

Acas publishes new Code of Practice on flexible working

6 April 2024

Workplace expert, Acas, has today published its new statutory Code of Practice on requests for flexible working alongside accompanying guidance.

From today, all employees will have the right to ask their employer if they can work flexibly from their first day of employment. This right previously only applied if employees worked for their employer for 26 weeks or more.

Susan Clews, Acas Chief Executive, said:

"There has been a global shift to flexible working following the pandemic, which has allowed more people to better balance their working lives and employers have also benefitted from being an attractive place to work.

"Our new Code aims to foster flexible working further and covers the new law changes. It sets out good practice on flexible working requests and will help employers and employees avoid any pitfalls.

"There are many types of flexible working such as part-time working, flexitime, job sharing, staggered hours, hybrid and homeworking. The starting position for businesses should be to consider what may be possible."

The new Code covers the new changes to the law around statutory flexible working requests. These are:

- a new right to request flexible working from the first day of employment
- allowing an employee to make 2 flexible working requests in any 12-month period rather than one
- a new requirement that an employer must not reject a request without consulting the employee first
- employers now having 2 months to decide on the request rather than 3 months

The new Code underwent a consultation process in its draft form last year. 77% of respondents to the consultation agreed that Acas should reconsider the overall good practice principles when updating the Code to reflect changes to the law.

The Code encourages employers to take a positive approach to flexible working so that requests are not rejected by default without due consideration and an open dialogue about what may be workable.

It is important for employers to comply with the Code as any breach may be considered by an employment tribunal for relevant cases.

Acas has also published new detailed guidance to accompany the Code, which provides practical examples for employers and employees on flexible working requests.

[Read the new flexible working Code and advice](#)

Media enquiries

[Contact the Acas press office](#)

Background notes

1. Acas has [advice on flexible working](#) and [training courses for employers about flexible working](#).
2. Acas held a [public consultation on the Code](#) which took place between 12 July and 6 September 2023. 162 responses were received. 61% of all responses were from individuals and the remaining 38% were from organisations that included large organisations, small and medium sized enterprises (SMEs), trade unions or other employee representative organisations and employer representative organisations or organisations. The submissions helped to shape Acas's thinking and drafting of the new Code. Read [Acas's response to the consultation](#).