

Policy

Working Flexibly

Version: 2.0

Approval date: 06 May 2026

PDS Reference No: D0439



Government
of South Australia

SA Health

Publication details

Document ownership

Policy Owner	Domain Custodian for the Employment, Work, Health and Safety Policy Domain
Chief Policy Contact	Workforce Systems, Policies and Programs, Corporate and Infrastructure
Objective reference number	A7528531 - 2025-12294
Review date	06/05/2031
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Document history

Version	Date approved	Approved by	Amendment notes
1.0	06/03/2017	Portfolio Executive	Original Version
2.0	06/05/2026	Deputy Chief Executive, Corporate and Infrastructure	<p>Change title from 'Flexible Workplaces Policy' to align with the Commissioner's Determination 8: Working Flexibly.</p> <p>Inclusion of:</p> <ul style="list-style-type: none"> Commissioner's Determination 3.1: Employment Conditions - Hours of Work, Overtime and Leave in respect to any provisions concerning workplace flexibility. Wording for Carers, with accompanying definition, and inclusion of psychosocial protections and considerations. <p>Removal of duplicated requirements within Commissioner Determinations and the SA Health (Health Care Act) Human Resource Manual.</p>

1. Name of Policy

Working Flexibly

2. Policy Statement

This policy provides the mandatory requirements in relation to working flexibly in SA Health subject to approval processes, conditions and compliance obligations, whilst enabling an inclusive, diverse, and equitable workplace.

3. Applicability

This policy applies to all employees and contracted staff of SA Health; that is all employees and contracted staff of the Department for Health and Wellbeing (DHW), Local Health Networks (LHNs) including state-wide services aligned with those Networks and SA Ambulance Service (SAAS).

4. Policy Principles

SA Health's approach to working flexibly is underpinned by the following principles:

- We ensure consistency with legal, industrial and policy frameworks within which SA Health operates.
- We enable productivity by assisting employees to balance work, and personal obligations and responsibilities.
- We support SA Health's commitment to flexible working conditions where operationally feasible.
- We ensure flexible working arrangements are safe and do not compromise the health, safety or wellbeing of employees.
- We are committed to supporting employees with carer responsibilities, recognising their contribution to the workforce and the community.
- We assess all flexible work requests fairly and in good faith, particularly where the request relates to supporting caring responsibilities, disability, or family and domestic violence circumstances.

5. Policy Requirements

SA Health must:

- Comply with:
 - [Commissioner for Public Sector Employment Determination 8: Working Flexibly](#);
 - [Information Sheet: Working Flexibly](#); and
 - [Commissioner's Determination 3.1: Employment Conditions - Hours of Work, Overtime and Leave](#) to the extent of any provisions concerning workplace flexibility.
- Ensure employees who change / commence a new role submit an application for consideration and approval of a flexible working arrangement (previously approved flexible working arrangements are not transferred to new roles within SA Health or any SA public sector agency).
 - Where a requested flexible working arrangement cannot be accommodated, the manager and employee must work together to determine if an alternative flexible arrangement can be accommodated.

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- Ensure managers give genuine consideration to flexible work requests from employees with carer responsibilities, in line with the [Fair Work Act 1994 \(Cth\)](#) and the [Carers Recognition Act 2010 \(Cth\)](#) and [Carer's Recognition Act 2005 \(SA\)](#).
 - Requests can only be refused on reasonable business grounds.
 - Reasons for refusal must be provided in writing within 21 days of the request.

Working from home

SA Health must ensure:

- All work from home arrangements have an approved Working From Home Application (ask your line manager or local HR team for a copy), inclusive of the Home Based Worksite Inspection Checklist.
- Completed Home Based Worksite Inspection Checklist(s) and Working from Home Applications are retained in the employee's personal file.
- Risks associated with the flexible working arrangements, including Domestic, Family and Sexual Violence are confidentially discussed, assessed, and changes to improve safety identified and implemented. Refer to the Domestic Family and Sexual Violence Policy for further information and guidance.
- Managers and supervisors who approve Working From Home Applications complete modules 1,2 and 3 of the Domestic Family Violence training as prescribed in the [Domestic, Family and Sexual Violence Policy](#).

When working from home employees and contractors must comply with the [Information Security Policy](#) in regards to:

- the security of information and associated assets and
- the reporting requirements associated with information security incidents.

Flexitime

SA Health must ensure:

- Formal agreements to enter a flexitime arrangement is discussed and delegate approval obtained. The delegate has discretion to approve or reject a request to access flexitime accrual.
- Delegate approval considers operational requirements, and flexitime can be cancelled at short notice if necessary.
- Flexitime is accurately documented on attendance records submitted for approval.
- Managers are responsible for monitoring the use of flexitime to ensure excessive hours are not accrued.
- For employees covered under the [South Australian Public Sector Wages Parity: Salaried Enterprise Agreement](#) and [Allied Health Professionals, Assistants and Psychologists Enterprise Agreement](#).
 - Flexitime balances are not lost or forfeited.
 - An appropriate delegate approves the payout of flexitime credit in excess of 15 hours where an employee has not been given the opportunity to reduce their flexi-time credit.
- Where an employee is directed and authorised to work in excess of their normal hours of duty, overtime rates or Time off in Lieu (TOIL) applies, not Flexitime, for eligible employees.

Accrual

SA Health must ensure:

- A maximum of 15 hours flexitime is accrued in an accounting period (four (4) weeks) unless approved otherwise by management. Part-time employees flexitime carried forward calculations are varied on a pro-rata basis in line with their part-time hours.
- Managers discuss and determine with employees who have reached the maximum limit of 15 hours of accrued flexitime in an accounting period a plan to reduce the balance.

Debit

SA Health must ensure:

- A maximum of ten (10) hours debit hours is carried over to the next accounting period.
- The regular carry-over of debit hours is discouraged.
- Employees with a negative flexitime balance in excess of ten (10) hours must be given the opportunity to make up the negative hours within the next accounting period.
- When a flexitime debt of more than ten (10) hours still exists at the end of the next accounting period, the employee's pay will be deducted. Managers must seek the advice of HR in this instance.

Access and Use

SA Health must ensure:

- Employees seek approval from their line manager prior to accessing their flexitime credit over a half or full day.
- Approval is conditional on suitable arrangements being made where necessary to cover the employee's absence and maintaining satisfactory work operations and required public services.
- Extra staff are not employed to cover the employee's absence.

Lactation breaks

SA Health must ensure:

- Full time employees are entitled to a maximum of one (1) hour of paid lactation breaks per workday.
- Part-time employees who work more than four (4) hours per day are entitled to a maximum of one (1) hour of paid lactation breaks per workday.
- Part-time employees who work four hours or less per day are entitled to only one paid lactation break of up to 30 minutes per day.
- Where an employee requires breaks exceeding the maximum paid entitlement in a standard workday, flexible work arrangements must be considered to cover the time in excess of that hour.

6. Mandatory related documents

The following documents must be complied with under this Policy, to the extent that they are relevant:

- [Acceptable Use Policy](#)
- [Allied Health Professionals, Assistants and Psychologists Enterprise Agreement](#)
- [Carers Recognition Act 2010 \(Cth\)](#)
- [Carer's Recognition Act 2005 \(SA\)](#)
- [Commissioners Determination 3.1: Employment Conditions - Hours of Work, Overtime and Leave](#)

- [Commissioner's Determination 8: Working Flexibly & Information Sheet: Working Flexibly](#)
- [Disability Discrimination Act 1992 \(Cth\)](#)
- [Disability Services Act 1993 \(SA\)](#)
- [Domestic, Family and Sexual Violence Policy](#)
- [Equal Employment Opportunity Act 1987 \(SA\)](#)
- [Fair Work Act 1994 \(Cth\)](#)
- [Health Care Act 2008 \(SA\)](#)
- [Injury Management Policy](#)
- [Local Human Resources Instrument of Delegations and Schedule of Authorisations](#)
- [Long Service Leave Act 1987 \(SA\)](#)
- [Partnering with Carers Policy](#)
- [Public Sector Act 2009 \(SA\)](#)
- [Psychosocial Safety Guideline](#)
- [Psychosocial Safety Policy](#)
- [Remote or Isolated Work Guideline](#)
- [Remote or Isolated Work Policy](#)
- [Information Security Policy](#)
- [SA Health \(Health Care Act\) Human Resource Manual](#)
- [South Australian Public Sector Enterprise Agreement: Salaried](#)
- [Work Health and Safety Act 2012 \(SA\)](#)

7. Supporting information

- [Attendance Management Factsheet](#)
- [Australian Government Fair Work Ombudsman Best Practice Guide – Flexible Working Arrangements](#)
- [Carers in the Workplace](#)
- [Management of Non-Work Related Medical Incapacity Policy](#)
- [Flexible Work Request Form](#)
- [OCPSE Managers Guide – Remote Working for Productivity](#)
- [Working Flexibly Guideline](#)

8. Definitions

- **Accounting period:** means the four (4) week period over which the hours worked are to be reconciled.
- **Carer:** means an employee who provides personal care, support or assistance to another individual(s) who requires support due to disability, medical condition (including chronic or terminal illness), mental illness, or frailty associated with ageing, as defined in the Carers Recognition Act 2010 (Cth) and *Carer's Recognition Act 2005 (SA)*. An employee is not considered to be a carer if they are employed to look after someone, if they work as a volunteer for an organisation, or if they are doing work experience as part of a course.
- **Flexitime:** means a flexible working arrangement which enables an employee to negotiate start and finish times, within a range of core business hours, without increasing or reducing the total number of hours worked when averaged over a four-week cycle.

- **Lactation:** means the physiological process of producing and secreting breast milk from the mammary glands.
- **Normal hours of duty:** means the ordinary working hours of the employee per the respective industrial instrument.
- **Overtime:** means where time is accumulated in excess of the employee's normal hours of duty, and with pre-approval to accrue the excess hours.
- **State-wide services:** means State-wide Clinical Support Services, Prison Health, SA Dental Service, BreastScreen SA and any other state-wide services that fall under the governance of the Local Health Networks.
- **Time Off in Lieu (TOIL):** means where overtime has been approved, the excess hours are requested by and provided to the employee as time off, instead of being paid overtime.

9. Compliance

This policy is binding on those to whom it applies or relates. Implementation at a local level may be subject to audit/assessment. The Domain Custodian must work towards the establishment of systems which demonstrate compliance with this policy, in accordance with the requirements of the [Risk Management, Integrated Compliance and Internal Audit Policy](#).

Any instance of non-compliance with this policy must be reported to the Domain Custodian for the Employment, Work, Health and Safety Domain and the Domain Custodian for the Risk, Compliance and Audit Policy Domain.

10. Appendices

1. *Nil*