

Making a flexible working request

You might be able to make a 'flexible working request' to your employer if you want to:

- reduce your hours to work part-time
- change your start and finish time
- have flexibility with your start and finish time (sometimes known as 'flexitime')
- do your hours over fewer days ('compressed hours')
- work from home or elsewhere ('remote working')
- share the job with someone else

You can ask for the change to be for:

- all working days
- specific days or shifts only
- specific weeks only, for example during school term time
- a limited time, for example for 6 months only

Check your right to make a request

By law, you have the right to make a flexible working request if:

- you've worked for your employer for at least 26 weeks
- you're [legally classed as an employee](#)
- you've not made any other flexible working request in the last 12 months

If you have the right to request, your employer must:

- look at your request fairly, following the [Acas Code of Practice on flexible working requests](#)
- make a decision within a maximum of 3 months

Some employers will allow you to make a request even if you do not have the legal right – check your workplace's policy.

If you're a parent or carer

All employees have the right to request flexible working, including if you're:

- a parent
- a carer
- returning from maternity leave

All flexible working requests should be treated in the same way.

If you're a parent or carer, your employer might have other ways for you to take time off. For example, [parental leave](#) to look after your child or [time off for dependants](#). Check your workplace's policy.

A flexible working request must be in writing.

Your request letter or email should say you're making a 'statutory flexible working request' and must include:

- the date you're sending it
- the change you'd like to make
- when you'd like the change to start
- how any effects the change could have on your work or the business might be dealt with
- the date of any previous flexible working requests, if you've made any
- if your request relates to something covered by the [Equality Act 2010](#), for example to make a 'reasonable adjustment' for a disability you have

It can also help to include:

- any benefits that the change could have to your work or the business (for example, cost-saving or doing shift times that others prefer not to do)
- any benefits to your co-workers (for example, if a co-worker would like a job share, too)

2. Discussing the request

Your employer should set up a meeting to talk about your request before making a decision.

If you go to a meeting, it can help to talk about:

- the reasons you want the change
- how any problems with making the change might be dealt with
- any other options you might consider if the change is not possible

Bringing someone to the meeting

You can ask your employer if you can bring someone to a flexible working request meeting, for example, a co-worker or trade union representative.

There is no legal right to bring someone, so it's up to your employer to agree.

Once your employer makes a decision

Once your employer has reviewed your request, they must let you know their decision. It's a good idea to ask for the decision in writing.

They must make a decision within a maximum of 3 months of you making your request. If you do not get a decision within 3 months,

you should [raise the issue with your employer](#).

If your employer approves your request, this will usually change the terms of your employment contract.

Your employer should put the approval in writing, including:

- the agreed change
- when the change will start
- how long the change will last, if for a fixed period of time
- a review date, if the change will be looked at to see how it's going

It's a good idea to make sure you get everything put in writing by your employer so there's no confusion about what was agreed.

3. When changes must be in writing by law

If the change affects anything that must [legally be in your employment contract](#), your employer must put it in writing. They must do this within a month of the change taking effect.

This includes changes to your:

- working hours
- pay
- job location
- holiday entitlement

Your employer can turn down your flexible working request if there's a valid business reason for doing so.

By law, your employer can turn down your flexible working request if:

- it will cost too much
- they cannot reorganise the work among other staff
- they cannot recruit more staff
- there will be a negative effect on quality
- there will be a negative effect on the business' ability to meet customer demand
- there will be a negative effect on performance
- there's not enough work for you to do when you've requested to work
- there are planned changes to the business, for example, your employer plans to reorganise or change the business and thinks the request will not fit with these plans

Example

Colin works in a small call centre answering calls from customers in the United States. He asks to change his hours, to start at 7am instead of 11am each day so he can finish earlier.

Colin's employer reviews the request and looks at the call patterns. There are only a few calls between 7am and 11am, and making

the change would mean there'd be fewer people to cover peak call times later in the day.

Colin's employer cannot agree to the request because there's not enough work for him to do and it would have a negative effect on meeting customer demand.

If it's unclear how a change will work in practice, you could see if your employer might consider a trial.

Example

Raj is an estate agent working at a small estate agency. He asks to work compressed hours over 4 days. This means he would work 7am to 7pm over 4 days so he can have Thursdays off to study.

Raj's employer is worried the business will lose sales and get complaints if Raj is not available on Thursdays. For these reasons, Raj's employer considers refusing his request. However, the employer values Raj and wants to keep him.

Raj and his employer agree to try the compressed hours for 10 weeks, and then make a decision.

During the trial, other staff successfully deal with customer enquiries on Thursdays and Raj's meets his sales targets. Raj's employer also finds some customers like being able to reach Raj outside normal office hours Monday to Wednesday.

As the trial is a success, Raj's employer agrees to continue with the new working hours.

You can talk with your employer if you feel the decision was wrong or unfair. It's a good idea to do this informally at first.

It can help to:

- explain why you feel the decision was wrong or unfair
- share any information that was missed or not available when your employer made the decision
- share any evidence if the request was not handled reasonably (for example, they did not follow the [Acas Code of Practice on flexible working requests](#) or their own policy)
- listen to your employer's reasons for their decision
- suggest any compromises you are willing to make

If you want to appeal, you should do so as soon as possible, or within the timeframe that your workplace might have set in their policy.

4. Appeal in writing

You can also put your appeal in writing.

Your letter or email should say:

- why you feel the decision should be looked at again (for example, there's new information that might affect the decision)
- what you would like to happen next (for example, look at the new information and meet to discuss your flexible working request)

It's up to your employer to decide if they'll consider your appeal.

How long an appeal takes

If your employer decides to consider your appeal, they should respond as quickly as possible.

Your employer must consider your whole request (including any appeal) within a maximum of 3 months of receiving the original request. Your employer can ask you for more time to make a decision, but only if you agree.

Making a formal complaint

If you feel your request has not been handled fairly, you can raise it formally ('[raise a grievance](#)') with your employer.

If raising a grievance does not resolve the problem, it might be possible to make a claim to an employment tribunal.

You might be able to use the [Acas Arbitration Scheme](#) for some flexible working cases, instead of going to employment tribunal.

If you've been treated unfairly because of your request

Your employer should not dismiss you or treat you unfairly (cause you 'detriment') because you:

- made a flexible working request
- intend to make a flexible working request

Detriment means unfair treatment that leaves you worse off, for example if your employer:

- reduces your hours
- overlooks you for promotions or development opportunities
- says no to your training requests without good reason

If you feel you've experienced detriment or have been dismissed because of a flexible working request, you might be able to [make a claim to an employment tribunal](#).

Making another request

You can make a new request if it's been more than 12 months since your last request.

Some employers will allow more than one request within 12 months, so it's worth checking your workplace's policy.