

# Flexible working

Your rights as a parent or carer



Women. Men. Different. Equal.  
Equal Opportunities Commission

Equality and  
Human Rights  
Commission

[equalityhumanrights.com](http://equalityhumanrights.com)

# Flexible working

## Your rights as a parent or carer

**Parent or carers sometimes need to change their working arrangements to balance work and family commitments.**

If your employer refuses to allow you to work flexibly you may have a claim under the Sex Discrimination Act.

Parents of young or disabled children and carers of adults have a legal right to ask their employer for changes in their hours.

### Your rights

- A mother and/or father of a child younger than six, or younger than 18 in the case of a disabled child, has the right to apply for flexible working. A carer of an adult also has the right to apply.
- You can apply to change the hours you work, change the times when those hours must be worked, or to work from home.
- There is a formal procedure for you and your employer to follow.
- Fathers are allowed to take two weeks paid paternity leave.
- People adopting a child also have the right to paid time off work.



## **Applying to work flexibly under the 'right to request' procedure**

- To be eligible, you must have completed 26 weeks continuous service with your employer.
- Contact the Acas Helpline for detailed advice on how to present your application, which must be in writing.
- You may only apply once a year.
- You do not have an automatic right to work flexibly but it does ensure that your employer treats your request seriously.
- If your employer refuses your request, they must justify their decision in writing.
- If your employer does not follow the correct procedure then you can take a claim to an employment tribunal.

## **Other legislation gives parents the right to:**

- Up to 13 weeks unpaid parental leave per child if you have been working for your employer for at least one year.
- Reasonable time off work to deal with family emergencies.

## **If your employer wants to change your hours**

If your employer asks you to change your working hours but their proposed changes interfere with your childcare arrangements:

- Investigate whether you can possibly work the hours expected.
- Explain in writing to your employer any difficulties you would have in working these hours.
- Negotiate in order to find a compromise.
- If agreement cannot be reached, you may have a claim under the Sex Discrimination Act.

## **Sex discrimination**

The Sex Discrimination Act gives you the right to make a claim if you have suffered less favourable treatment in certain circumstances. This right is not limited by the age of the child or by your length of service.

For example:

- You are a man whose employer allows women to reduce their hours for childcare reasons but refuses your request to do so.
- You are a woman working where everyone is expected to work full-time. This affects women because they are more likely to have the main responsibility for childcare.
- Your employer does not allow flexible working in supervisory or management jobs and to work fewer hours you have to accept demotion.
- You are victimised because you have claimed your rights under this Act.

The Equality and Human Rights Commission gives information and advice about age, disability, gender, gender reassignment, race, religion or belief, and sexual orientation.

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### **Other sources of information**

For further information on the 'right to request' procedure, contact:

Acas helpline on  
**08457 47 47 47** or

Directgov on:  
**[www.direct.gov.uk](http://www.direct.gov.uk)**

This leaflet can be downloaded from our website:  
**[www.equalityhumanrights.com](http://www.equalityhumanrights.com)**

If you require this leaflet in a different format, for example large print, contact our helpline.

This leaflet was originally produced by the Equal Opportunities Commission which, from 1 October 2007, became part of the Equality and Human Rights Commission.

While every effort has been made to ensure that the information in this reprinted publication is correct, the Equality and Human Rights Commission cannot guarantee its current factual or legal accuracy, and cannot take responsibility for any loss arising out of its use.

## Contact us:

You can find out more or get in touch with us via our website at: [www.equalityhumanrights.com](http://www.equalityhumanrights.com) or by contacting our helpline:

**Telephone: 0845 604 6610**

**Textphone: 0845 604 6620**

**Fax: 0845 604 6630**

Mon, Tue, Thur, Fri: 9am–5pm.

Wed: 9am–8pm

Free, confidential advice and information

Calls from BT landlines are charged at local rates, but calls from mobiles and other providers may vary. Calls may be monitored for training and quality purposes. Interpreting service available through Language Line, when you call our helpline.

## Equality and Human Rights Commission

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