# Respond to Acas consultation on the predictable working pattern Code of Practice

Use this document to respond to our [consultation on the draft Acas Code of Practice on handling requests for a predictable working pattern](https://www.acas.org.uk/about-us/acas-consultations/code-of-practice-predictable-working-pattern-2023), if you’re not able to use the [online response form](https://www.acas.org.uk/form/working-pattern-consultation).

Please email your response to consultations@acas.org.uk

If you need to submit your response in another way, email workplacepolicy@acas.org.uk to request an alternative format.

To make your submission as helpful as possible to Acas, please:

* read the [draft Code](https://www.acas.org.uk/about-us/acas-consultations/code-of-practice-predictable-working-pattern-2023/draft-code) and the [consultation document](https://www.acas.org.uk/about-us/acas-consultations/code-of-practice-predictable-working-pattern-2023) in full before responding
* keep your response concise and to the point – we suggest a limit of 500 words for each question

Consultation closes: 11:59pm on 17 January 2024

## Your details

1. Your name (required):
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Your email address (required):
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. In what capacity are you responding to this consultation? (required)

☐ Individual sharing my personal views and experiences
☐ Individual sharing my professional views, for example a HR or legal professional
☐ Individual sharing my views as a trade union or employee representative
☐ Other individual – please describe: \_\_\_\_\_\_\_\_\_\_\_\_\_

## About you

To understand the views and experiences of certain groups, we'd like to ask some additional questions about your personal characteristics.

This will enable us to group your responses with responses from people who share the same characteristics. You will not be personally identifiable in our analysis and any results we publish.

If you are answering on behalf of someone else, please enter demographic information of that person.

1. What is your age?

☐ 16 to 24
☐ 25 to 34
☐ 35 to 44
☐ 45 to 54
☐ 55 to 64
☐ 65 to 74
☐ 75 or above
☐ Prefer not to say

2. What is your sex?

☐ Male
☐ Female
☐ Prefer not to say

3. Is the gender you identify with the same as your sex registered at birth?

☐ Yes
☐ No
☐ Prefer not to say

If you answered ‘no’ to question 3, please enter your gender identity:
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Where do you live in the UK?

☐ England
☐ Scotland
☐ Wales
☐ Northern Ireland
☐ I live outside the UK

5. What is your ethnic group?

☐ White – includes British, Northern Irish, Irish, Gypsy, Irish Traveller, Roma or any other white background
☐ Mixed or multiple ethnic groups – includes white and black Caribbean, white and black African, white and Asian or any other mixed or multiple ethnic background
☐ Asian or British Asian – includes Indian, Pakistani, Bangladeshi, Chinese or any other Asian background
☐ Black, black British, Caribbean, African or any other black background
☐ Other – includes Arab or any other ethnic group
☐ Prefer not to say

6. Do you have caring responsibilities?

☐ Yes
☐ No
☐ Prefer not to say

If you answered ‘yes’ to question 6, who do you care for?

☐ Children
☐ Someone else
☐ Both

7. Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?

☐ Yes
☐ No
☐ Prefer not to say

8. Select the option that best describes your current employment status?

☐ Employed
☐ Self-employed
☐ Unemployed – looking for work
☐ Unemployed – not looking for work
☐ Retired
☐ Other – please specify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

9. If you are employed, how many people work for your organisation?
This is the number of people working in the whole organisation, not just your site.

☐ 0 to 9
☐ 10 to 49
☐ 50 to 249
☐ More than 250
☐ Don't know

10. If you are employed, how would you classify your organisation?

☐ Mainly seeking to make a profit
☐ A public sector organisation
☐ A social enterprise
☐ A charity, advocacy, voluntary or third sector organisation
☐ Don't know

## Consultation questions

We suggest a limit of 500 words for each question.

### Question 1 of 12

Should the Code be split into 2 sections: one dedicated to requests to employers, and another to requests to agencies or hirers?

☐ Yes
☐ No
☐ Don't know

Please explain the reasoning for your answer.

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### Question 2 of 12

Is the term ‘worker(s)’ and its associated meaning under the 2 separate sections of the Code sufficiently easy to understand?

☐ Yes
☐ No
☐ Don't know

If you answered ‘yes’ or ‘don’t know’, please explain the reasoning for your answer.

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If you answered ‘no’, how should the Code differentiate between (a) employees and workers who are not agency workers and (b) agency workers?

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Please explain the reasoning for your answer, and where appropriate, please include any suitable alternative terminology that you would like to see.

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### Question 3 of 12

Please set out any specific areas of the Code that you feel would benefit from further clarification.

Please include your reasoning and suggestions for improvement.

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### Question 4 of 12

Does the Foreword to the Code set the right tone in encouraging responsible and fair use of flexible contracts, while summarising the key principles of good practice included in the Code?

☐ Yes
☐ No
☐ Don't know

Please explain the reasoning for your answer.

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### Question 5 of 12

Should the Code include a section on protections from detriment and dismissal?

☐ Yes
☐ No
☐ Don't know

If you answered ‘no’ or ‘don’t know’, please include your reasoning.

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If you answered ‘yes’, should the example of ceasing or reducing hours, as a direct response to making a request for a predictable working pattern, be included in the Code? Or should this be included in the non-statutory guidance instead?

☐ The Code
☐ The non-statutory guidance
☐ Neither the Code nor the non-statutory guidance
☐ Don’t know

Please explain your reasoning.

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If you answered ‘yes’, please set out any other examples of detriment you would like to see included in either the Code or non-statutory guidance.

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### Question 6 of 12

What are the advantages and disadvantages of the Code recommending that workers should be allowed to be accompanied at meetings to discuss a request for a predictable working pattern?

Please include your reasoning.

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### Question 7 of 12

What is your opinion on the Code recommending the same categories of companion as those that are allowed in discipline and grievance meetings?

Please include your reasoning.

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### Question 8 of 12

For agency workers, what are the practical considerations around the Code recommending that a companion may be a fellow worker from the agency, hirer or both?

Please include your reasoning.

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### Question 9 of 12

Should the Code recommend that employers, agencies and hirers provide any additional information which is reasonable to help explain why a request has been rejected?

☐ Yes
☐ No
☐ Don't know

Please explain the reasoning for your answer.

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### Question 10 of 12

What are the advantages and disadvantages of the Code stipulating that, wherever possible, an appeal should be handled by a manager not previously involved with a request?

Please include your reasoning.

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### Question 11 of 12

Should the Code include a section about the right to request flexible working?

☐ Yes
☐ No
☐ Don't know

If you answered ‘no’ or ‘don’t know’, please explain the reasoning for your answer.

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If you answered ‘yes’, do you believe that paragraphs 14 to 16 in the draft Code provide sufficiently clear guidance on the interaction between the 2 rights?

☐ Yes
☐ No
☐ Don't know

Please explain the reasoning for your answer.

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### Question 12 of 12

Please set out any other areas that you feel should be included in the Code or non-statutory guidance.

Please include your reasoning.

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## Send your response

Please email your response to consultations@acas.org.uk

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