



FLEXIBLE WORKING POLICY

UNDA policies also apply. Where there is a conflict between this policy and the UNDA policies, UNDA policies should be followed.

PURPOSE

This policy outlines the principles and process to allow employees greater flexibility in their working arrangements at Te Kupenga. It should be read in conjunction with employment agreements and other relevant policies, including the Employment Policy, the Health and Safety Policy, the Performance Management Policy, and the Use of Technology Policy.

This policy is guided by the Employment Relations Amendment Act 2014, which provides workers with the right to a flexible work application process. Sections of this policy are created from the NZ Government's Flexible Work Toolkit¹.

SCOPE

This policy applies to those with a direct employment relationship with Te Kupenga, whether permanent or fixed term. The default working arrangement is at an office of Te Kupenga, during normal working hours, or as specified in your employment agreement.

Te Kupenga may, therefore, at our sole discretion and on a case by case basis, allow employees flexible working arrangements (temporarily or otherwise). Te Kupenga reserves the right to vary, modify or end any flexible working arrangements at any time for any reason (following good faith consultation with the employee).

Acceptance of this flexible working policy does not alter your duties, obligations, responsibilities and/or conditions of employment with Te Kupenga unless specifically agreed upon in writing as an amendment to your employment agreement.

PRINCIPLES

1. Te Kupenga recognises that the wellbeing of staff contributes to a high-performing and caring organisation. Flexible working arrangements can contribute to this.
2. Not all work lends itself to flexible arrangements. Te Kupenga will consider the needs of the organisation and its aims when approving requests.
3. Flexible work is always discretionary. A staff member's employment agreement remains the legal agreement for employment conditions.
4. Flexible work arrangements may be required at times, such as during a pandemic or in the aftermath of a natural disaster. In these circumstances, Government and Te Kupenga guidance will apply, rather than this policy, which is intended to cover planned flexible work.
5. All policies that apply to employees who are working in the office also apply when employees are working remotely
6. Health and safety is always of paramount importance.

¹<https://www.employment.govt.nz/assets/Uploads/tools-and-resources/publications/dd1c4f7c5c/flexible-work-toolkit.pdf>

GUIDELINES

Definition of flexible work

Employees can at any time request a change to their work arrangements, including:

- hours of work
- days of work
- place of work

Flexible work can also be used to change:

- how work is done
- how starting and ending work are managed
- how work is managed in the workplace to help employees and Te Kupenga's aims

Application process

All flexible work applications should be completed by the employee in writing, with details about the request being made. An email to the employee's manager is an acceptable way to apply and respond.

The application should include:

- What sort of flexible arrangement they are requesting
- What they believe the impact will be on Te Kupenga
- For how long (is it a temporary or permanent request)
- How they will perform their duties
- What additional support they may need
- What the impact may be on the wider team (and/or our clients)

Employees may wish to make use of the Government's flexible work request template², particularly for longer-term requests.

Each request will be treated individually, and the manager may seek further discussion or advice. Applications which are permanent or request more than 10 days of flexible arrangements (eg, more than 2 weeks in a row, or once a week over more than 10 weeks) will need to be approved by the Chief Executive. Your manager will respond to a flexible work application in writing within one month of receiving the application. Final arrangements, including specifics relating to the physical working space, are to be confirmed in writing between the employee and their manager.

Requirements for remote working

- ***Technology:*** Employees may require certain technology to assist them to work remotely. This may include a laptop, phone, high speed internet connection, or other equipment relevant to the role. When making a request for flexible work, it is the employee's responsibility to think about the technology and equipment they may need to make it work and to list their requirements clearly on the application, including whether they will use existing work equipment or personal equipment.
- ***Security of information and equipment:*** It is the employee's responsibility to keep all work information secure, especially student or personal records and any other sensitive material. It is also important that reasonable care is taken of organisation information and equipment, including safeguards against unauthorised access or cyber attacks. Staff should be able to easily access the organisation's shared file system (SharePoint and OneDrive) and other required platforms for their role (such as Moodle or Xero). The Use of Technology Policy and the Staff Conduct Policy also apply.
- Work-related information and data is to be kept secure, either in locked storage or by restricting access to work-related files on computers (for example, by using passwords, etc.). The employee must safeguard all business/work-related information and documentation

² <https://www.employment.govt.nz/assets/Uploads/tools-and-resources/documents/5debd9e92f/toolkit-appendix-a.docx>

from access by other members of the household or visitors, whether using personal electronic devices or work devices.

- Employees working from a designated workspace understand that Te Kupenga have a right to monitor work computers and internet use in the same manner as work in the office.
- *Health and Safety*: No matter when or where an employee works, ensuring their health and safety is a shared responsibility between the employer and the employee. When working remotely, the employee is responsible for organising a designated work area that is appropriately set up to ensure that they can work safely. No work should be performed outside of this designated workspace. To ensure that this is the case, an employer may request an employee to provide photos of their work location and may also request a health and safety assessment of the workstation. Refer to the Te Kupenga Health and Safety Policy and Handbook for a full list of requirements.
- *Proven ability to self-manage*: The employee should have shown sufficient knowledge, information, understanding and training to undertake work safely and with minimum assistance and direction. In addition to this, the employee must demonstrate that they can work as effectively and efficiently as if they were at their normal place of work or in an environment with colleagues. Relevant factors to consider include: demonstration of being self-motivated; good time-management and organisational skills; capacity to work independently; and a proven record of satisfactory work performance.

In the event that flexible work arrangements do not meet the above requirements, the agreement shall not be entered into or will be terminated by Te Kupenga.

Employee responsibilities

When working remotely, the employee should:

- Comply with the guidelines contained in this document as well as all other organisational policies and procedures
- Only work from a location that is safe and suitable for working remotely
- Comply with all health and safety requirements, including the requirement to identify, manage and report hazards and incidents
- Notify their manager of absences (eg, sick or holiday leave) through normal processes
- Not hold meetings with customers or other employees at their home, unless this is approved in writing by their manager
- Make necessary arrangements for childcare, elder care, repair persons, etc so as not to interfere with the employee's regular work schedule
- Attend all planned meetings via video conference or by phone
- Notify their manager immediately if technical issues or internet access prevents the employee from working remotely, and attend work from their regular office space for the remainder of the day (if that is practical), or until the outage is fixed
- Come to their regular office space from time to time as required by the needs of the organisation
- Take reasonable steps to keep technology, equipment and information safe and in working order

Expenses

The cost of any expenses to perform home-based work is the expense of the employee unless by agreement with Te Kupenga. This includes required equipment and the cost of general utilities such as electricity, gas, water and smoke detectors.

Insurance arrangements

Employees are solely responsible for checking whether working from home has an impact on any existing insurance arrangements they may have, including Public Liability or any equipment covered by their home and contents insurance and any obligations they may have to notify their insurer that their home is to be used for work purposes.

Employees are responsible for the health, safety and wellbeing of third parties that visit their home-based worksite for the purpose of work. Employees are also responsible for any loss or damage to their own equipment or assets.

After flexible work starts

If a flexible arrangement is approved, both the employee and employer should check in frequently to discuss whether the arrangement is working

- Speak up if something is not working; consider how to adjust the arrangement to better suit both parties rather than dropping it completely
- Put all agreed arrangements of changes in writing (email is acceptable)
- Share and openly communicate the arrangement with all of your staff, so that everyone can learn from the experience.
- Ensure the whole team is aware of the benefits and acknowledges the challenges

Flexible work arrangements are not a right. They are a condition of employment. If there is a negative impact on the organisation or work, the employer can review and does not have to continue them. It is in both the employer and employee's interests to keep open communications and regularly review arrangements and put all agreements in writing.

APPROVAL & REVIEW

The Flexible Working Policy is subject to review in one year's time. Review and approval is the responsibility of the Te Kupenga Governance Board

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