

Revised Acas Code of Practice on requests for flexible working

24 January 2024

Alex O'Donoghue

Last summer Acas published a draft revised Statutory Code of Practice for flexible working (the Code) aimed at providing practical advice to employers and employees on flexible working requests.

The final version of the Code will complement the forthcoming Employment Relations (Flexible Working) Act 2023 (the Act) which passed through Parliament last year (see our previous update: [Right to request flexible working – changes ahead for employers](#)). Although there is still not a confirmed date for the Act to come into force, the Regulations making flexible working a day-one right come into force on 6 April 2024, and therefore it is widely expected the Act will come into force at the same time.

Following consultation, Acas has made several [revisions to the draft Code](#), including:

- Formal meetings following the acceptance of a flexible working request are no longer required.
- In circumstances where the original request cannot be fully met, discussing with the employee any potential modifications.
- The list of categories of companions allowed to accompany an employee to a request meeting has also been extended. (However, there is no statutory right to be accompanied).
- All organisations, regardless of size, ensure that a different manager handles appeals over flexible working requests.

In readiness for the changes to flexible working coming later this year, it is recommended that you review your current [employment](#) practices and procedures and highlight any changes that may be required to take account of the new Act and Code. If you are unionised or have an employee consultation body, you may need to discuss any potential changes before updating your policies.

Key contact

Alex O'Donoghue

Associate

alex.o'donoghue@brownejacobson.com

+44 (0)3300452200

Employment	Employment services for corporates	Employment services for healthcare
Employment and pensions for public sector	Employment services for financial services and insurance	HR services for schools and academies