

What's the impact of the Queen's speech on my business?

Plans for Flexible Working Rights to be extended



Queen announced yesterday that Government wants to ensure "a better balance between work and family life."

What is Flexible Working?

Currently, parents of young children under 6 (and those who care for adults) have the right to ask their employer to allow them to work flexibly. This right was introduced under the Employment Act 2002. There are many different ways of working flexibly which include:

- A change to the hours someone works.
- A change to the times when they are required to work.
- Working from a different location (for example, from home).

The legislation recognises that an employer may have entirely legitimate business reasons why it cannot accommodate a specific flexible working request. There are eight specific grounds for rejecting a request, which are set out in section 80G of ERA 1996, and only these grounds may be raised as reasons for rejection.

These are:

- The burden of additional costs.
- Detrimental effect on ability to meet customer demand.
- Inability to re-organise work among existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Insufficiency of work during the periods the employee proposes to work.
- Planned structural changes.

What changes does the Government Propose?

The Government plans to open the right to request flexible working to parents of older children. In recent months, the Government has been discussing increasing the age limit to 18. It is not clear as to when the proposals might take effect but may be the first step on the path to extend flexible working to all.

For further information please contact:

Robert Bryan

Direct Dial: 01865 811767
Secretary: 01865 811227
E-mail: rbryan@darbys.co.uk
Mobile: 07740 619656

Prisca Bradley

Direct Dial: 01865 811741
Secretary: 01865 811204
E-mail: pbradley@darbys.co.uk

David Parry

Direct Dial: 01865 811708
Secretary: 01865 811229
E-mail: dparry@darbys.co.uk

Sue Jackson

Direct Dial: 01865 811244
Secretary: 01865 811227
E-mail: sjackson@darbys.co.uk

David Harris

Direct Dial: 01865 811739
Secretary: 01865 811229
E-mail: dharris@darbys.co.uk

Brigit Foster

Direct Dial: 01865 811757
Secretary: 01865 811204
E-mail: bfoster@darbys.co.uk

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Darbys Solicitors LLP
52 New Inn Hall Street Oxford OX1 2DN
t: 01865 811700 f: 01865 811777 e: info@darbys.co.uk

www.darbys.co.uk


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