

**CONSULTATION ON MODERN WORKPLACES**

ii) Flexible working

MAY 2011

## 4. Flexible working

This chapter sets out our proposals to implement the Coalition Agreement commitment to extend the right to request flexible working to all employees, enabling them to better balance their work, family and personal lives. We want to stimulate cultural change to make flexible working practices the norm, which we know will require more than just legislation. We will therefore also be developing non-legislative measures to promote flexible working opportunities both for those with a job and for those looking for one.

### Current situation

1. Flexible working is a label for a wide range of working practices and arrangements, examples of which are shown in the box below. Put simply, it is any agreement for an employee to work in a way that best fits their other responsibilities whilst also ensuring that the job gets done.

#### Types of flexible working

**Part-time:** employees are contracted to work less than normal full-time hours.

**Flexi-time:** employees work a standard core time, but can vary your start, finish and break times each day within agreed limits.

**Compressed hours:** employees work their total number of contracted weekly hours in fewer than the usual number of working days each week by working longer individual days.

**Homeworking:** employees work all or part of their contracted hours from home.

**Annualised hours:** employees average out working time across the year so they work a set number of hours per year rather than per week. Normally, they are split into core hours that are worked each week and unallocated hours that can be used for peaks in demand.

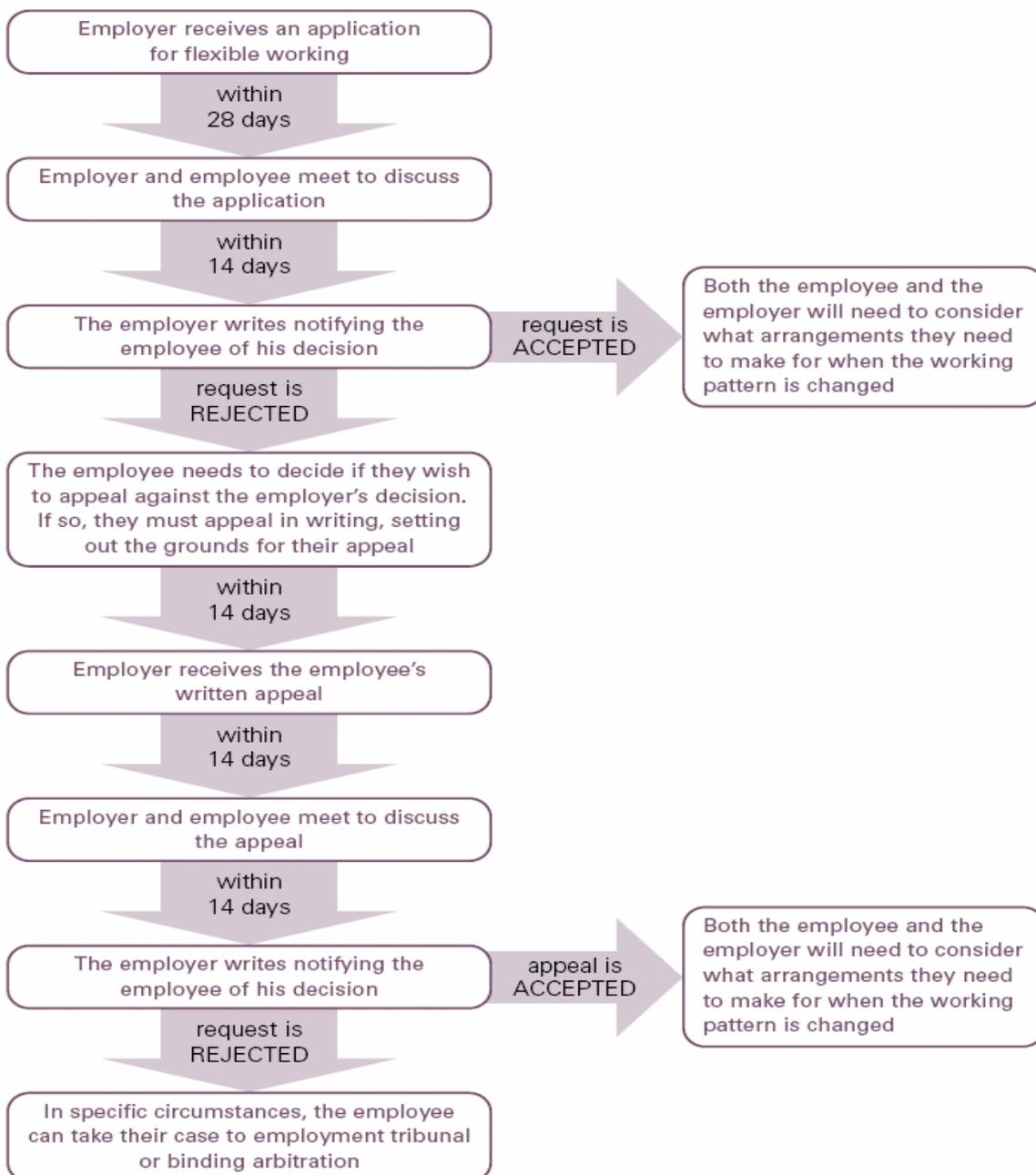
**Term-time working:** employees' work follows school term patterns. They work as normal during term-time. During school holidays they do not go to work but are still employed.

**Structured time off in lieu:** employees work longer hours during busy periods and take an equivalent amount of time off (with pay) at a less busy time. There may be limits on the number of hours individuals can build up and when they can take time off.

**Job-sharing:** employees work part-time (which could be part-day, part-week or part-year) and share the duties and responsibilities of a full-time position with another worker.

**Varied-hours working or time banking:** prospective employees advertise which hours they are available to work for the day and employers employ them for short periods of time to manage specific pieces of work, such as covering a telephone help-line. For example, an individual might be employed between 6pm and 9pm on a Tuesday evening.

2. The right to request flexible working gives employees the statutory right to request a contract variation, generally for more flexible working arrangements, and places an obligation on their employer to consider the request seriously. The right to request does not itself create flexible working: it simply facilitates the conversation between employer and employee.
3. The right to request was introduced in April 2003 for parents of children under six years old, or under 18 if the child has a disability. The right was extended to certain carers in 2007 and further extended to parents of all children under 17 in 2009. The statutory process for considering requests is shown in figure 6.



**Figure 6: existing statutory process that employers must follow when consider requests from employees for flexible working.**

## Case for change

4. The existing right to request has been a success. A recent survey of HR professionals agreed that the right should be extended to all employees.<sup>1</sup> Around 80-90 per cent of requests are accepted, helping parents and carers to stay in work and balance their work and caring responsibilities.<sup>2</sup> This benefits them, their families, their employers and the wider economy.
5. But we want to go further. We think that by extending the right to request flexible working to all employees, we can spread the benefits flexible working brings to all parts of society and the economy. For businesses, holding onto experienced and skilled staff is important in maintaining quality and containing costs. Offering flexible working can help retain staff and widen the talent pool, so employers are able to recruit people with more skills; it can also increase commitment and loyalty of staff members. This, in turn, translates into increased productivity and improved profitability, which we estimate will benefit business by an average of £52.4m per year.
6. For employees, flexible working allows them to better balance their work life with their family responsibilities. In today's society, both men and women want to find a balance between work, family and caring responsibilities. Flexible working therefore has the potential to increase overall levels of participation in the labour market, and so make a contribution to increasing employment and decreasing benefit dependency and thus ultimately to reducing the deficit and promoting growth.
7. Flexible working also supports a number of the Government's other key policies:
  - **Welfare reform:** major reforms to the welfare system mean that there will be more people seeking work, some of whom will not be able to work traditional full-time hours. In the short term, for example, lone parents who are capable of work are required to seek it when their youngest child is seven (due to go down to five after passage of the Welfare Reform Bill). The availability of flexible jobs – such as those requiring presence only during school hours – will be important to the success of this policy. Longer term changes such as Universal Credit will reduce barriers to work for those who can only do short or fluctuating amounts of work, for example due to caring responsibilities or disability.
  - **Child poverty:** an environment which supports mothers and fathers to find the most appropriate balance between their caring responsibilities and employment enables low income households to utilise the earning power of both parents more effectively (or in single parent households to increase sole earning capability), which can help lift families out of poverty.

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<sup>1</sup> 43% of the 162 respondents “strongly agree that the right to request flexible working should be extended to all, and 40% “agree”, leaving just 17% who disagree [IRS flexible working survey 2010: take-up and employee requests, IRS (2010)].

<sup>2</sup> The third work-life balance employer survey: main findings, BERR (2007).

- **Gender pay gap:** increasing the number and quality of jobs that are available on a flexible basis helps families to balance their caring and working commitments, increasing choice. Opening up the right to request flexible working to all employees also challenges the perception that flexible working is only for mothers.
- **Disabled people:** around half of working-age disabled people do not have a job. Many would like to work but currently experience considerable barriers to doing so. The most common enabler to employment among economically inactive adults with impairments is modified or reduced work hours or days.<sup>3</sup> Flexible working can enable disabled people to do what work they can do, and help employers make use of their skills.<sup>4</sup>
- **Carers:** flexible working can be vital for carers providing unpaid support to family or friends who are ill, frail, disabled or have mental health problems, and could not manage without this help. Flexible working can enable people to combine this vital work with paid employment, benefitting both the carer and the cared-for, and reducing dependency on benefits.
- **Older workers:** currently, many older workers face barriers to remaining in work or returning to work due to caring responsibilities, ill health or disability. In addition, evidence suggests that many of those approaching retirement would like to continue with some form of part-time or flexible working.<sup>5</sup> Flexible working can enable people to phase their retirement in a way they find helpful, and also help employers to manage the transition.
- **Shared parenting:** making flexible working a mainstream practice for men – and removing the fear that flexible working will harm their career prospects – will encourage more fathers to use it. Alongside the new system of flexible parental leave that we propose to introduce, this will enable a greater sharing of childcare responsibility to the benefit of both children and their parents.
- **Relationships:** flexible working can help people to juggle the demands of work and family life. Work stress and lack of work-life balance is the third most common reason why couples seek Relate counselling.<sup>6</sup>
- **Big Society:** flexibility in their work helps people to integrate their work, family and community responsibilities. Flexible working can help individuals who want to take a more active role in their community; whether this is asking to leave early to attend a School Governors meeting, or engaging in local planning discussions.

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<sup>3</sup> Life Opportunities Survey, interim results, Office for Disability Issues (2010).

<sup>4</sup> Disabled workers have the right to a reasonable adjustment, which may include a flexible working pattern.

<sup>5</sup> Working better, EHRC (2009).

<sup>6</sup> Walker J. et al.: Relationships matter: understanding the needs of adults (particularly parents) regarding relationship support, DCSF (2010).

### Wider benefits of flexible working

Wiltshire County Council (2003) found that the majority of carers said that more flexible working patterns would be the most important help to enable them to continue working.<sup>7</sup>

Around 60 per cent of over 50s would like to continue working after state pension age, but on a part-time basis. Some 40 per cent would like to stay in their current jobs, but with greater flexibility in hours or days worked.<sup>8</sup>

Flexibility in working arrangements was the arrangement most commonly cited by employees (23 per cent) when asked how employers could support working parents.<sup>9</sup>

8. The existing legislation certainly makes an important contribution towards the pursuit of these objectives. But the full potential of flexible working in achieving these aims will only be realised if it becomes far more widespread, with decisive action to tackle the misconception that that non-traditional working practices are only useful or justified for parents and carers, and for women in particular. It is in fact possible that the existing legislation may inadvertently have reinforced this misconception by restricting the right to request to these groups.
9. But, as noted above, we think that extending the right to request to all employees will bring benefits for their employers. Many employers already understand this. Indeed, in 2007 almost 95% of employers offered at least one flexible working practice. During the recent recession many employers have used alternative ways of working to save costs and reduce the need for redundancies. In difficult circumstances, many employers, who had previously thought that flexible working would not work for them, have seen the benefits at first hand.
10. However, availability of flexible working practices continues to vary significantly depending on the business sector and the employee's role and gender, with a bias towards women and those in more junior positions.<sup>10</sup> Moreover, some types of flexible working continue to be much more widely available than others. Part-time work is the most commonly available flexible working arrangement: 69 per cent of employees said that this would be available if they needed it. By contrast, just 23 per cent of employees said that regular home working would be available to them.<sup>11</sup> Additionally, while the vast majority of employees report access to at least one form of flexible working, less than half of employers say that flexible working is actively promoted by their managers.<sup>12</sup> Extending the statutory right to request to all employees will help to address all such issues.

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<sup>7</sup> Mooney A. et al.: The pivot generation: informal care and work after fifty, The Policy Press (2002).

<sup>8</sup> Working better, EHRC (2009).

<sup>9</sup> The third work-life balance employee survey: main findings, DTI (2007).

<sup>10</sup> 13% of employers reported that they would not consider a request from managers [The third work-life balance employer survey: main findings, BERR (2007)].

<sup>11</sup> The third work-life balance employee survey: main findings, DTI (2007).

<sup>12</sup> The third work-life balance employer survey: main findings, BERR (2007).

11. We are aware that some employers have concerns about the proposed extension, despite the benefits of flexible working. In particular, there is concern that the current process for considering flexible working requests is unduly prescriptive and inflexible. We agree: as employers have frequently said, legislation should tell them what Government wants them to do, and allow them to do it in the way that suits them best. So at the same time as we extend the right to request, we propose to improve the way it works, replacing the existing statutory process for the consideration of requests with a Code of Practice.
12. However, legislation can only go so far, and can only support individuals already in employment. Flexible working can only be considered to be fully integrated in workplaces that think about flexible working when they design new jobs, and recruit new employees.
13. Evidence on availability of flexible working for job-seekers is limited, but some research suggests that most jobs are not advertised as being flexible.<sup>13</sup> Many employers do not consider flexible working when advertising a job, and often the quality of those jobs that are advertised as available flexibly is poorer than the jobs that existing employees are able to do on a flexible basis.<sup>14</sup> Specialist recruitment agencies exist for part-time and varied-hours working, and we want to encourage more agencies or social enterprises to provide this kind of service and to encourage employers and potential candidates to tap into this market. If we are to meet our objectives around welfare reform it is essential that flexible working is available to those seeking work as well as those already in work. We are therefore also considering non-legislative ways to stimulate the flexible working recruitment market.

## Our proposals

### Extending the right to request

14. Our key proposal in this area is simple: that the statutory right to request flexible working should be extended to all employees. We consider that this will be the surest way of delivering the significant benefits that more widespread flexible working has the potential to bring.
15. Consistent with our commitment to better regulation, we have however also explored whether a non-regulatory approach to stimulating flexible working could deliver our policy objectives. This has included consideration of whether a non-statutory Code of Practice could be created to encourage employers to offer increased flexible working to their employees and to highlight good practice. It could be argued that this area of policy would lend itself to such an approach, given the benefits that flexible working brings for employers as well as employees. Such a Code would not be legally enforceable, but it would act as a good practice guide on the benefits and adoption of flexible working. Many similar good practice guides already exist, including on the Businesslink.gov website.

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<sup>13</sup> For example, research found that in 2008 only 29 per cent of Civil Service vacancies were advertised as available on a part-time or job-share basis. However, when followed up with a phone call, 24 per cent of those advertised as full-time *could* actually also be available on a part-time basis [We need to talk about hours: job advertising in the Civil Service, Working Families (2008)].

<sup>14</sup> Part-time work and social security: increasing the options?, DWP (2006).

16. Providing such guidance and encouraging employers to share best practice around flexible working will of course play a strong role in encouraging the spread of flexible working. However, we are concerned that simply adding further best practice guidance to that already in place is unlikely to be as effective in delivering real change. Despite existing guidance and evidence of benefits, barriers still remain to the adoption of flexible working practices, particularly for those employees who are not parents or carers. We find it difficult to see how an additional Code, even if backed up with a significant marketing campaign, would reach and convince those who have thus far been resistant to change.
17. As a result, such an approach would inevitably have less impact. We could not expect the uptake of flexible working to increase as substantially as if the right to request was extended to all. The Impact Assessment annexed to this consultation document shows that an approach based on a non-statutory Code of Practice is estimated to result in only half as many requests as the legislative approach.<sup>15</sup>
18. Furthermore, there would be the issue of how the existing statutory rights of those who are parents or carers interacted with the non-statutory Code covering those who are not. Given the benefits that the existing right for parents and carers has brought, it would not be the Government’s intention to repeal that legislation and thus *reduce* their ability to request flexibility at work. But the combination of statutory and non-statutory requests would create significant additional complexity. Employers would need to identify under which procedure an employee was requesting flexible working before they processed the request. Maintaining the difference in status would also maintain the stigma which some claim is attached to requests from those who are parents or carers as well as the misconceptions attached to requests from those who are not.
19. For these reasons, the Government continues to consider that its objectives will best be achieved by legislation to extend the statutory right to request flexible working to all employees.

Consultation Question	
<b>22.</b>	<b>Should the Government legislate to extend the right to request flexible working to all employees? Please explain your response.</b>

## Modifying the right to request

### *Process for Considering Requests*

20. Flexible working is good for businesses as well as being good for employees. However, employers have often commented that considering requests is administratively burdensome. We want it to be as easy as possible for employers to adopt flexible working in their workplace.

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<sup>15</sup> New requests will fall from 119,000 under a legislative extension to 59,000 under a non-statutory Code of Practice.

21. To do this we propose to make the system for considering flexible working requests more adaptable, by replacing the statutory process for considering requests with a new duty on employers simply to consider requests 'reasonably'. We would then create a statutory Code of Practice purely to demonstrate a 'reasonable' process.
22. We appreciate that many employers find it helpful for Government to set out a clear process for the consideration of requests because it gives them structure and assurance, and we do not wish to remove that. But it is also true that many employers are concerned that the existing process is unduly rigid and prescriptive.
23. The Code would therefore give employers guidance on how to handle requests – using the current process as its basis – but there would be no requirement to follow the Code for requests made on the basis of the statutory right. Employers could instead use their own processes and systems, providing they met the basic requirement for 'reasonable' consideration. We will consult on the detail of a Code of Practice in due course.
24. The Code of Practice could either be a 'safe harbour' or principle-based. Under a 'safe harbour' approach, employers that follow the procedure laid out would have complete protection against claims of breach of process. Under a principle-based approach, the Code would effectively provide detailed guidance on the approach employers should take to ensure requests are considered in a reasonable manner and time.
25. It should be stressed in this context that we do not intend to amend the fundamental nature of the right to request. It will remain a right only to request as opposed to any kind of right to work flexibly; and it will remain the case that a request can be refused on the basis of business reasons, regardless of the reasons for which the employee has made the request. We propose also to leave unchanged the eight business reasons set out in legislation under which an employer may refuse a request:
  - the burden of additional costs;
  - detrimental effect on ability to meet customer demand;
  - inability to recruit additional staff;
  - inability to reorganise work among existing staff;
  - detrimental impact on quality;
  - detrimental impact on performance;
  - insufficiency of work during the periods the employee proposes to work; or
  - planned structural changes.

Consultation Questions	
23.	<b>Do you support the proposal to replace the statutory process for the consideration of requests with a Code of Practice? Please explain your response.</b>
24.	<b>Should the Code of Practice detail the existing statutory procedure or is there a less burdensome procedure? Please explain your response.</b>
25.	<b>Should a Code of Practice be principle-based (i.e. requiring requests to be considered in a reasonable manner and time) or provide a 'safe harbour' (i.e. where employers following the process precisely get protection)? Please explain your response.</b>
26.	<b>If you do not agree that we should introduce a Code of Practice to govern flexible working requests, what alternative could be introduced to reduce the administrative burdens of considering requests, without diminishing employee rights? Please explain your response.</b>

### ***Prioritising requests***

26. The current right to request flexible working is targeted at parents and carers, for whom flexible working is of particular value in managing their work and family commitments. Under our proposals, however, employers will in future receive requests on the basis of the statutory right from both these groups and other employees. It has been suggested that an employer receiving multiple requests at the same time from different types of employee may not be able to accommodate them all, and may therefore value guidance on how to prioritise between them.
27. We believe that giving priority to certain groups has significant disadvantages. Our aim is a culture where flexible working is accepted in every workplace, for any legitimate reason. We want employees to feel they can ask for flexible working whatever their circumstances and without harming their career. A formal prioritisation list would risk creating a 'tiered' right reinforcing the idea that flexible working is primarily for parents and carers. It is also important to recall in this context that employers will continue to be able to decline requests on purely business grounds. On this basis, an employer could decide that only some requests can be accommodated and also decide which requests these would be.
28. We are, however, sensitive to concerns that some employers may wish to take other factors into account if they have to prioritise between genuinely competing requests. An employer may, for instance, want to prioritise a parent's request over one made by a worker for longer-term motivational or retention reasons, and some stakeholders have expressed doubts as to whether this would be possible within the current framework. The Government is very clear that it does not want the extension of the right to request to lead to employers feeling they face additional legal risks or to feel that they have to make a value judgement on the merits of one employee's case for flexible working over another. We simply want employers to be able to take the decision that makes overall sense for them.
29. We therefore propose not to *require* prioritisation of competing requests according to a particular hierarchy of concerns, but to *allow* employers to take account of any other factors

they consider relevant in the event that they have to choose between requests. This would only apply to the prioritisation of conflicting requests, and the employer would still have to show that they could not all be accommodated for purely business reasons. Wider principles of discrimination law would also obviously still need to be respected. It is important to stress that an employer who wishes to consider requests purely on business grounds (we imagine this to be the vast majority of businesses), will remain entirely free to do so.

### Consultation Question

**27. Do you agree with our proposals on prioritisation of multiple flexible working requests that cannot all be accommodated? Please explain your response.**

#### ***26-week qualifying condition***

30. Agreeing a flexible working arrangement requires understanding and familiarity between employer and employee. A business needs to be certain that an individual is committed to the job before changing its structure to accommodate the employee's needs; and an employee needs to be able to show how a request can be accommodated by the business. Reflecting this, employees may currently only exercise the statutory right to request after they have been employed for 26 consecutive weeks.
31. There have been many and regular calls to remove this condition. It has been argued in particular that it stops people who need flexibility from the start from entering the labour market. We have concluded, however, that the removal or reduction of this qualifying period would not be appropriate.
32. In addition to the considerations above, we believe that removing the condition could in fact create difficulties for individuals seeking employment. Someone who applies for a job on the expectation that they can change their working pattern on the first day of employment may be unable to continue in the job if the employer cannot accommodate the request. This could result in employees repeatedly entering and leaving the labour market in search of a flexible job, which would clearly be unsatisfactory. Amongst other things, it could cause disruption to childcare arrangements, create burdens for employers who will need to recruit again and complicate benefit payments. We are also mindful of the legitimate concerns of employers at the additional management burden that would arise from an employee accepting a post on one basis only to lodge a statutory request for a variance in working arrangements on arrival.
33. For these reasons we intend to keep the current 26-week qualifying period to give employers certainty about the terms and conditions on which they hire employees. However, we do believe it is important to encourage employers to consider flexible working opportunities at the point of recruitment. We are therefore planning a number of non-legislative measures in this area, as discussed further below.

### Consultation Question

**28. Do you agree that the current 26-week qualifying period should be retained? Please explain your response.**

**Requests for temporary changes to terms and conditions**

- 34. The right to request flexible working is generally viewed as a right to request a permanent change to terms and conditions. The regulations do not actually prohibit requests for a temporary change, but employees do need to state the duration of the change when they make it, and individuals are only allowed to make one request in any 12-month period.
- 35. These restrictions protect employers from having to consider and respond to multiple requests from an employee. They also encourage employees to carefully consider their request. But they are also restrictive if the duration of the required period of flexible working is necessarily uncertain.
- 36. A temporary change to working practices can be important in a number of circumstances: from individuals who are undertaking a short-term community project, to those caring for someone with a serious or terminal illness. In cases where it is not clear how long the change will be needed, current legislation – with its requirement to state the duration in advance – is clearly deficient.
- 37. We are considering remedying this by allowing employees to make an additional request within any 12-month period, if they state in the original request that they expect the change to last for less than a year. This would allow employees flexibility to request temporary leave to help with complex family situations such as coping with bereavement; helping foster carers cope with disruptive children; and helping special guardians and other guardians such as grandparents who need to suddenly cope with parental responsibility.
- 38. Additionally, the proposed Code of Practice regarding the process for considering requests might reinforce best practice by recommending that employers consider immediate leave requests, for example to enable individuals to accompany friends or relatives to important medical appointments.
- 39. Best practice guidance might also recommend that the employer and employee should agree review points for the flexible working pattern at the outset, to encourage discussion about how well the arrangements are working and how long they will be needed.

Consultation Questions	
<b>29.</b>	<b>Do you agree that the restriction on the number of requests allowed in any 12-month period should be changed? Please explain your response.</b>
<b>30.</b>	<b>Do you have an alternative proposal for promoting temporary changes to working patterns?</b>

**Exemptions for micro-business and start-ups**

- 40. The Government has announced that micro-businesses (i.e. those with fewer than ten employees) and new start-ups will be exempt from new domestic regulations for three years. This exemption is designed to promote growth in the economy. Depending on the point the regulations are brought forward, this moratorium may or may not automatically apply to the extension to the right to request flexible working to all employees.

41. The right to request provides a framework for employees to discuss changes to their working patterns with their employer. It could be argued that due to the size of micro-businesses, it is easier for these employees to hold informal discussions about ways of working with their employer. This would make the statutory right to make a request less necessary.
42. However, the extension to the right to request aims to remove the distinction of rights between parents, carers and other employees in order to ensure that all employees regardless of their circumstances have the opportunity to balance their work and personal responsibilities. Exempting micro-businesses from the need to consider requests from non-parents could reinforce this distinction.
43. We are seeking views as to whether micro-businesses and start-ups should be initially exempted from the extension to the right to request flexible working, as the Government favours, following the announcement in the 2011 Budget of the three-year moratorium on regulations for such firms.
44. The European Parental Leave Directive requires that parents returning from a period of parental leave must have the right to request flexible working. It applies to all businesses regardless of size. This will need to be taken into account when considering a micro-business exemption.

### Consultation Question

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| <b>31.</b> | <b>Do you agree with the Government that micro-businesses and start-ups should be exempted from the extension to the right to request flexible working for the three year moratorium? Please explain your response.</b> |
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### Approaches to support people into flexible working

45. Our objective is genuine culture change on flexible working. We want to see an end to any sense of a link between an employee's status or potential and his or her working pattern, and to promote a management culture where the benefits of flexible working for business are widely understood.
46. The Government understands that stimulating real culture change to make flexible working practices the norm across the whole labour market requires more than just regulatory change on the right to request. There also needs to be help for employers to operate in a more flexible way, and demonstration of the benefits it can bring to them and their employees.
47. The Government has a role in leading culture change but cannot compel it. We need to work collaboratively with business leaders and employers to promote the business case for flexible working and ensure that employers know where to go to find support to implement practices in their organisation.
48. A strong message from the Family Friendly Working Hours Taskforce was that "strategic direction and leadership is required from Government to help businesses to set about realising the substantial benefits of flexible working." But it was also clear that cultural

change can only occur if employers receive consistent messages and a coordinated approach from Government and from business- and employer-facing organisations.<sup>16</sup>

49. We have established a working group to promote the business benefits of flexible working. The group is chaired by Sarah Jackson, Chief Executive of Working Families, and members include the British Chambers of Commerce, the Chartered Institute of Personnel and Development, the Confederation of British Industry, Federation of Small Businesses, Trades Union Congress, and Women Like Us. The purpose of the group is to bring together a range of experts with insight into the private sector, in order to generate practical ideas and outputs to encourage greater availability of flexible working, based on improved understanding of the business benefits and of how flexible working can practically work. We will report on the progress of the working group in the Government's response to this consultation.
50. In addition, we also believe that Jobcentre Plus has a key role to play in promoting cultural change through its engagement both with employers and with people seeking work. Major reforms to welfare and employment services mean that Jobcentre Plus and employment programme providers will need to stimulate the creation of flexible jobs.
51. Jobcentre Plus intend to do this in the longer term by improving job brokering and matching services so that they are more responsive to the needs of both the jobseeker and employer. In addition, all advisor training is being enhanced to ensure that advisors have the skills needed to ensure that jobseekers receive personally tailored help and support to suit their needs, part of which will involve work targeted discussions about the customer's work capabilities and flexible working patterns. In the shorter term, Jobcentre Plus is improving familiarity with flexible working amongst (employer facing) Labour Market and Recruitment Advisors, and working with them to integrate the principles of flexible working into the services they offer.
52. The Federation of Small Businesses has previously called on Jobcentre Plus to help small businesses design suitable part-time and flexible jobs.<sup>17</sup> Advisors operating the small business recruitment helpline now talk to small businesses about the wide range of flexible working options and the benefits of offering such flexibilities when recruiting. Job vacancies notified through the small business recruitment helpline will reflect the extent to which the employer promotes flexible working and will ensure the vacancy details contain the flexible working pattern the employer has agreed to.
53. However, if we are to stimulate the whole labour market we also need to ensure that private sector recruitment agencies understand and promote the business benefits of flexible working. We intend to work closely with agencies to understand how best to stimulate the recruitment market for permanent and high quality flexible workers. The Government response to this consultation will provide more details of our plans in this area.
54. In addition, we recognise that for some people, committing to a set number of hours of work each week is not possible for caring or health reasons. For some people this may only be for a certain period in their lives, while for others this is a longer-term situation. We want

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<sup>16</sup> Flexible working: working for families, working for business, DWP (2010).

<sup>17</sup> Flexible working: small business solutions, Federation of Small Businesses (2010).

to help everyone who wants or is able to work to receive the right support to do so, even if this is only for a short number of hours or if the number of hours they are able to work varies from week to week. As well as making changes to the welfare system so that under Universal Credit people are financially rewarded for all hours of work (including varied-hours working), we acknowledge that more needs to be done to help people find this kind of work. Whilst some recruitment agencies specialise in part-time or varied-hours working, their share of the recruitment market is limited. We want to encourage more agencies or social enterprises to provide this kind of service, and encourage employers and potential candidates to tap into this market.

55. Finally, we also recognise that Government, as a large employer itself, needs to lead by example on flexible working. We are working towards achieving the Government's aspirations for the civil service to be an exemplar in flexible working practices. Again, the Government response to this consultation will provide more details on how we will achieve this.

<b>Consultation Questions</b>	
<b>32.</b>	<b>What support do you think employers need to enable them to operate flexible working? Employers:</b> <ul style="list-style-type: none"> <li>• <b>What existing support and guidance have you used?</b></li> <li>• <b>Has this been helpful to you? Please explain your response.</b></li> </ul>
<b>33.</b>	<b>When looking for jobs, what could employers or recruitment agencies provide that would highlight that a job has flexible working opportunities?</b>
<b>34.</b>	<b>What support is required to help people to undertake varied-hours working?</b>
<b>35.</b>	<b>Do you have any further comments or suggestions relating to our proposals or impact assessment on flexible working?</b>

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