



## Managing requests for flexible working

Preventing People Problems

# How to manage flexible working requests

The topic of flexible working has become increasingly popular in recent years. But what exactly is flexible working and how should an employer manage requests for flexitime?

## What is flexible working?

Flexible working refers to an adaption or modification to an employee's work schedule to suit their needs. For example, job sharing, a change in hours, staggered start and finish times, phased retirement, or a change in working location, such as working from home.

Although the definition of flexible working is geared towards benefitting an employee, a business can also see many benefits when adopting more flexible practices.

## Why might an employee submit a flexible working request?

There are many reasons why an employee might submit a flexible working request as it will come down to their specific needs.

For example, flexible work requests often come from employees caring for dependants, who need to balance caring or childcare responsibilities with work.

Employees are legally permitted unpaid time off to deal with an emergency involving a dependent. But a request for flexible working is different and may facilitate their needs better in the long term.

Working parents and carers are not the only ones who may need flexible working however and every request will need to be treated fairly to avoid claims of discrimination.

## Do I have to permit requests for flexible working?

You are not obliged to permit all requests for flexible working, but you are obliged to consider them. If you choose to decline a request due to business incompatibility, you will need to justify this.

If an employee feels their request has been declined unfairly, they may raise a claim against you.

## What should I do with a request for flexible work from an employee?

The law states that all employees are entitled to apply for flexible working with their employer if they have worked continuously with that employer for the last 12 months.

If you receive a request from an eligible employee, it should be dealt with using a fair procedure.

Firstly, you should consider the request, make a decision and complete the process within 21 days, unless otherwise agreed with the employee.





#### If you approve the request

If you decide that this arrangement can work for your business, you'll need to change the terms and conditions in the employee's contract. We advise seeking expert HR support when amending contracts.

#### If you decline the request

You will need to provide your reasons for declining the request in writing. Remember that they should reflect the needs of your business.

It is a good idea to consult with the employee to explain your reasons further. Be creative. You may find an alternative solution that caters to both their needs and the needs of your business.

This will help prevent relations turning sour and leading you down the tribunal route. Even if it eventually did, the fact that you attempted to explore different solutions to the problem would fall in your favour.

#### Do I need to do anything else?

Having a company policy on your approach to flexible working is beneficial as it sets expectations and reduces the risk of misunderstandings.

Your wording should outline employees' right to request flexible working, how they should apply and that each case will be evaluated on its own merits within the framework of your policy.

#### What are the benefits of welcoming flexible working practices?

Businesses that can permit flexible working may see the following benefits:

- Staff retention
- Happier and healthier employees
- Increased productivity
- Better collaboration
- A wider talent pool for recruitment

If you would like to discuss flexible working within your business, contact your local HR Dept today.

