

HOW-TO GUIDE: FLEXIBLE WORKING TOOLKIT

What you need to know

This Guide to the flexible working toolkit will help your business deal with any formal flexible working requests that you receive. It identifies the relevant policy and documents and takes you step-by-step through what to do. The toolkit itself contains all the documents that you are likely to need. Links are also provided to relevant parts of the Sparqa Legal guidance which you may find useful.

Please note this guide is summary only; for comprehensive guidance on the legal requirements, see [Staff flexible working and working from home](#).

Step	Details	✓
Initial steps upon receiving a request		
Check that the person making the request is eligible for the right to make a formal request for flexible working	Only employees or apprentices with at least 26 weeks' continuous service with you have this right (provided they have not made a formal request within the preceding 12 months).	
Ensure the employee has given you all the information they are required to give in the request. It is a good idea to provide staff with a template letter to use to make a formal flexible working request so that it includes the necessary information	Using the toolkit, you can create a template letter for your employee to complete and return to you (<i>Flexible working - for employee - request for flexible working</i>).	
Familiarise yourself with your flexible working policy	It is important you follow the processes set out within it, as well as the steps below. If you do not already have one, you can generate a <i>Flexible working policy</i> using the toolkit.	

Step	Details	✓
Acknowledge receipt of the request and have an initial meeting with the employee		
Acknowledge receipt of the request and invite the employee to attend a meeting	<p>Using the toolkit, you can create <i>Acknowledgment of flexible working request and invitation to a meeting</i>.</p> <p>ACAS recommends you give the employee a right to be accompanied at the meeting; this letter includes wording about that.</p>	
Hold an initial meeting with the employee	<p>Use this meeting to make sure you understand what the employee is looking for and listen to their thoughts about how their request might benefit both them and your business.</p> <p>Note that if the employee misses two arranged meetings without adequate explanation, you can tell them you are treating their request as withdrawn. Using the toolkit, you can create <i>Flexible working - notice to treat the request as withdrawn</i>.</p>	
Make a decision and communicate it to the employee		
Consider the request, carefully balancing benefits to you and your employee against negative business impacts	<p>Bear in mind that you are only entitled to refuse the request on one of the following grounds:</p> <ul style="list-style-type: none"> • there is an unacceptable burden of additional costs; • the change would have a detrimental impact on your ability to meet customer demand; • you are unable to reorganise work among your staff; • you are unable to recruit cover; • the change would have a detrimental impact on quality; • the change would have a detrimental impact on performance (of the individual or their team); • there is insufficient work during the proposed periods of work; or 	

Step	Details	✓
	<ul style="list-style-type: none"> your business has planned structural changes. <p>When coming to a decision, be careful not to discriminate, especially if the request comes from an employee who is disabled or who is returning from a period of family friendly leave.</p> <p>See Staff flexible working and working from home for full guidance on how to apply these reasons.</p>	
Come to a decision and inform the employee as soon as possible	<p>You may decide to:</p> <ul style="list-style-type: none"> accept the request, either entirely or with some modifications (you can use <i>Flexible working - acceptance of request</i>); agree to a trial period (you can use <i>Flexible working - trial period</i>); or reject the request (you can use <i>Flexible working - rejection of request</i>). <p>Bear in mind that you must come to a final decision within 3 months of receipt of the original request; any appeal must also be dealt with within this time too.</p>	
Carry out an appeal process if necessary		
If the employee wishes to appeal, invite them to an appeal hearing	<p>Appeals are not legally required but are good practice.</p> <p>Using the toolkit, you can generate <i>Flexible working - invitation to attend an appeal hearing</i>.</p>	
Communicate your decision to your employee	<p>Using the toolkit, you can generate a <i>Flexible working - appeal outcome letter</i>.</p> <p>Bear in mind that any appeal must be dealt with within 3 months of receipt of the original request.</p>	