



Department for
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& Industrial Strategy

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Dear Darren,

I am writing to inform you that the Government has today published a consultation on flexible working and the response to our consultation on a new right to time away from work for unpaid carers. These deliver on commitments in our Manifesto and are an important part of our drive to build back better after the pandemic, helping people to access and stay in work whatever their personal circumstances.

Flexible working consultation launch

The Government has today published a consultation on measures to increase the availability and uptake of flexible working. It considers the full range of flexible working options – whether that is a part-time or job-sharing working arrangement, flexing working hours or working remotely – freeing employers and employees alike from the default 9 to 5 model.

The consultation proposes that every employee in Great Britain is given the right to request flexible working, regardless of time served, under our plans to modernise the way we work and build back better from the pandemic.

Under the proposals – which would see around 2.2 million more people given the right to request flexible working – employees would also be able to make more than one request for flexible working each year, and the current three-month period an employer has to consider each request would be shortened.

If an employer is unable to accommodate a request, our consultation proposes that they would need to consider what alternatives they could offer. For example, if they couldn't change their employee's hours on all working days, they could consider making the change for certain days instead.

There is no 'one-size-fits-all' approach to working arrangements. While certain ways of working may suit some employers and employees, they won't suit everyone – and therefore it is important that Government does not prescribe specific arrangements in legislation. Instead, these proposals would provide a strengthened legislative framework that encourages conversations around flexible working to be more two-sided – balancing the needs of employee and employer, and encouraging all parties to focus on what may be possible, rather than what is not.

Empowering workers to have more say over where and when they work makes for more productive businesses, and happier employees. Flexible working allows employees to balance their work and home life: including helping people manage childcare commitments or other caring responsibilities. It can also be key to ensuring that people who are under-represented in the workforce, such as new parents or disabled people, have access to more employment opportunities.

Alongside clear benefits to workers, there is a compelling business case for flexible working. Benefits include:

- **Attracting top talent** – Research conducted by Timewise, a flexible working consultancy, has shown that 87% of people want to work flexibly, rising to 92% for young people.
- **A highly motivated, productive workforce** – Research published by HSBC shows that 9 in 10 employees consider flexible working to be a key motivator to their productivity at work – ranking it as more important than financial incentives. Employers have reported seeing improvements in staff motivation and employee relations.
- **A better business environment** - the CBI Employment Trends survey found that 99% of all businesses surveyed believed that a flexible workforce is vital or important to competitiveness and the prospects for business investment and job creation.

For both these individual and business reasons, the Conservative Party's 2019 manifesto committed to a consultation on measures to help make flexible working the default unless employers have good reasons not to. Today's publication delivers on that commitment. It also contains our response to measures in the July 2019 "Good Work Plan: proposals to support families" consultation on publishing flexible working and family-related leave and pay policies; and stating whether jobs may be open to flexible working in the advert.

While the consultation focuses on contractual flexible working arrangements, the Government recognises that people don't always need something so formal to help them balance their home and work life. The consultation therefore also sets out our future plans for a call for evidence on how to support more 'ad hoc' and informal forms of flexibility, for example to attend a one-off appointment.

The consultation runs for 10 weeks until 1 December 2021 and is available to view here: <https://www.gov.uk/government/consultations/making-flexible-working-the-default>.

Government Response to Carer's Leave Consultation

The Government has also today published its response to the consultation on Carer's Leave.

Around five million people across the UK are providing unpaid care by looking after or helping a family member, relative or friend. Nearly half do this while also working full-time or part-time. Juggling caring responsibilities and work can be challenging and can limit the participation of unpaid carers in the labour market. Women, who are often still the primary carers within families, tend to be disproportionately impacted.

The 2019 Manifesto committed to introduce an entitlement to one week of leave for unpaid carers. This was followed, last year, by a consultation on Carer's Leave, which recognised that unpaid carers face particular challenges in balancing work and caring responsibilities that may warrant a specific new employment right to time off from work.

The response, published today, sets out key aspects of the leave entitlement, including:

- Employees with caring responsibilities for a dependant with long-term care needs will be entitled to one working week of unpaid Carer's Leave (per employee, per year).
- This new right will be available from the first day of employment.
- Eligibility for the new right, both in terms of who the employee is caring for and how the leave can be used, will be broadly defined.
- The leave can be taken flexibly (i.e. from several half day blocks to a single block of whole week).

The entitlement has been designed to balance the needs of employers and employees, ensuring that employers are able to plan and manage the absence created by Carer's Leave. These include a minimum notice period and enabling employers to postpone (but not deny) the request for Carer's Leave where the employer considers the operation of their business would be unduly disrupted.

The Government response to the consultation has been published on GOV.UK and is available here: <https://www.gov.uk/government/consultations/carers-leave>.

The territorial extent of both Flexible Working and Carer's Leave policies extends to England, Wales, and Scotland (employment law is devolved to Northern Ireland).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Scully', with a stylized flourish at the end.

PAUL SCULLY MP

Minister for Small Business, Consumers & Labour Markets
Minister for London