

FLEXIBLE WORKING ARRANGEMENTS POLICY 2020

The Vice-Principal (Operations) as delegate of the Senate of the University of Sydney, adopts the following policy.

Dated: 26 August 2020

Last amended: 1 October 2021 (administrative amendments)

28 March 2023 (administrative amendments)

Position: Vice-Principal (Operations)

Current policy approver: Vice Principal (Operations) and Provost and Deputy Vice-Chancellor

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1 Name of policy

This is the Flexible Working Arrangements Policy 2020.

2 Commencement

This policy commences on 26 August 2020.

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University and staff.

4 Statement of intent

- (1) The University:
 - (a) recognises the benefits of flexible working arrangements to individuals, teams and the University, through:
 - (i) improved work-life balance and staff wellbeing;
 - (ii) increased job satisfaction;
 - (iii) enhanced staff engagement and sense of belonging;
 - (iv) improved staff productivity;
 - (v) greater workforce diversity;
 - (vi) enhanced ability to attract and retain talented people; and
 - (b) is committed to supporting flexibility while also meeting operational requirements.
- (2) This policy:
 - (a) supports flexible working arrangements for staff working within Australia, as key to creating and maintaining a workplace which is:
 - (i) rewarding;
 - (ii) productive;
 - (iii) diverse and inclusive; and
 - (iv) psychologically safe and mentally healthy.

Note: See the University's [2032 Strategy](#)
 - (b) provides a framework for planning, managing and supporting ways of working flexibly; and
 - (c) sets out the responsibilities of:
 - (i) staff working flexibly; and
 - (ii) managers in implementing flexible working arrangements in their teams while ensuring operational needs are met.

5 Application

- (1) This policy applies to:
 - (a) all continuing and fixed term staff; and
 - (b) casual staff engaged on a regular and systematic basis for at least 12 months;whose employment is based within Australia.

- (2) This policy does not apply to any staff whose employment is based outside Australia.

Note: For further information about overseas work, contact the [Immigration and Relocations Team](#) in Human Resources.

6 Definitions

delegate	has the meaning given in the University of Sydney (Delegations of Authority) Rule 2020 . As at the date of this policy that is: means any person or entity to whom, or to which, a delegation has been made by Senate.
Enterprise Agreement	means the University of Sydney Enterprise Agreement 2018-2021 as varied or replaced from time to time.
FTE	means full time equivalent, which is the hours worked by an employee relative to full time hours. Note: For example, a staff member working full time has an FTE of 1.0. A staff member working 4 of the 5 days in a working week has an FTE of 0.8.
manager	means: <ul style="list-style-type: none">• the person nominated by the University from time to time as the staff member's supervisor or nominated to act as the staff member's manager for a particular matter.• For Sydney Business School, the Deputy Dean is the nominated manager for all academic staff.• For all other faculties the relevant Head of School is the nominated manager for academic staff.• For University schools, the Head of School and Dean is the nominated manager for academic staff.• For clinical schools within Faculty of Medicine and Health, the Head of School and Dean of Sydney Medical School is the nominated manager for academic staff.
HR Partner	means a member of the Human Resources partnering team. Note: For details refer to the staff intranet .
University lands	has the meaning given in the University of Sydney (Campus Access) Rule 2009 . As at the date of this policy, that is: includes any land or roads occupied or used in connection with the University, including the whole or part of any building or structure and any land or roads occupied or used in connection with the whole or part of any building or structure.

7 General principles

- (1) Flexible working arrangements are available to all staff. While not all forms of flexibility may be suitable for all roles, full consideration will be given to each request.
- (2) The University will give priority to requests made under the [National Employment Standards](#) of the [Fair Work Act 2009 \(Cth\)](#). Flexible working arrangements must balance:
 - (a) the particular circumstances and needs of individual staff members;
 - (b) the requirements of a staff member's role;
 - (c) the working patterns and needs of the relevant organisational unit;
 - (d) ways of meeting student, staff and other stakeholder needs; and
 - (e) the University's core activities and strategic priorities.
- (3) On campus teaching and related activities are a fundamental part of a University of Sydney education. While academic staff generally have some level of flexibility in determining working arrangements to support achievement of their academic endeavors, academics with teaching duties must give priority to allocated on-campus teaching and other academic responsibilities, unless approved under **subclause 9(4)** of this policy.
- (4) Flexible working arrangements must take into account work health and safety requirements and responsibilities, both for working remotely and on University lands.

Note: Refer to [individual responsibilities](#) on the safety health and wellbeing webpages in accounting for any health and safety risks in proposed arrangements.
- (5) Proposals for flexible working arrangements will be considered on a case-by-case basis in accordance with this policy.
- (6) Managers must genuinely consider requests for flexible working arrangements, including alternative proposals by a staff member, and only refuse them:
 - (a) after obtaining advice from an HR Partner; and
 - (b) where there are reasonable and demonstrable business grounds to do so.

Note: See **subclause 10(7)**.
- (7) A flexible working arrangement will be for a maximum period of 12 months, except for mutually agreed arrangements to:
 - (a) permanently vary working hours from full-time to part-time, or vice-versa;
 - (b) work part-time after returning from parental leave until the earlier of:
 - (i) six years from commencing part-time work; or
 - (ii) when the child starts school;

Note: Refer to [clauses 271-274](#) in the *Enterprise Agreement*.

or

 - (c) transition to retirement under a pre-retirement contract for up to five years.

Note: Refer to [clause 25\(l\)](#) in the *Enterprise Agreement*.

- (8) A manager may approve a flexible working arrangement on a trial basis for up to six months.
- (9) An agreed flexible working arrangement may be renewed if it continues to meet the needs of the staff member and operational requirements.

Note: Refer to **clause 10**.

- (10) The relevant manager must consult Staff Health Support and refer to the [Injury and Illness Management Policy](#) to assess the suitability of an arrangement, and support the staff member to continue to work safely if the working arrangement:
 - (a) it is to be implemented as a response to injury or illness; or
 - (b) a staff member becomes ill or is injured.
- (11) A staff member who is transferred or promoted to a different position must seek approval for a flexible working arrangement from the relevant manager. An approved flexible working arrangement will not automatically transfer to the new position, however full consideration will be given to each request.
- (12) In exceptional circumstances, the Provost and Deputy Vice-Chancellor or Vice-President (Operations) may approve alternative flexible working arrangements in addition to those provided for under this policy.

Note: Refer to [clauses 176-183](#) in the *Enterprise Agreement* and to the [flexible working arrangements guide for managers](#) on the staff intranet

8 Flexibility: leave entitlements

- (1) Staff have access to a range of leave entitlements to support flexibility and balance work, personal, family, community or other responsibilities. These entitlements are set out in:
 - (a) the [Leave Policy 2021](#);
 - (b) the [Enterprise Agreement](#); and
 - (c) where applicable, the staff member's employment contract.

Note: For information about applying for and approving leave, refer to the [staff intranet](#)

9 Flexibility: working arrangements

- (1) Flexible working arrangements may apply to working hours, patterns of attendance, and work locations.

Note: Refer to guidance for [staff](#) and [managers](#) on flexible working arrangements.

- (2) Arrangements available to **all staff** include:
 - (a) part-time employment or reduced hours of work and employment fraction (FTE);
 - (b) purchasing additional weeks of leave during a 12-month period with a pro rata reduction in annual salary (including loadings);

Note: Refer to [clauses 170-172](#) of the *Enterprise Agreement*.

Note: Refer to Individual Flexibility Arrangements in [clauses 7-11](#) in the *Enterprise Agreement* and to the [staff intranet](#).



- (c) job sharing, where the work of a position is divided between more than one person;
Note: Refer to [information on job share](#) on the staff intranet.
 - (d) working from home or remotely.
Note: Refer to [information on working remotely](#) and the [working remotely - work area setup guide](#) for support in creating a comfortable and safe work space.
- (3) Arrangements available to **professional staff** include:
- (a) variable starting and finishing times to enable staff to work flexible hours and access flexible time off;
Note: Refer to [Schedule 4, clause 11](#) of the *Enterprise Agreement* and to the staff intranet for [information on hours of work](#) and [flexible working hours arrangements](#).
 - (b) compressed work week, where a staff member requests to work their normal hours over fewer days;
Note: Refer to [further information](#) on the staff intranet.
 - (c) part-year (seasonal) or annualised employment over a 12-month period, which may incorporate periods of full-time work, part-time work and periods during which no work is required.
Note: Refer to [clauses 173-175](#) in the *Enterprise Agreement* and to the [staff intranet](#).
- (4) Arrangements available to **academic staff with teaching workload allocation** include modified working times during the University's normal daytime teaching hours, which may include agreed periods of unavailability.
Note: Normal University daytime teaching hours are 8.00am to 6.00pm Monday to Friday. Refer to [support material](#) on the staff intranet and the [Curriculum Timetabling Policy 2019](#) for information about normal daytime teaching hours and unavailability of staff for teaching.
- (a) Academic teachers who have been scheduled to teach must obtain approval for a modified teaching week through a *Flexible Working Arrangements Application*, citing the reason they are unavailable.

10 Implementing a flexible working arrangement

- (1) Staff must discuss proposals for flexible working arrangements with the relevant manager, and obtain their approval, before the arrangements are implemented.
- (2) Staff must complete a [Flexible Working Arrangements Application](#) for a new application or amendments to an existing arrangement that requires a contract variation, other written agreement or a change to a staff record in the HR system. This includes:
 - (a) changes to employment fraction (FTE), including part-time employment or decreased hours of work;
 - (b) purchasing additional weeks of leave;
 - (c) working remotely regularly from interstate;
 - (d) job-share arrangements;



- (e) compressed working week;
- (f) part-year (seasonal) or annualised employment arrangements;
- (g) modified working times for teaching academic staff during the University's normal daytime teaching hours.

Note: Refer to the [curriculum timetabling information](#) on the staff intranet and the [flexible working arrangements guide for staff](#).

- (3) The [Flexible Working Arrangements Application](#) must:
 - (a) include:
 - (i) details of the flexibility being requested;
 - (ii) the duration of the arrangement;
 - (iii) reasons; and
 - (iv) any relevant supporting information;and
 - (b) be submitted to the relevant manager or delegate for approval in accordance with Part 6 of the [University of Sydney \(Delegations of Authority\) Rule 2020](#), normally with a minimum of 4 weeks' notice
- (4) The following arrangements for **professional staff** are subject to operational requirements and agreement by the relevant manager, but do not require a formal written application:
 - (a) arrangements that do not change total working hours or salary payments, for example:
 - (i) working from home or remotely; and
 - (ii) flexible working hours.

Note: Refer to [Schedule 4, clause 11 of the Enterprise Agreement](#)
- (5) The relevant manager or delegate must provide the staff member with a written response to a [Flexible Working Arrangements Application](#) within 21 days of receiving it.
- (6) If the request is refused:
 - (a) the response must include detailed reasons;
 - (b) the manager must discuss and consider other options which may be available; and
 - (c) the staff member may make a further application:
 - (i) if the circumstances change; or
 - (ii) after six months from the date of the initial application.
- (7) An application for flexible working arrangements may only be refused on reasonable business grounds. These may include that the requested arrangement would, for example:
 - (a) be too costly;
 - (b) require a rearrangement of work which could not be accommodated as proposed;
 - (c) result in a significant loss of operational efficiency;



- (d) conflict with allocated on-campus teaching or other academic responsibilities; or
- (e) have a significant impact on student, staff or other stakeholder service.
- (8) A decision maker must seek advice from an HR Partner before refusing a request for a flexible working arrangement.
- (9) At the end of the agreed period of the flexible working arrangement, a staff member will revert to the usual working arrangements of their substantive position unless the flexible working arrangement has been renewed in accordance with **subclause 7(9)**.
- (10) A staff member who wishes to return to their substantive working arrangements before the end of the approved period must submit a request to the relevant manager with at least four weeks' notice. A manager may agree to a shorter notice period if this can be accommodated.

11 Responsibilities

(1) Managers are responsible for:

- (a) modelling a positive approach to flexible work;
- (b) considering a flexible working arrangement request in the context of the particular circumstances of individual staff;
- (c) assessing the impact of the proposed flexible working arrangement on the staff member's role, team workloads and operation, as well as student and other stakeholder expectations;

Note: For example, an adverse impact on timetabling. Refer to the [Curriculum Timetabling Policy 2019](#) for information on core teaching hours.

- (d) enabling fair and equitable flexible work arrangements as appropriate for all staff, while also considering the individual needs of the staff member making the request;
- (e) prioritising proposals for flexibility from staff members who:
 - (i) are the parents, or have responsibility for the care, of a child of school age or younger;
 - (ii) are carers, within the meaning of the [Carers \(Recognition\) Act 2010 \(NSW\)](#);
 - (iii) have a disability;
 - (iv) are 55 or older;
 - (v) are experiencing domestic or family violence; or
 - (vi) provide care or support to a member of their immediate family or household, which is required as a result of domestic or family violence.

Note: Refer to the [National Employment Standards](#) and [clause 183](#) in the *Enterprise Agreement*.

- (f) considering the opportunities that the University's [digital resources](#) provide in supporting a proposed working arrangement, including digital ways of working, communicating and collaborating;



- (g) considering and discussing alternative flexible work options, where a staff member's request does not meet operational requirements;
- (h) establishing clear performance expectations with agreed outcomes and effective communication strategies, including team communication, to support a flexible working arrangement;
- (i) monitoring and periodically evaluating the effectiveness of a flexible working arrangement and discussing changes to the arrangement if required;
- (j) taking into account any safety, health and wellbeing risks and benefits in approving a flexible work request;

Note: Refer to the [safety and wellbeing responsibilities for managers](#) in proposed arrangements.

- (k) contacting their HR Partner for advice where they:
 - (i) consider there are reasonable grounds to refuse a request for a flexible working arrangement; or
 - (ii) may need support in resolving any issues identified in an existing flexible working arrangement.

Note: Refer to the [flexible working arrangements guide for managers](#) on the staff intranet.

(2) **Staff members are responsible for:**

- (a) discussing a proposal for a flexible working arrangement with their manager as well as alternative options if the initial proposal is not feasible;
- (b) considering, and including in their application, details of:
 - (i) the benefits for themselves; and
 - (ii) how the proposed flexible working arrangement can be reasonably accommodated;
- (c) having a clear understanding of performance expectations and agreed outcomes;
- (d) maintaining effective communication with their manager and team members;
- (e) understanding their safety and wellbeing responsibilities associated with their working arrangements;

Note: Refer to the [safety and wellbeing responsibilities for staff members](#) in proposed arrangements and the [working remotely – work area setup guide](#) where applicable.

- (f) understanding their responsibilities for the security of the University's information and systems when working remotely;

Note: Refer to the [Cyber Security Policy 2019](#) and the [Cyber security: working from home reference guide](#).

- (g) being aware of the guidelines relating to privacy when working remotely; and

Note: Refer to the staff intranet to access the [privacy guidelines](#).

- (h) for professional staff, where flexible working hours have been approved, recording all hours worked, including start and finish times; hours accrued; and absences.

Note: Refer to [Schedule 4, clause 11](#) of the *Enterprise Agreement*

12 Rescissions and replacements

This document replaces the following, which are rescinded as from the date of commencement of this document:

- (a) Flexible Working Arrangements Policy, which commenced on 4 October 2013
- (b) Seasonal, Part-year or Annualised Employment Guidelines, which commenced on 16 April 2010
- (c) Working from Home Policy, which commenced on 15 December 2012

NOTES

Flexible Working Arrangements Policy 2020

Date adopted: 26 August 2020

Date commenced: 28 August 2020

Date amended: 1 October 2021

28 March 2023

Original administrator: Chief Human Resources Officer

Current policy owner: Chief Human Resources Officer

Review date: 28 August 2025

Rescinded documents: Flexible Working Arrangements Policy

Seasonal, Part-year or Annualised Employment Guidelines

Working from Home Policy

Related documents: [Fair Work Act 2009 \(Cth\)](#)

[National Employment Standards](#)

[Carers \(Recognition\) Act 2010 \(NSW\)](#)

[Enterprise Agreement 2018- 2021](#)

[University of Sydney \(Delegations of Authority\) Rule 2020](#)

[Curriculum Timetabling Policy 2019](#)

[Cyber Security Policy 2019](#)

[Leave Policy 2021](#)



[Privacy Policy 2017](#)

[Injury and Illness Management Policy 2015](#)

[Injury and Illness Management Procedures 2015](#)

[Work Health and Safety Policy 2016](#)

[Work Health and Safety Procedures 2016](#)

AMENDMENT HISTORY

Provision	Amendment	Commencing
9(2)(b)	to clarify that additional leave purchased under an Individual Flexibility Arrangement is not annual leave.	28 March 2023