Flexible working practices

Explores the benefits of flexible working, the types of arrangements commonly used and gives practical tips on implementing flexible working practices

Introduction

Flexible working - giving flexibility over where, when and the hours people work - is increasingly in demand but the number of quality flexible jobs falls well short of that demand. There is an opportunity for employers to do more to provide flexibility for the benefit of all employees and organisations.

This factsheet discusses flexible working as a strategic tool organisations can use to improve performance and productivity. It outlines the different types of flexible working arrangements available, including part-time and compressed hours, mobile working and job-shares. It looks at the potential benefits of flexible working, both direct and indirect. Finally, it offers the UK legal perspective and some ideas on how flexible working can be implemented, how common barriers can be overcome, and how HR can support staff opting for more flexible working arrangements.

Explore our stance on flexible working uptake in more detail, along with actions for Government and recommendations for employers.

What is flexible working?

‘Flexible working’ describes a type of working arrangement which gives a degree of flexibility on how long, where, when and at what times employees work.

Flexible working practices include:

- **Part-time working**: work is generally considered part-time when employers are contracted to work anything less than full-time hours.

- **Term-time working**: a worker remains on a permanent contract but can take paid/unpaid leave during school holidays.

- **Job-sharing**: a form of part-time working where two (or occasionally more) people
share the responsibility for a job between them.

- **Flexitime**: allows employees to choose, within certain set limits, when to begin and end work.

- **Compressed hours**: compressed working weeks (or fortnights) don't necessarily involve a reduction in total hours or any extension in individual choice over which hours are worked. The central feature is reallocation of work into fewer and longer blocks during the week.

- **Annual hours**: the total number of hours to be worked over the year is fixed but there is variation over the year in the length of the working day and week. Employees may or may not have an element of choice over working patterns.

- **Working remotely on a regular basis**: employees work all or part of their working week at a location remote from the employer's workplace. This can be at home or elsewhere, and is also referred to as mobile or teleworking. Our Megatrends report examines the key drivers behind the rise in homeworking.

- **Mobile working/teleworking**: this permits employees to work all or part of their working week at a location remote from the employer's workplace.

- **Career breaks**: career breaks, or sabbaticals, are extended periods of leave – normally unpaid – of up to five years or more.

- **Commissioned outcomes**: there are no fixed hours, but only an output target that an individual is working towards.

- **Zero-hours contracts**: an individual has no guarantee of a minimum number of working hours, so they can be called upon as and when required and paid just for the hours they work. Find out more about zero-hours contracts.

The list above isn't exhaustive. Flexible working can include other practices for example employee self-rostering, shift-swapping or taking time off for training.

Flexible working arrangements can be formal or informal. Some organisations choose to amend the written employment contract when new working arrangements are put in place, and/or include flexible working policies in the employer's handbook. However some forms of flexible working, such as working from home, are likely to be offered informally, for example in agreement with an employee's line manager.

We’re currently co-chairing a Government Flexible Working Taskforce to promote wider understanding and use of inclusive flexible work and working practices. It brings together policy-makers, employer groups, unions and employee representative groups, research groups and professional bodies.
Read our recent response to the Government’s Flexible working consultation.

Flexible working in the time of coronavirus

The COVID-19 pandemic has seen businesses adopt flexible working practices like remote working at an unprecedented rate. Not only does this protect the workforce and provide business continuity, they support broader, official measures to curb the outbreak. Home or remote working can mean people avoid lengthy commutes and have fewer distractions than in an office environment. But it can also result in people over-working and feeling isolated, so a focus on health and wellbeing is essential.

Clearly, home/remote working is not suitable for all jobs as it’s best suited to knowledge work with clearly-defined tasks. In some cases, it might be possible to combine elements of remote and office/site-based working. Or for service or manufacturing staff, organisations might be able to embed more flexible working when it comes to start and finish times or shift patterns.

See more information on flexible working and homeworking in the COVID-19 context. For more on what employers should be doing, see our Responding to the coronavirus hub.

Take-up of flexible working in the UK and equality of access

Our Good Work Index survey (previously UK Working Lives) includes data on flexible working arrangements and work–life balance. While the findings show that just over half of UK workers are already working flexibly in some way, with those in higher-level occupations most able to use flexible working to support their work–life balance, we also see that flexible working is not delivering for all workers. There remain unmet demands and a lack of equality of access to flexible working. Among employees who have no access to flexible working, about 80% would like it. More than half the workforce would like to work flexibly in at least one form that is not currently available to them. Employees who have flexible working arrangements that reduce their hours are more likely to indicate negative career implications. This has implications for equality, as these arrangements are more likely to be used by women.

Our Megatrends: flexible working research shows that the uptake of most types of flexible working has largely plateaued in the UK over the last decade, even with the legal right to request being available to all. There is evidence in the report of an increase in more informal flexible working, such as people working from home on an ad hoc basis, but there's an opportunity to do much more.
A Government Flexible Working Taskforce, which the CIPD is chairing, was established to widen the availability and take-up of flexible working. Listen to our Future of flexible working podcast exploring the work of the Taskforce and our investigations into flexible working including design, availability, visibility, and productivity.

We've also produced cross-sector flexible working guidance and a toolkit for HR professionals focusing on how to improve and promote flexible working uptake, successfully implement it, and measure and evaluate its impact.

The potential benefits of flexible working

Flexible working can lead to direct and indirect business benefits. The direct business benefits include savings on office space, for example, using technological advances to allow remote working and hot desking. Flexible working also allows a better match between business resources and demand, for example serving customers on a 24/7 basis. In particular, multi-skilling, freelance and part-time working, and alternative shift patterns can increase efficiency and are sometimes referred to as 'agile' working'.

Indirect business benefits are achieved through improved employee job satisfaction and wellbeing. Research shows that flexible workers have a higher level of job satisfaction, commitment and are more likely to increase discretionary effort compared to those who do not work flexibly. Flexible working can also reduce absence rates and allows employees to manage disability and long-term health conditions, as well as supporting their mental health and stress, as shown in our Health and wellbeing at work survey.

Flexible working options can also be attractive to employees and new recruits, especially as employee expectations change with regard to their jobs, careers and work-life balance, and demographic changes affect employees' needs to balance their job with other responsibilities such as caring - see our guide on creating carer-friendly workplaces.

Our report Employee Outlook Focus: commuting and flexible working describes the top three benefits of flexible working most frequently cited by employees as:

- It enables better work-life balance.
- It helps reduce the amount of stress/pressure employees feel under.
- It has been a factor in employees staying with their current employer.

As members of the Flexible Working Taskforce, we are collectively using our ability to reach and influence hundreds of thousands of employers to encourage them to advertise jobs as flexible by using the strapline 'Happy to talk Flexible Working' in their job advertisements regardless of level or pay grade.
Implementing flexible working practices

Employers may face a number of barriers to effectively communicating and implementing flexible working. These include:

- Overcoming concerns about operational pressures and meeting customer requirements.
- Line managers’ current attitudes towards flexible working.
- Handling colleagues concerns about the impact of other peoples’ flexible working on them.
- Existing organisational culture.
- A lack of support at senior levels.
- An inability to measure employees’ performance by outputs rather than by hours.

To help implement flexible working effectively, organisations should:

- Clarify the benefits of flexible working to the organisation and to individuals.
- Find the compelling hook or business imperative that will gain traction in the organisation.
- Communicate to dispel myths around what flexible working is and who it's for, share successes and build communities.
- Establish a clear process for flexible working with defined roles and responsibilities for employees, line managers and HR.
- Find creative ways to encourage a range of flexible working practices for all employees – both in terms of innovative flexible working initiatives and creative ways to build flexibility into job roles that have not traditionally been seen as suitable for flexible working.
- Aim to hire flexibly and design the jobs to suit the flexible pattern (that is, full-time jobs are not squeezed into part-time hours).
- Ensure ongoing access to development and career conversations for flexible workers.
- Gain manager buy-in through communicating benefits and sharing success stories and providing support and guidance.
- Create a supportive organisational culture, underpinned by leadership and HR support.
- Measure and evaluate flexible working and learn from trials using quantitative and qualitative measures.

Supporting homeworking and teleworking

If employees aren’t working in a typical ‘office’ and they're working away from their colleagues and line managers, it's important to consider the following:
• **Resources and working styles** - teleworkers and homeworkers are generally provided with a computer with an Internet connection, a printer, a mobile phone and office furniture. Employees need to be able to demonstrate time management skills, the ability to work without close supervision, self-motivation and flexibility.

• **Communication with others** - the nature of teleworking means that employees are often invisible and work non-standard hours. Thus the emphasis is on task-oriented working – getting defined jobs done - and trust. Clear and effective communication channels are therefore vital, as is the need to keep in touch with colleagues and avoid isolation.

• **Trust** - for line managers who may be office-based or teleworkers/homeworkers themselves, trust becomes more important than control. Some may have problems adjusting and they may need training. Managers not knowing how to manage workers at home is a primary barrier to change.

• **Employee rights** - individuals' employment contracts may need to be amended by agreement to reflect teleworking/ homeworking. Teleworkers/homeworkers must be treated the same as office-based staff with equal access to development and promotion opportunities. If there's a trade union, it will need to be consulted to ensure that these workers are treated equally.

• **Health and safety** - the same rules for health and safety apply to home offices as to conventional workplaces, so employers need to ensure that the office space and equipment are used safely and that teleworkers / homeworkers are sufficiently knowledgeable about health and safety.

Guidance to help both employers and employees deal with the implications of working from home is available from the Health and Safety Executive.

### The UK legal position

In April 2003, the UK Government introduced the 'right to request flexible working' which historically applied to parents and certain other carers. The legislation now includes all employees with at least 26 weeks' continuous employment, regardless of parental or caring responsibilities. Employers have a duty to consider a request in a reasonable manner and can only refuse a request for flexible working if they can show that one of a specific number of grounds apply. Acas has issued guidance and a Code of Practice for employers on handling such requests in a reasonable manner.

Similar procedures apply to requests for flexibility with time off work for study or training.

The right to request flexible working doesn't apply to some categories of worker, for
example certain agency workers.

The shared parental leave scheme introduced in April 2015 may give parents some additional flexibility - listen to our podcast.

The CIPD and the Equality and Human Rights Commission have collaborated on a number of short videos for employers who have signed up to the Working Forward Campaign to support pregnant women and new mothers at work.

CIPD members can find out more in our Requesting flexible working law Q&As.

Useful contacts and further reading

Contacts

GOV.UK - Flexible working

Acas – Making a flexible working request

Working Families

Working Forward Campaign

Books and reports


Journal articles

BASKA. M. (2019) *Businesses turning to four-day working week could save billions, says research*. People Management (online) 5 July.


CIPD members can use our [online journals](https://www.cipd.co.uk) to find articles from over 300 journal titles relevant to HR.

Members and *People Management* subscribers can see articles on the *People Management* website.

This factsheet was last updated by Lisa Ayling, solicitor and employment law specialist, and Claire McCartney.