR Act. These include if:

- it is a reasonable adjustment made in relation to a temporary or permanent disability and the arrangements support the employee to return to work (refer to the [Reasonable adjustments procedure](#))
- arrangements support a rehabilitation plan for a current work cover claim (refer to [Workplace rehabilitation procedure](#))
- a parent is returning to work after a period of parental leave and the child is under compulsory school age (refer to [Parental leave procedure](#)).

Team-centred approach

The department encourages a team-centred approach to flexible work design. Discussions between leaders and teams about flexible working establish the options available to meet individual, team, stakeholder, customer and service delivery needs. Team discussions should address the principles of flexible working, be conducted respectfully by all parties and be managed to protect the privacy of individual employees in accordance with the [Information privacy breach and privacy complaints procedure](#). The department's or team's context or requirements may change, at which time the team should assess the new or changed context and adapt their flexible working approach as required.

A balanced approach

By taking a balanced approach, the department can achieve flexible work which meets the needs of the individual, teams, customers, leaders, and department. A balanced approach means considering all of these needs when designing flexible work, and also when requesting and responding to flexible work requests.

Successful flexible working means that at times, leaders, teams and individual employees may be required to adapt their arrangements to respond to unexpected work requirements.

Assessing flexible work agreement requests

Each request for flexible working arrangements will be considered, applying the key principles and taking into account the nature of the request, the individual's needs, the team's circumstances and service delivery requirements. If discussion with others is required in order to assess the request, seek permission from the employee if the details are personal or sensitive, only disclose relevant details in discussions, and restrict discussions to relevant parties only.

When work is underpinned by, and subject to, industrial instruments, policies and procedures which govern our employment. Where a flexible work request seeks to vary work arrangements or access leave entitlements, an application must be made under, and subject to, the relevant policy or procedure. For example, if accessing leave is a part of the flexible work request, a leave application must also be made and the [Leave policy](#) and [Employee leave procedure](#) will be used to assess the request.

The department will respond to the employee within 21 days of receipt of a flexible work agreement request. Responses will be provided in writing and note the decision, conditions and, if not agreed in full, reasons and grounds for refusal and dispute rights. If a response is not given within 21 days, it is taken that the request has been declined.

If a request is to be refused or partially approved, there must be reasonable grounds for the decision which are clearly stated, justifiable, and have supporting evidence.

Approved requests will have a review date and both leader and employee are encouraged to regularly discuss the arrangement.

Information management

All flexible work arrangements greater than one month in duration must be recorded using the online Flexible work arrangement application and agreement form in MyHR. Information relating to a flexible work arrangement request and agreement must be managed in accordance with the [Information security policy](#) and the [Code of Conduct for the Queensland Public Service](#).

Employee rights

The IR Act provides for altering the way an employee works under a flexible working arrangement. The right to request a flexible working arrangement applies to all employees and is not restricted to specific purposes or categories of employees.

If an employee believes a decision in response to a flexible work arrangement request is unfair and/or unreasonable, they may take any of the following actions:

- follow the department's [Individual employee grievances procedure](#)
- follow the dispute resolution process of the relevant certified agreement or award
- lodge a public service appeal with the Queensland Industrial Relations Commission (QIRC)
- notify the QIRC of a dispute, or
- seek advice from their union.

Employees are encouraged to exhaust the internal employee grievance procedure prior to seeking external review by the QIRC.

Definitions

| Term | Definition |
|----------------------------------|---|
| Employee | Any person employed by the department in a permanent, temporary or casual capacity. |
| Equity | Equity recognises that diversity of individuals and groups means that different circumstances require allocation of different resources and opportunities to reach an equal outcome. |
| Flexible work arrangement | An agreement between a department and an employee to change the standard working arrangement. Flexible working arrangements may include changes to how, where and when an employee works. |
| Industrial instrument | A legally binding instrument that provides minimum entitlements and working conditions to those employees covered within its scope. This includes modern awards and certified agreements. |
| Reasonable grounds | To determine if a decision is reasonable, an objective assessment of the decision is required in the context of the evidence, and the relevant circumstances of the case. It must be justified by evidence and considered reasonable by a reasonable person in the circumstances. |

Legislation

- [Appeals Directive \(04/23\)](#)
- [Department of Education Certified Agreement 2022](#)
- [Department of Education Cleaners' Certified Agreement 2022](#)
- [Department of Education State School Teachers' Certified Agreement 2022](#)
- [Department of Education Teacher Aides' Certified Agreement 2022](#)
- [General Employees \(Queensland Government Departments\) and Other Employees Award - State 2015](#)
- [Human Rights Act 2019 \(Qld\)](#)

- [Industrial Relations Act 2016 \(Qld\)](#)
- [Leave without Salary Credited as Service \(Directive 01/19\)](#)
- [Nurses and Midwives \(Queensland Health and Department of Education\) Certified Agreement \(EB11\) 2022](#)
- [Paid Parental Leave \(Directive 05/20\)](#)
- [Public Sector Act 2022 \(Qld\)](#)
- [Queensland Public Service Officers and Other Employees Award - State 2015](#)
- [Teaching in State Education Award - State 2016](#)

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [Flexible work arrangements procedure](#)

Supporting information for this policy

- Nil

Other resources

- [Leave policy](#)
- [Diversity and inclusion policy](#)
- [Supporting employees affected by domestic and family violence policy](#) (DoE employees only)
- [Hours of work, accrued time off, time off in lieu and timesheet arrangements for non-school based public servants' procedure](#)
- [Individual employee grievances procedure](#)
- [Flex-connect framework](#)
- [Flexible work arrangements - Public Sector Commission](#)
- [Health and safety for working from home](#)
- [Equity and Diversity plan](#)
- [Information privacy breach and privacy complaints procedure](#)

Contact

For further information, please contact:

Inclusion and Diversity

Email: weallbelong@qed.qld.gov.au

Review date

8/07/2029

Superseded versions

Previous seven years shown. Minor version updates not included.

1.0 Flexible work arrangements policy

Creative Commons licence

Attribution CC BY

Refer to the [Creative Commons Australia](https://creativecommons.org/licenses/by/4.0/) site for further information