

NOT GOVERNMENT POLICY – SUBJECT TO CONSULTATION



Department for  
Business & Trade

# **Make Work Pay:**

# **Consultation on improving**

# **access to flexible working**

Consultation Launch: 5 February 2026

Closing Date: 30 April 2026 – 11:59pm

# Foreword

Flexibility around when and where we work can play a vital role in balancing work alongside a fulfilling personal life. It can support wellbeing, break down barriers to working for disabled people, and enable carers and parents to work while looking after others.

Many employers already recognise these benefits. They judge flexibility to be a valuable tool in attracting and retaining the best people for their business while creating a healthier, happier, more productive workplace.

For many businesses and employees, the years following the onset of the COVID-19 pandemic have seen a transformative shift in access to remote and hybrid working.

But despite these cultural changes, it appears flexible working requests are not being treated fairly and consistently across the economy. So, we are introducing changes through the Employment Rights Act to make it more likely that flexible working requests are accepted.

This means shifting expectations towards accepting requests which can be reasonably met, and encouraging employees and their managers to think creatively about where flexibility might be possible. This collaborative approach is already widespread in many organisations, and the proposals set out in this consultation have been informed by what businesses and employees have told us works well for them.

We are developing these reforms with a clear understanding that not all forms of flexibility are feasible in all roles. A bus driver cannot work from home, and a bar worker can't expect to work when the bar is closed. An employer must be able to reject a specific request where it is not reasonable to accept it, and that will remain the case.

At the heart of these changes is a drive to stimulate creative thinking between employers and their teams. It might be that a bus driver could work part-time, a compressed week, or a term-time contract.

Your contribution will help make sure the flexible working framework continues to evolve in line with modern working practices and meets the needs of employees and businesses across the economy.

**The Rt Hon Peter Kyle MP**

*Secretary of State for Business and Trade and President of the Board of Trade*

**Kate Dearden MP**

*Minister for Employment Rights and Consumer Protection*

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# Introduction

Flexible working can bring real benefits to both businesses and workers. Businesses report that flexible working helps them to attract more applicants, increase productivity, and improve employee motivation. Employees report that flexible working helps them to better balance their work and personal circumstances, improving their health and wellbeing, and making work more accessible to those facing barriers to employment.

Whilst we recognise that not all arrangements are feasible in all circumstances, we want to shift the focus of conversations about flexibility to explore what is possible rather than what is not. Supporting employers and employees to agree solutions that work for both parties is both good for workers and good for businesses.

## The current situation

All employees have a right to request a flexible working arrangement. This can include changes to when or how much they work, such as a part-time, flexi-hours, or term-time working, as well as changes to where they work, such as working remotely.

This framework provides employees with a statutory right to make a flexible working request; a duty for employers to consider and respond to requests within two months; and legal protection for employees experiencing disadvantage as a result of making a request. Where these requests are agreed, they lead to a change in contract for the employee, which could be temporary or permanent. Throughout this consultation, requests made through this framework will be referred to as ‘statutory flexible working requests’.

Employees and employers may choose to agree flexible working arrangements outside of this framework. This could include, for example, an organisational policy on flexi-time or remote or hybrid working, as well as agreed ways of working with individuals that are not reflected in a contract change.

The majority of questions in this consultation focus on statutory requests, but where this is not specified, we are also open to hearing about experiences with these more informal arrangements.

Employers can refuse either type of flexible working request. For statutory requests they must refer to a business reason set out in legislation when they do this. However, there is currently no requirement to explain their rationale, and no route for employees to challenge decisions, other than on procedural grounds.

### **Business reasons for refusing a flexible working request**

Employers can refuse an application for any of the following reasons:

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- extra costs that will damage the business
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will have a detrimental impact on quality
- flexible working will have a detrimental impact on performance
- the business will not be able to meet customer demand
- there's a lack of work to do during the proposed working times
- the business is planning changes to the workforce

In April 2024, the government introduced changes to this framework, which included requiring the employer to consult with the employee before rejecting a request. This aimed to prompt employers and employees to consider the reason a specific arrangement cannot be accommodated and to explore potential alternatives. However, evidence from employer surveys<sup>1</sup> and stakeholder feedback<sup>2</sup> has revealed that issues persist – consultation processes can be poorly defined, leading to inconsistent handling of requests, confusion for employees and managers, and missed opportunities to look at potential alternative arrangements.

While awareness of the benefits of flexible working and changes in working practices following COVID-19 have led to an increase in flexible working over recent years, this cultural change has been uneven. Taken together, these factors have contributed to an inconsistent approach to flexible working both between and within organisations, with some requests that could be reasonably implemented being turned down.

We are making changes through the Employment Rights Act with the aim of addressing issues of inconsistency and driving a transformative shift in discussions about flexible working. These changes will prompt managers and employees to work together, thinking creatively about scope for flexible working, and finding arrangements that work for individuals and their organisation.

### **The requirement to consult an employee before rejecting their request**

Using powers in the Employment Rights Act the government will set out a new consultation process that employers must follow when they are unable to accept a statutory flexible working request.

This change is designed to encourage employers and employees to fully explore viable solutions that work for both of them, and to try them out.

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<sup>1</sup> [Flexible and Hybrid Working Practices in 2025](#), CIPD, 2025

<sup>2</sup> DBT roundtables with small businesses, larger employers, employees and trade unions, July – September 2025

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The government is looking to learn about existing practice from employers and employees who have held a meeting about a flexible working request since the requirement to consult was introduced in April 2024. These insights will be particularly valuable given employers will interpret the current requirement in different ways, and so consultation is likely to have taken different forms in different organisations.

We are also aiming to gather feedback on a proposed new process for employers to follow. This attempts to provide greater clarity on expectations, focussing on the essentials to limit additional pressures on businesses.

### **The new reasonableness test**

We are introducing a ‘reasonableness test’ which means employers must accept statutory flexible working requests that are reasonable and feasible. It will come in to force in 2027.

If after consulting with their employee, an employer decides to reject a request, they must explain to the employee why their decision is reasonable. This will mean referring to one or more of the eight business reasons already set out in legislation, and providing an explanation for the basis of their decision.

If an employee feels that their employer has unreasonably rejected a request, they could bring a claim to an Employment Tribunal under the reasonableness test. The tribunal would consider the employer’s explanation, and, if they find in favour of the employee, could:

- require that the employer reconsiders their decision
- award compensation of up to eight weeks pay, currently capped at £719 per week

The reasonableness test has a different statutory basis to other tests used in employment law. Reasonableness will be considered against the eight business reasons for rejecting a flexible working request. Following this consultation, when the flexible working reforms are finalised, Advisory, Conciliation and Arbitration Service (Acas) will consider revising its Code of Practice on requests for flexible working to include specific guidance for employers on the new reasonableness test. This would involve a further public consultation.

Reasonableness will be considered against the eight business reasons for rejecting a flexible working requests. Statutory guidance will be produced to help employers to understand and meet their obligations under the new reasonableness test, setting out how employers can draw on the eight business reasons for rejecting a request.

Government is seeking evidence about current approaches to handling flexible working requests to help shape guidance and resources for employers, employees and organisations which advise them. Employers, unions and other stakeholders will be invited to help shape this new guidance.

## **The Plan to Make Work Pay**

These changes on flexible working are part of our wider Plan to Make Work Pay. The Government has set the country on the path of national renewal, building a Britain for all on the firm foundations of security, respect and opportunity.

That means creating an economy that delivers for working people – productive, profitable, and growing.

Creating the best environment for business includes maximising job security to raise productivity, improve skills and cut the costs of staff turnover.

Meanwhile, offering opportunity and security for working people requires profitable businesses that are supported to invest and grow.

The world of work has fundamentally changed in recent years. It is no longer the norm for employees to stay in one company, or even a single sector, for their whole career. New technology continues to rapidly transform how we work, where we work, and when we work.

The Government's plan to Make Work Pay will bring employment rights legislation into the 21st century, extending the protections many British companies already offer their workers to all.

While many British businesses already offer their employees benefits and protections that far exceed what is covered in the legislation, for some it will mean change. Businesses will have time to prepare, with the changes introduced gradually over a two-year period.

Introduced and implemented with care and consideration, the legislation will increase security at work, thereby:

- reducing the costs to businesses of unplanned employee turnover
- increase retention of skilled workers to boost productivity
- promote fair competition rather a race to the bottom on employment practices
- contribute to greater economic growth

This is a win-win for employers, employees and a more competitive British economy.

The Government has committed to delivering this change in partnership with businesses, trade unions, public sector employers and civil society. That's why we're undertaking a full and comprehensive consultation with these groups on key changes throughout the autumn and winter. By delivering this change together, we'll back businesses who do the right thing and give hardworking people the job security and opportunities they deserve.

# Consultation Details

**Issued:** 5 February 2026

**Respond by:** 11.59 PM on 30 April 2026

**Enquiries and Responses to:**

flexibleworking@businessandtrade.gov.uk

**Write to:**

Flexible Working Policy Team, Employment Rights Directorate  
Department for Business and Trade  
Old Admiralty Building  
Admiralty Place  
London  
SW1A 2DY

**Consultation reference:**

Consultation about improving access to flexible working

**Audiences:**

- Businesses
- Employers
- HR professionals
- Trade unions
- Business groups or representatives
- Charity sector
- Employees
- Non-governmental organisations
- Members of the public
- All other interested parties

**Territorial extent**

The measures in this consultation will apply to Great Britain. Employment entitlements, including flexible working, are devolved to Northern Ireland.

# How to Respond

**Respond** online: [https://ditresearch.eu.qualtrics.com/jfe/form/SV\\_0DO7dbQA0te6dMO](https://ditresearch.eu.qualtrics.com/jfe/form/SV_0DO7dbQA0te6dMO).

**Email to:** [flexibleworking@businessandtrade.gov.uk](mailto:flexibleworking@businessandtrade.gov.uk)

or

**Write to:**

Flexible Working Policy Team, Employment Rights Directorate  
Department for Business and Trade  
Old Admiralty Building  
Admiralty Place  
London  
SW1A 2DY

When responding, state whether you are responding as an individual or representing the views of an organisation.

**Audiences:**

Your response will be most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

**Confidentiality and data protection**

Information you provide in response to this consultation, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please tell us, but be aware that we cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded by us as a confidentiality request.

We are trialling Artificial Intelligence (AI) solutions to support the delivery of our functions. Unless made expressly clear to you, we will not use AI to either make or inform decisions about you. We will apply effective data minimisation techniques to all such uses of your data.

Your responses, including any personal data, may be shared with a third-party provider, or other government department or organisation acting on behalf of the Department for

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Business and Trade under contract or an equivalent agreement, for the purpose of analysis and summarising responses for us and may use technology, such as artificial intelligence.

An anonymised version of responses in a list or summary of responses received, and in any subsequent review reports may be published. We may also share your personal data where required to by law. You can leave out personal information from your response entirely if you would prefer to do so.

Wherever possible avoid including any additional personal data in free-text responses beyond that which has been requested or which you consider it necessary for Department of Business and Trade to be aware of.

We will process your personal data in accordance with all applicable data protection laws. See our [privacy policy](#).

We will publish a government response on GOV.UK.

## Quality assurance

This consultation has been carried out in accordance with the governments [consultation principles](#). If you have any complaints about the way this consultation has been conducted, email: [enquiries@businessandtrade.gov.uk](mailto:enquiries@businessandtrade.gov.uk)

## About You

Provide the following information to help us understand the context of your response:

**1. Indicate whether you are responding as:**

- An individual
- An academic, or on behalf of an academic or research organisation
- An employer
- A legal representative
- A business representative organisation (specify)
- A trade union or staff association (specify)
- A charity or interest group
- Other, specify

**(Free text box added to Qualtrics if selected Other)**

**2. [If at question 1 respondent chooses [employer] then ask]: Approximately what is the size of your business?**

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250+ employees)
- Do not know
- Not Applicable

**3. [If respondent chooses [an individual] at question 1]: What size organisation are you employed in?**

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250+ employees)
- Do not know
- Not Applicable

**4. Which region are you located in?**

- North-East
- North-West
- Yorkshire and The Humber
- East Midlands
- West Midlands
- East of England
- London
- South-East
- South-West
- Wales
- Scotland
- Northern Ireland

**5. What sector are you based in? (Sectors added as dropdown on Qualtrics)**

- Accommodation & food service activities
- Activities of households as employers; undifferentiated goods and services-producing activities of households for own use
- Administrative & support service activities
- Arts, entertainment and recreation
- Agriculture, forestry and fishing
- Construction
- Education
- Electricity, gas, steam and air conditioning supply
- Financial & insurance activities
- Human Health and social work activities
- Information & communication
- Manufacturing
- Mining and quarrying
- Production
- Professional, scientific and technical activities
- Public administration & defence; compulsory social security
- Real estate activities
- Services Sector

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- [ ] Transportation & storage
- [ ] Water supply; sewerage, waste management and remediation activities
- [ ] Wholesale and retail trade; repair of motor vehicles and motorcycles
- [ ] Other service activities

# CONSULTATION

## Part one: Understanding early impacts of recent reforms

All employees across Great Britain have a right to request a flexible working arrangement. This could include changes to when or where they work. Employers can choose to accept or reject these requests.

In April 2024, the following changes to the flexible working framework took effect:

- allowing employees to make a flexible working request from the first day of a job;
- requiring employers to decide on requests within two months;
- requiring employers to consult employees if they are considering rejecting a request;
- employees being able to make two statutory requests in any twelve-month period;
- Removing the requirement for employees to explain the effect their request would have on the business.

We want to know how these changes have affected employers and employees.

**6. [For employers]: Since the changes to flexible working legislation in April 2024, has your organisation experienced a change in the number of statutory flexible working requests it has received, compared to the previous 12 months?**

- a) Much higher
- b) Somewhat higher
- c) About the same
- d) Somewhat lower
- e) Much lower
- f) Not applicable (e.g., we have not received any requests)
- g) Do not know

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**7. [For employers]: Has your organisation made any changes to policies or resources about handling statutory flexible working requests since these changes were introduced? Select all that apply.**

- a) We have introduced or updated a written policy document or guidance document
- b) We have introduced or updated training for staff involved in handling flexible working requests
- c) We have made changes to our decision-making processes for flexible working requests
- d) Not applicable, our organisation was already managing requests in line with these changes
- e) None of the above
- f) Do not know

**8. [For employers] [if 'Yes' to previous question]: Does your organisation's approach to handling statutory flexible working requests require line managers to discuss any of the following with the employee who made the request? Select all that apply.**

- a) Checking if the employee would like the request to be considered as a reasonable adjustment under the Equality Act 2010.
- b) Discussing challenges in implementing the original request
- c) Discussing possible alternative start dates for the proposed request
- d) Discussing a trial period
- e) Alternative arrangements that could be accommodated
- f) Other elements, specify:
- g) Do not know

**9. [For employers]: Has your organisation rejected any statutory flexible working requests since April 2024?**

- a) Yes

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- b) No
- c) Not applicable (e.g. no requests have been made)
- d) Do not know

**10. [For employers] [If 'yes' to previous question]: To the best of your ability, please estimate, how much time did you spend handling each statutory request that was rejected?**

**For the purposes of this question, consider time spent considering the initial request before making a decision, but not any additional time spent after the decision was made.**

- a) A short amount of time (e.g. less than 30 minutes)
- b) A moderate amount of time (e.g. 30–60 minutes)
- c) Quite a lot of time (e.g. 1-2 hours)
- d) More than 2 hours, specify how much time \_\_\_\_\_
- e) Do not know

**11. [For employers]: Does your organisation use any of the following approaches to set timeframes around statutory flexible working requests? Select all that apply.**

- a) Temporary arrangement - allow temporary changes to employees' working patterns, such as reducing hours for a few weeks while caring for someone who is unwell
- b) Trialling arrangements - encourage managers and employees to trial a new flexible working arrangement before deciding whether to agree it as a permanent change
- c) Reviewing arrangements - setting review points on flexible working arrangements after a fixed period of time to determine how well they are working and if they are still needed
- d) None of the above
- e) Do not know

**[For individuals only]**

**12. [For individuals]: Over the last three years, have you considered making a statutory flexible working request?**

- a) Yes, I have considered it, but did not make a request
- b) Yes, I made a request
- c) No, I already have the flexibility I need
- d) No, I do not need a flexible working arrangement
- e) No, I was not aware or did not know how to make a request.
- f) Do not know

**13. [For individuals] [if a]: You indicated that you considered making a statutory request, but did not make one. Which, if any, of the following reasons influenced your decision not to make a flexible working request? Select all that apply**

- a) I thought my request was likely to be rejected, so I felt it was not worth making one
- b) I was reluctant to make a request because I was concerned it might negatively affect my career development
- c) I wanted ad-hoc or short-term flexibility rather than a permanent change to my contract
- d) I needed flexibility urgently, and the decision-making process took too long
- e) I was discouraged because a colleague's request for flexible working was refused
- f) I was concerned about the impact my flexible working arrangement might have on my colleagues
- g) I thought my line manager would not be supportive of me working flexibly
- h) Do not know
- i) Other, specify:

**14. [For individuals] [if b]: What was the outcome of your request?**

- a) It was accepted
- b) It was rejected, but we agreed an alternative arrangement
- c) It was rejected, and no other arrangement was agreed

**15. [For individuals]: What impact, if any, has your decision to make, or not make, a statutory flexible working request had on your work and personal life? Include any positive or negative aspects you've experienced? [Limit 250 words]**

**Prompt: You may wish to comment on areas such as your job satisfaction, work-life balance, productivity, relationships with colleagues or managers, or any other aspect of your work or personal life that has been affected (e.g. caring responsibilities)**

**16. [All respondents] In your view, has overall access to flexible working improved since the 2024 changes were introduced?**

- a) Yes
- b) No
- c) Do not know

## **Part two: A new process for consulting employees on flexible working requests**

This section focuses on the requirement for employers to consult employees before rejecting a statutory flexible working request. Employers are currently required to consult employees before rejecting a request, however there is no further detail set out in legislation about how employers should conduct this process.

We are addressing this gap by setting out a process in secondary legislation that employers will be legally required to follow.

The process set out below aims to introduce consistency for employees and better guidance for employers leading to constructive conversations between both parties about the request, as well as consideration of potential alternative arrangements. It has been shaped through discussions with businesses, employees, trade unions and charity sector organisations about what works now, and where there may be a need for improvement.

Acas already provides non-statutory guidance on flexible working requests, which includes a detailed set of steps employers could choose to follow to meet the requirement to consult employees about requests. The suggested process outlined below draws on this existing guidance to shape a series of light touch requirements that will be familiar to many employers.

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To support employers to follow this process, there will also be non-statutory guidance for employers. Where the words ‘should’ or ‘could’ are used below, this indicates a point for guidance as opposed to a legal requirement.

### Suggested process

**Where an employer is considering rejecting a statutory flexible working request, we are proposing that the employer must meet with the employee making the request.**

### The objective of this meeting is:

*To consider ways to address challenges with the requested arrangement and explore whether a suitable alternative arrangement could be agreed.*

**17. [All respondents]: Do you feel the proposed objective is appropriate for the consultation meeting?**

- a) Yes
- b) No
- c) Do not know

**18. [if No or Do not know ]: What do you think should be the objective for this consultation meeting? [Open text]**

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### Setting up the meeting

- The meeting must be held without unreasonable delay, and must take place within the two month period for making a decision. In practice, to allow time for potential follow-up conversations to agree an alternative arrangement before a decision is agreed, the conversation should happen within six weeks of a request being made.
- The employee must be informed about the context of the meeting in advance to allow them to prepare for it.
- A person with the authority to make a decision about flexible working arrangements must attend the meeting. This could be the employee’s line manager, or it may be a different member of staff. They will be referred to as the decision maker for the purposes of the requirement to consult.

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- The decision maker will be required to keep a record of the discussion during the meeting.

**19. [All respondents]: How much advance notice do you think an employee should receive before the meeting is held?**

- a) 1 day
- b) 3 days
- c) 1 week
- d) Other, specify:
- e) The requirement should be to give fair notice, accounting for ways of working within the organisation
- f) No minimum notice should be required
- g) Do not know

**20. [All respondents]: Do you agree with the proposed requirements for setting up the meeting?**

- a) Yes
- b) No
- c) Do not know

**21. [if No or do not know]: What do you think the requirements for setting up the meeting should be? [Open text]**

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**During the meeting**

**The meeting must allow for sufficient discussion of the request and any potential alternatives**

- The decision-maker must clarify whether the employee would like the proposed request to be considered as a reasonable adjustment in accordance with the Equality Act 2010.

**Identifying challenges and problem solving:**

- The decision-maker must clearly communicate any challenges they identify with the original request. They must explain why they feel that it would not be feasible to accommodate the request, or why the request is not reasonable, referring to the relevant business reason(s).

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- The decision-maker must consider whether there might be ways to navigate these challenges and accommodate the request.
  - For example, if the proposed start date of the flexible working arrangement is incompatible with business needs according to a relevant business reason, the employer must consider whether a different start date may be feasible and discuss this with the employee.
- If the potential impacts of a new arrangement are unclear, an employer and employee could choose to trial it for a fixed period of time.

**Exploring alternatives:** if the original request cannot be feasibly accommodated, the employer and employee must consider whether there are feasible alternative arrangement(s). As with other requests, employers can only reject proposed alternative arrangements where a relevant business reason applies. Employers must record the outcome of this discussion and communicate this with the employee.

**22. [All respondents]: In your view, which of the elements set out in the suggested process above should be part of the meeting between a decision maker and employee about a statutory flexible working request? Select all that apply.**

- a) Asking if the employee would like the request to be considered as a reasonable adjustment, in accordance with the Equality Act 2010
- b) Discussing any challenges in accommodating the original request
- c) Exploring alternative start dates for the proposed request
- d) Considering alternative arrangements that could be accommodated
- e) Discussing the option of a trial period
- f) Other, explain your answer:

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**Communicating Outcomes in Writing**

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Currently, employers are required to notify employees of the outcome of their flexible working request. Under the new proposals, employers would also be required to provide written notification of both:

- **The outcome of the meeting:** a summary of what was discussed and any conclusions or next steps agreed during the meeting between the employer and employee about the flexible working request (for example, whether alternative arrangements were explored, or if a trial period was agreed).
- **The outcome of the request:** the final decision made by the employer about the flexible working request (for example, whether the request was approved, rejected, or if an alternative arrangement was formally agreed).

**23. [All respondents]: Do you agree that employers should be required to communicate the outcome of the meeting, as well as the outcome of the statutory request, in writing?**

- a) Yes
- b) No
- c) Do not know

**24. [For employers]: Compared to your current process for considering and rejecting statutory flexible working requests, how much time do you think the new process will take?**

- a) Much more time
- b) A little more time
- c) Approximately the same amount of time
- d) A little less time
- e) Much less time
- f) Do not know

**25. [For employers] [If a or b to previous question]: How much additional time do you anticipate the new process will take for each request?**

- a) Less than 15 more minutes
- b) 15 – 30 more minutes
- c) 30 - 60 more minutes
- d) More than one hour of additional time
- e) Do not know

**26. [For employers] [If d or e to previous question]: How much less time do you anticipate the new process will take per request?**

- a) Less than 15 fewer minutes
- b) 15 – 30 fewer minutes
- c) 30 - 60 fewer minutes
- d) More than one hour of saved time
- e) Do not know

**27. [All respondents]: Do you have any further thoughts or suggestions on the process for the requirement to consult outlined above?**

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## Part three: Training, resources and support

**28. [For employers]: Over the last three years, has your organisation regularly faced any of the following challenges when handling statutory flexible working requests? Select all that apply.**

- a) Trying to accommodate multiple requests of the same type
- b) Employees proposing flexible working arrangements which are not compatible with the needs of the business
- c) Insufficient or unclear guidance for handling flexible working requests
- d) Concerns that approving one request may lead to a large number of similar requests from other employees
- e) Perceptions of unfairness or special treatment if an individual's request is granted
- f) Line managers not consistently following the organisation's guidance or procedures
- g) Uncertainty about how to consider requests to work remotely alongside organisational office attendance policies
- h) My organisation hasn't encountered any challenges
- i) Do not know
- j) (Optional) If you would like to provide more detail about any of the challenges selected above, or describe other challenges your organisation has faced, use this text box:

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**29. [For employers]: At your organisation, who is usually responsible for handling statutory flexible working requests? This should include considering specific requests, but not more general activities such as drafting policies or guidance or arranging training.**

- a) The line manager of the employee
  - b) A Human Resources professional
  - c) The business owner/head of the organisation
  - d) Senior Leadership Team
  - e) A panel
  - f) Do not know
  - g) If any other member (s) of the organisation, state below:
- 

**30. [For employers]: What training or resources are provided for those in your organisation who handle statutory flexible working requests? Select all that apply.**

- a) Workshops
  - b) Self-paced learning
  - c) Written policies and/or procedures for handling requests
  - d) Coaching/one-to-one discussions
  - e) Example case studies, logs or flow charts to aid decision making
  - f) Do not know
  - g) None of the above
  - h) Any other training or resource not listed above
-

**31. [For employers, BROs, charities]: If you would like to see additional guidance for employers on flexible working, what format do you think this should take? This could include guidance on statutory or informal requests. Select all that apply.**

- a) Guidance on handling specific types of requests, for example on compressed hours or remote working
- b) Guidance for specific sectors, such as hospitality or logistics
- c) Guidance for specific ways of working, for example people working shift patterns
- d) Case study examples
- e) Visual aids, such as flow charts setting out steps to follow in handling requests
- f) Additional written guidance
- g) Video clips with short explainers
- h) Webinars
- i) I do not think additional guidance is needed
- j) Other formats, specify: \_\_\_\_\_

**32. [For employers]: Where would you like to see more detailed guidance on handling flexible working requests? This could include guidance on statutory or informal requests.**

- a) Further gov.uk guidance
- b) Further detail in the Acas Code of Practice
- c) Further detail in Acas' non-statutory guidance
- d) Greater detail set out in legislation
- e) Information from a trade body in my sector
- f) Any other suggestions below:

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**33. [ All respondents]: If you would like to see additional guidance for employees on flexible working, what topics do you think it should cover? Select all that apply.**

- a) Guidance on making specific types of requests, for example on compressed hours or remote working
- b) Guidance for specific sectors, such as hospitality or logistics
- c) Guidance for specific ways of working, for example people working shift patterns
- d) I do not think additional guidance is needed
- e) Other topics, specify: \_\_\_\_\_

**34. [All respondents]: If you would like to see additional guidance for employees on flexible working, what format do you think this should take? Select all that apply.**

- a) Case study examples
- b) Visual aids, such as flow charts setting out steps to follow in making requests
- c) Additional written guidance
- d) Video clips with short explainers
- e) Webinars
- f) I do not think additional guidance is needed
- g) Other formats, specify: \_\_\_\_\_

**35. [For individuals]: Where would you look for information about making a statutory flexible working request?**

- a) Social media, such as Instagram, Tiktok or Facebook
- b) Friends, family or colleagues
- c) Gov.uk
- d) Acas
- e) A trade union
- f) A charity sector organisation

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- g) My employer's intranet or internal policies
- h) Other, specify:

**36. [All respondents]: Which, if any, of the following ways to address barriers to flexible working do you think we should explore further over the years ahead? Select all that apply.**

- a) Encouraging organisations to communicate their approaches to flexible working with candidates
- b) Improving enforcement of the right to request flexible working
- c) Improving employee awareness about different arrangements
- d) Improving employer awareness about different arrangements
- e) Something else, specify: \_\_\_\_\_

**Next Steps**

This consultation will close at midnight on 30 April 2026. Following the closure of this consultation, we will analyse all responses and publish a government response in due course.

## **Summary of consultation questions**

1. Indicate whether you are responding as:
  - an individual
  - an academic, or on behalf of an academic or research organisation
  - an employer
  - a legal representative
  - a business representative organisation (specify)
  - a trade union or staff association (specify)
  - a charity or interest group
  - other, specify
2. [If at question 1 respondent chooses [employer] then ask]: Approximately what is the size of your business?
3. [If respondent chooses [an individual] at question 1]: What size organisation are you employed in?
4. Which region are you located in?
5. What sector are you based in?
6. [For employers]: Since the changes to flexible working legislation in April 2024, has your organisation experienced a change in the number of statutory flexible working requests it has received, compared to the previous 12 months?
7. [For employers]: Has your organisation made any changes to policies or resources about handling statutory flexible working requests since these changes were introduced? Select all that apply.
8. [For employers]: Does your organisation's approach to handling statutory flexible working requests require line managers to discuss any of the following with the employee who made the request? Select all that apply.
9. [For employers]: Has your organisation rejected any statutory flexible working requests since April 2024?

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10. [For employers] [If 'yes' to previous question]: To the best of your ability, please estimate, how much time did you spend handling each statutory request that was rejected?
- For the purposes of this question, consider time spent considering the initial request before making a decision, but not any additional time spent after the decision was made.
11. [For employers]: Does your organisation use any of the following approaches to set timeframes around statutory flexible working requests? Select all that apply.
12. [For individuals]: Over the last three years, have you considered making a statutory flexible working request?
13. [For individuals] [if a]: You indicated that you considered making a statutory request, but did not make one. Which, if any, of the following reasons influenced your decision not to make a flexible working request? Select all that apply.
14. [For individuals] [if b]: What was the outcome of your request?
15. [For individuals]: What impact, if any, has your decision to make, or not make, a statutory flexible working request had on your work and personal life? Include any positive or negative aspects you've experienced? [Limit 250 words]
- You may wish to comment on areas such as your job satisfaction, work-life balance, productivity, relationships with colleagues or managers, or any other aspect of your work or personal life that has been affected (e.g. caring responsibilities)
16. [All respondents] In your view, has overall access to flexible working improved since the 2024 changes were introduced?
17. [All respondents]: Do you feel the proposed objective is appropriate for the consultation meeting?
18. [if No or Do not know]: What do you think should be the objective for this consultation meeting?
19. [All respondents]: How much advance notice do you think an employee should receive before the meeting is held?
20. [All respondents]: Do you agree with the proposed requirements for setting up the meeting?

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21. [if No or Do not know]: What do you think the requirements for setting up the meeting should be? [Open text]
22. [All respondents]: In your view, which of the elements set out in the suggested process above should be part of the meeting between a decision maker and employee about a statutory flexible working request? Select all that apply.
23. [All respondents]: Do you agree that employers should be required to communicate the outcome of the meeting, as well as the outcome of the statutory request, in writing?
24. [For employers]: Compared to your current process for considering and rejecting statutory flexible working requests, how much time do you think the new process will take?
25. [For employers] [If a or b to previous question]: How much additional time do you anticipate the new process will take for each request?
26. [For employers] [If d or e to previous question]: How much less time do you anticipate the new process will take per request?
27. [All respondents]: Do you have any further thoughts or suggestions on the process for the requirement to consult outlined above?
28. [For employers]: Over the last three years, has your organisation regularly faced any of the following challenges when handling statutory flexible working requests? Select all that apply.
29. [For employers]: At your organisation, who is usually responsible for handling statutory flexible working requests? This should include considering specific requests, but not more general activities such as drafting policies or guidance or arranging training.
30. [For employers]: What training or resources are provided for those in your organisation who handle statutory flexible working requests? Select all that apply
31. [For employers, BROs, charities]: If you would like to see additional guidance for employers on flexible working, what format do you think this should take? This could include guidance on statutory or informal requests. Select all that apply
32. [For employers]: Where would you like to see more detailed guidance on handling flexible working requests? This could include guidance on statutory or informal requests.

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33. [ All respondents]: If you would like to see additional guidance for employees on flexible working, what topics do you think it should cover? Select all that apply.

34. [All respondents]: If you would like to see additional guidance for employees on flexible working, what format do you think this should take?

35. [For individuals]: Where would you look for information about making a statutory flexible working request?

36. [All respondents]: Which, if any, of the following ways to address barriers to flexible working do you think we should explore further over the years ahead? Select all that apply

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Compatible research purposes may include analysis to further DBT policy development, or to analyse public consultation responses or similar requests for information

from the public. We are trialling Artificial Intelligence (AI) solutions to support the delivery of our functions. Unless made expressly clear to you, we will not use AI to either make or inform decisions about you. We will apply effective data minimisation techniques to all such uses of your data.

Your responses, including any personal data, may be shared with a third-party provider, or other government department or organisation acting on behalf of the Department for Business and Trade under contract or an equivalent agreement, for the purpose of analysis and summarising responses for us and may use technology, such as artificial intelligence.

An anonymised version of responses in a list or summary of responses received, and in any subsequent review reports may be published.

We may also share your personal data where required to by law. You can leave out personal information from your response entirely if you would prefer to do so. “Wherever possible avoid including any additional personal data in

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free-text responses beyond that which has been requested or which you consider it necessary for DBT to be aware of”