

Employers must handle flexible working requests reasonably. While requests should be considered seriously, there are eight business grounds that can justify a refusal, as reflected in ACAS guidance and current legislation.

1. Burden of additional costs

A request can be refused if it would create a significant financial burden for the business. Examples include costs from new recruitment processes or paying overtime to other staff at premium rates to cover the request.

2. Inability to reorganise work among existing staff

If flexible arrangements would be impractical due to the need for highly specific skills or if redistributing work among current employees isn't feasible, this can justify a refusal.

3. Inability to recruit additional staff

If delivering the flexible arrangement would require hiring additional staff in a way that isn't practicable (e.g., covering only one hour a day), this can be a valid reason to refuse.

4. Detrimental impact on quality

If the request would harm the quality of service or outputs (for example, reduced coverage in key customer-facing periods), and a workable alternative isn't possible, refusal may be appropriate.

5. Detrimental impact on performance

If the arrangement would significantly hinder an employee's ability to perform their role effectively, a refusal can be justified.

6. Detrimental effect on ability to meet customer demand

In peak periods or high-demand times, a request that compromises capacity to meet customers' needs can be refused.

7. Insufficient work during the proposed hours

If there isn't enough workload to justify the hours requested, the request may be refused on grounds of under-employment or inefficiency.

8. Planned structural changes to the business

During restructures, redundancies, or other significant organisational changes, a flexible working request can be refused if it aligns with the planned changes.

Tips for applying these grounds fairly

- Ensure grounds are genuine, well-documented, and consistently applied.
- Where possible, offer alternatives (e.g., different flexi-terms, trial periods, or phased introductions).
- Maintain a clear audit trail of the decision-making process and rationale.

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