

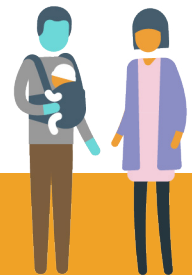


FLEXIBLE WORKING

Think Business, Think Equality

CONTENTS

INTRODUCTION	3
KEY MESSAGES	4
FLEXIBLE WORKING: AN INVESTMENT IN YOUR BUSINESS	6
WHY FLEXIBLE WORKING?	7
WHAT IS FLEXIBLE WORKING?	11
“WE DON’T OFFER FLEXIBLE WORKING, WHAT’S THE PROBLEM?”	13
HOW TO GET FLEXIBLE WORKING RIGHT	15
FLEXIBLE WORKING: WHAT THE LAW SAYS	15
DEALING WITH A FLEXIBLE WORKING REQUEST	16
BEST PRACTICE FOR MANAGING FLEXIBLE WORKING	17



INTRODUCTION

This guidance is for small and medium businesses who want to improve gender equality and diversity in their workplace. The guidance accompanies the **Think Business, Think Equality** online self-assessment tool. The free online tool enables you to assess your current employment practice and provides tailored advice and guidance on how your business can benefit from gender diversity.

Delivering workplace equality makes good business sense. Having fair flexible working practice allows you to attract and retain the best talent, reduce recruitment and training costs, and makes your business more productive, more innovative, and more profitable.

This guidance provides information and advice on flexible working, including different types of flexible working, what the law says, and how requests to work flexibly should be managed, and how to determine whether a job is suitable to be done flexibly.

The Think Business, Think Equality online tool is available at:

www.thinkbusinessthinkequality.org.uk

LEGAL DISCLAIMER

While every effort has been made to ensure that the explanations given here are accurate, only the courts or tribunals can give authoritative interpretations of the law.



KEY MESSAGES

These key messages are where you should begin. You can include them in line manager training, or in a staff bulletin about your commitment to flexible working. You can also use them as a starting point to think about what you need to do in your business.

1. Flexible working drives gender equality.

It helps women stay and progress in the workforce by enabling them to balance work with caring responsibilities, reducing the gender pay gap and supporting career progression.

2. Flexible working benefits many employees, particularly women with caring roles.

It makes work more accessible to disabled women, women who are single parents, and others managing unpaid care responsibilities, ensuring they can thrive in the workforce.

3. It's a powerful tool for attracting and retaining diverse talent.

A fair and inclusive approach to flexible working ensures your business benefits from the skills and experience of a wider range of candidates, particularly women, who are more likely to require flexibility.

4. Flexible working boosts staff wellbeing and productivity.

Employees who can work in ways that suit them are more engaged, less likely to experience stress, and more likely to perform at their best.

5. Fair and inclusive flexible working policies help close your gender pay gap.

When flexible work is normalised at all levels, including senior roles, women don't have to trade career progression for flexibility.



6. Senior leaders and line managers must lead by example.

Visible support for flexible working from leaders and well-trained line managers helps embed a culture where flexibility is seen as a business asset, not just a personal preference.

7. All jobs should be considered flexible by default.

Advertising roles as flexible wherever possible attracts a more diverse range of candidates, including highly-skilled women who may otherwise be excluded.

8. Trial periods allow you to find solutions that work for everyone.

Testing new arrangements ensures flexibility benefits both employees and the business.

9. Monitoring flexible working uptake and outcomes helps ensure fairness.

Tracking who requests and is granted flexibility can highlight potential barriers for particular groups or teams.

10. A clear and accessible flexible working policy benefits everyone.

It helps staff understand their options, supports managers in handling requests consistently, and demonstrates your business's commitment to fairness and equality.



FLEXIBLE WORKING: AN INVESTMENT IN YOUR BUSINESS

Making the most of flexible working can help your business navigate key challenges around recruitment, retention, innovation, and productivity. Here's how.

Improved staff recruitment and retention

Offering flexible working will widen the pool of talent that you're recruiting from. Meeting the needs of your people by enabling them to work flexibly can improve staff retention, particularly for women returning from maternity leave who need to balance family and caring responsibilities with work.

Reduced recruitment and training costs

Improved staff retention reduces your recruitment costs, as well as training costs for new staff. Lower staff turnover means that clients, service users, and customers can be reassured by the continuity of dealing with the same people.

Reduced stress levels, sickness and absenteeism

Staff who are able to work flexibly are less likely to experience work-related stress and are less likely to have to take time off because of their caring responsibilities. Flexibility in working hours can also result in reduced travel or childcare costs for staff, further contributing to improved job satisfaction.



Improved time keeping

Research suggests that when people are able to work flexibly and can fit their work around the school run and rush hour traffic, for instance, their ability to arrive on time improves.

Better alignment with products and services demand

A diverse workforce is more representative of the community it serves. This promotes a culture of creativity and innovation, as a diverse workforce is better placed to understand the needs of a wider range of customers.

Greater degree of loyalty and commitment

An employer's commitment to try and meet staff needs will often be rewarded by greater loyalty from staff.

A reputation as a good employer

Businesses that meet the needs of both the organisation and staff can enjoy a reputation as a good employer. Employers who don't consider flexible working are not only missing out on the benefits, but they also risk losing valued people.

WHY FLEXIBLE WORKING?

More people than ever want to change the way they work so they can achieve a better work-life balance. Although the flexible working discussion initially focused on parents, other groups of employees are increasingly prioritising work-life balance and looking for employers who offer flexibility. By being a best practice employer you can stand out among your competitors.



Covid-19 played a key role in accelerating flexible working, with more employers offering it to their staff. Hybrid working – where employees split their time between home and the workplace – has become a key part of flexible working practices. When implemented effectively, hybrid working can improve productivity, enhance job satisfaction, and support gender equality by improving job accessibility, reducing commuting time, and enabling better work-life balance. This is particularly beneficial for women with caring responsibilities and disabled women.

KEY BENEFITS OF HYBRID WORKING

- **Increased job retention and attraction:** Hybrid work can help businesses attract a wider pool of candidates and retain experienced staff who need greater flexibility.
- **Improved work-life balance:** Employees, particularly those with caring responsibilities, benefit from greater control over their working patterns.
- **Enhanced productivity:** Employees often report being more productive when given the autonomy to work in the environment that best suits their tasks.
- **Reduced absenteeism:** Offering hybrid work can lower stress levels and improve mental wellbeing, reducing the likelihood of time off sick.
- **Lower overhead costs:** Businesses can reduce office space and associated costs by enabling staff to work remotely part of the time.



The latest research confirms the business benefits of having a flexible workforce.¹ A majority of employers have found that it helps to retain good staff while also increasing the quality and quantity of candidates in the recruitment process and reducing skills shortages. When it comes to productivity, employers have seen this increase, and their profits alongside as a result. Businesses with flexible working have also seen improved mental health and wellbeing among workers which has reduced sickness absence.

Flexible working, particularly the ability to work from home, is a vital tool for making your business more inclusive for groups that face the biggest barriers in the workplace, particularly disabled women. Disabled women face additional barriers that include inaccessible work environments, a greater need for time and space to attend medical appointments, and the challenge of balancing work with managing their health. Flexible working is a reasonable adjustment that enables them to fully participate in the workforce.

HOW FLEXIBLE WORKING SUPPORTS DISABLED WOMEN

- **Remote and hybrid working as a reasonable adjustment:** Employers have a legal duty under the Equality Act 2010 to provide reasonable adjustments for disabled staff. Allowing disabled employees to work from home, either full-time or in a hybrid model, can address barriers such as inaccessible buildings, commutes with low accessibility, and loud and distracting workplace environments.

¹ Flex for Life 2025



- **Flexible hours for health management:** Many disabled women, and women with long-term health conditions, require adjustments to their working hours to manage fluctuating health conditions, attend medical appointments, or manage energy levels throughout the day.
- **Reduced workplace barriers:** Home working can mitigate workplace barriers such as a lack of assistive technology, sensory overload, or lack of accessible facilities.
- **Increased job retention and progression:** Flexible working ensures disabled women are not forced to reduce their hours, change roles, or leave the workforce due to a lack of reasonable adjustments. This helps reduce the disability employment gap and supports career progression.

Access to Work is a publicly funded scheme that provides practical and financial support to help disabled people start or stay in work. It offers support where additional assistance or adaptations are needed beyond reasonable adjustments.

Your business can apply for an Access to Work grant to cover the cost of workplace support. It can also support flexible working arrangements, including hybrid working. You can find more information [here](#).

Having good flexible working practices can make your business more productive, more innovative, and more profitable. You'll position your organisation as a leader on gender equality and benefit from an enhanced reputation.



WHAT IS FLEXIBLE WORKING?

Flexible working isn't just about working part-time. Working flexibly can relate to hours, location or work tasks and can be arranged on a formal or informal basis. Some staff have flexible working contracts from the start of their employment, while others may want to work flexibly for a short period to accommodate a change in personal circumstances

EXAMPLES OF FLEXIBLE WORKING ARRANGEMENTS	
Part-time working	Staff work less than the normal or standard full-time hours. The majority of part-time workers are women.
Job sharing	Two people share the work normally done by one member of staff.
Flexi-time	Certain mandatory 'core' hours must be worked, but staff have some flexibility on starting or finishing times.
Compressed hours	Contracted hours are worked over fewer days, for example, a four-day week or nine-day fortnight.
Annualised hours	Staff members' annual hours are calculated and split into set shifts and unallocated shifts. This type of working pattern suits businesses dependent on seasonal working, for example, gardeners.



Staggered hours	Working patterns where staff have different starting, finishing and break times.
Term-time working	Staff work fewer hours or take time off during school holidays.
Working from home	Can be on a regular or ad-hoc basis. Appropriate technology (access to email, internet, telephone and so on) supports communication with business/clients.
TOIL (time off in lieu)	Staff are able to take time off in lieu of overtime for additional hours worked.
Shift working	Common where staff are required across a 24-hour cycle.
Shift swapping	An ability to swap shifts allows employees more control over their work schedules. This can be done by agreement with line managers.
Full-time remote working	When employees work full-time from a location other than a central office operated by the employer. This can include the employee's home, or a co-working space.
Hybrid working	Involves staff spending some of their time working remotely and some in the employer's workspace.

A structured job suitability questionnaire can help you assess whether a particular role can reasonably accommodate flexible working. It provides a clear, fair, and consistent framework



for decision making – especially important now that employees have a right to request flexible working from day one of employment.

Using a structured approach:

- **Reduces bias:** It focuses on the role, not the individual, helping to avoid assumptions based on who's asking for flexibility.
- **Promotes fairness:** A consistent process ensures all roles are assessed against the same criteria.
- **Supports transparency:** It helps line managers explain decisions clearly and confidently to staff.
- **Strengthens your response to requests:** It provides evidence for approving or declining requests, supporting legal compliance with flexible working regulations.
- **Encourages flexible-by-default thinking:** It opens up conversations about what is possible, rather than defaulting to 'no'.

You can find an example job suitability questionnaire [here](#).

“WE DON'T OFFER FLEXIBLE WORKING, WHAT'S THE PROBLEM?”

Flexible working is often framed as a solution to work-life balance; however, what is called flexible working isn't always flexible in the ways it needs to be. Businesses often don't make use of the wide range of flexible working options that exist, and the most common type of flexible working used is still part-time hours. This means that you and your staff could be missing out on the full benefits of a flexible workplace.



When flexible working isn't available or isn't used effectively, it's also likely to have a negative impact on women in your business. Women still do the majority of care for children and other relatives, so a lack of quality flexible working makes it difficult for women in particular to balance work with these roles. This can see them having to reduce their hours, move to a lower-paid job, or leave the workforce altogether – and businesses losing valuable skills and experience.

Where flexible or part-time working isn't seen at senior levels, this reinforces the idea that caring roles are incompatible with progression. This means you can't be sure you have the right person for the role, and it's likely that you're not making the most of your talent.



HOW TO GET FLEXIBLE WORKING RIGHT

As working practice evolves, it's important to ensure your business is equipped to build a flexible workforce. This section sets out what the law says, and how to achieve best practice in your business.

FLEXIBLE WORKING: WHAT THE LAW SAYS

Employees have the right to request flexible working from day one of their employment. Employees may make two statutory requests within a 12-month period, compared to the single request as previously allowed. There is no longer a requirement for the employee to set out a business case for their request.

As an employer, you must respond to flexible working requests within two months. In circumstances when a flexible working request is being rejected, you will have to consult with the employee.

A request from an employee must include the following information:

- The date of their application, the change to working conditions being requested, and when they would like the change to come into effect.
- A statement that this is a statutory request, and if and when they have made a previous application for flexible working.

The request may cover hours of work, times of work, and place of work, and may include requests for different patterns of work. Any change granted under the right to request flexible working is usually permanent, but temporary changes may be negotiated.



DEALING WITH A FLEXIBLE WORKING REQUEST

You should make clear to your employees what information they need to include in a written request to work flexibly. You may ask employees to use a standard form to make an application.

Once you have received a written request for flexible working, you must consider it. You should arrange a meeting with your employee as soon as possible after receiving their request. If you intend to approve the request then a meeting is not needed. The employee can be accompanied at meetings by a work colleague, and has the right to appeal any decision.

Employers should discuss with the employee the type of flexible working preferred by them, and which arrangements are most workable.

Employers must seriously consider an application, but are not obliged to agree if sound business reasons can be proven, in line with the current legislation. These are:

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- a detrimental effect on ability to meet customer demand



- insufficient work for the periods the employee proposes to work
- a planned structural change to your business

If you do refuse, you are required to consult with the employee. Refusal should include the relevant and accurate facts, and employees should be given the right to appeal.

All requests, including any appeals, must be considered and decided on within two months of first receipt, unless you agree to extend this period with the employee.

If you arrange a meeting to discuss the application including any appeal and the employee fails to attend both this and a rearranged meeting without a good reason, you can consider the request withdrawn. If you do so, you must inform the employee.

Acas have produced a guide to dealing with requests for flexible working.

www.acas.org.uk/flexibleworking.

BEST PRACTICE FOR MANAGING FLEXIBLE WORKING

Support your line managers

Line managers are often the gatekeepers to flexible work. If they're hesitant or resistant, this can discourage employees from submitting a request. They might assume that particular jobs can't be done flexibly, for example frontline roles. Some line managers might never have managed flexible working before. This can lead to inconsistency in access to flexible work in your organisation and could also fall foul of regulatory requirements.



You should ensure that appropriate training is given to all managers who are involved in decisions on flexible working. When line managers are confident in dealing with requests and managing flexible working in their teams, this will help flexible working work for your employees and your business.

Managing hybrid working

You should ensure staff have fair access to hybrid working. While some roles may require more on-site presence, all employees should have the opportunity to discuss hybrid working arrangements. You can regularly review hybrid working policies to ensure they are inclusive and do not disadvantage particular groups.

Line manager should take steps to avoid ‘proximity bias’. This occurs when employees who are physically present in the workplace are perceived as more committed, engaged, or suitable for promotion than those who work remotely. It can mean that office-based employees are favoured for intelligence sharing, development opportunities, and high-profile project allocation. This disproportionately affects women, who are more likely to take up hybrid or remote working due to caring responsibilities. Managers should ensure remote workers receive equal opportunities for training, development, and promotion.

You should encourage a balance between home and office work to maintain collaboration and company culture. Using digital tools can help to foster team communication and ensure remote employees feel engaged. You can also schedule team meetings on days when hybrid employees are in the office to strengthen relationships.



It's important to develop clear expectations and guidelines on when and how employees should be available while working remotely. This might include defining core working hours and ensuring hybrid arrangements align with business needs. You should also communicate hybrid policies effectively to avoid confusion or inconsistencies across teams.

By embedding fair and well-structured hybrid working practices, you can create a more inclusive and productive workplace while benefiting from a more engaged and diverse workforce.

Trial new flexible working arrangements

Trialing a new flexible working pattern is an easy way of finding out what works well for staff, for teams, and for the organisation. With many forms of flexible working available, you may be unsure of what is possible within your business.

You can work with your employee to agree the length of the trial period and how you'll evaluate the suitability of the new working pattern. You should also build in time for discussions with them to check how it's going. At the end of the trial you can agree any changes that might be needed.

Monitor flexible working requests

It's best practice to monitor requests for flexible working. You should keep a record of requests broken down by gender and job role, and whether or not the requests are granted. This will help you to identify any patterns, both in relation to the types of requests that are made, whether women or men are more likely to be able to access flexible working, which teams or roles it's more common in, and around decision-making.



You should also monitor how well people feel it works for them - both staff working flexibly and those who manage them. This will allow you to identify any challenges, and the impact of flexible working in your organisation.

Introduce a flexible working policy

A flexible working policy is the best way to create a clear structure and process for managing flexible working in your business. A good policy should include information on:

- the business's commitment to flexible working;
- the types of flexible working available in the organisation, including for different roles;
- how to request flexible working, both formally and informally; and
- how requests will be dealt with, including employee consultation.

Making decisions on flexible working

No jobs should be automatically ruled out for flexible working and any flexible working policy should make this clear. Many businesses successfully have senior and/or frontline staff operating on a flexible or part-time basis, and it's helpful to assume that all jobs can be done flexibly unless there are very clear business reasons why this isn't the case.

You don't always need to have a formal policy in place to get started on flexible working. This guidance can help you navigate dealing with new arrangements while you develop a more structured approach.



Build a positive flexible working culture

Senior leaders are key to encouraging flexible working and fostering a culture where it can thrive. Leaders can do this by making a statement to staff about the use of flexible working and its benefits, or how they work flexibly.

You can also share profiles of employees who work flexibly in different ways in different roles in your business. This will help demonstrate to staff and line managers how flexible working can work well.




Close the Gap works in Scotland on women's labour market participation. We work with policymakers, employers and unions to influence and enable action that will address the causes of women's inequality at work.

Close the Gap
166 Buchanan Street
Glasgow
G1 2LW

0141 572 4730
info@closethegap.org.uk
www.closethegap.org.uk

 [closethegap.org.uk](https://twitter.com/closethegap)

 Close the Gap



Close the Gap

Close the Gap (SCIO) (known as Close the Gap)
is a Scottish charity, no SC046842.

Published January 2026