Flexible working request: response letters

Templates for employers in England, Wales and Scotland handling a statutory flexible working request

For employers in England, Wales and Scotland. Checked 15 November 2026 against the Employment Rights Act 1996, sections 4 and 80F to 80I, and the Acas Code of Practice on requests for flexible working (in force 6 April 2024). Electra HR, electra-hr.com. General information, not legal advice on a particular request.

The rules in one page

- Every employee can make a statutory request from their first day of employment. Workers who are not employees are outside the statutory right.
- A request must be in writing and say it is a statutory request. Under the Acas Code it should include the date of the request, the change asked for, the date it should start, and whether and when the employee has made a previous request. The employee can make two requests in any 12 months, and only one can be live at a time, including during an appeal (ERA 1996, s80F).
- You must deal with it in a reasonable manner, and you must decide it, including any appeal, within two months of receiving it, unless you and the employee agree a longer period (s80G(1B)). Agree any extension before the two months end if you can, and keep a record of it. The law also allows agreement up to three months afterwards (s80G(1C)), but do not rely on agreeing an extension retrospectively.
- You must not refuse a request without first consulting the employee (s80G(1)(aza)). If you are going to agree to it in full, no meeting is needed.
- You can only refuse for one or more of eight business reasons: the burden of additional costs; detrimental effect on ability to meet customer demand; inability to reorganise work among existing staff; inability to recruit additional staff; detrimental impact on quality; detrimental impact on performance; insufficient work during the periods the employee proposes to work; planned structural changes (s80G(1)(b)).
- There is no statutory right of appeal or to be accompanied, but the Acas Code says both are good practice, and that an appeal should be heard, wherever possible, by a manager not previously involved. A tribunal will take the Code into account.
- An agreed change is a permanent change to the contract unless you both agree otherwise, for example a temporary arrangement. Confirm the change in writing at the earliest opportunity, and no later than one month after it takes effect (ERA 1996, s4(3)).
- Spell out the effect on pay, holiday and benefits rather than assuming everything reduces pro rata. A reduction in hours does not reduce holiday already built up before the change.
- A request can also be a request for a reasonable adjustment for disability, and a refusal can be indirect sex discrimination. Consider both before you refuse (Equality Act 2010, ss19, 20 and 21).
- Coming: further reforms under the Employment Rights Act 2025 are expected in autumn 2027, including a requirement that a refusal be reasonable and explained. Acas is consulting on an updated Code, and the current Code applies until then. Check this pack again before using it after the reforms take effect.

Timeline

Only the two-month deadline and the written statement are set by law. The other timings are suggested targets that leave room for an appeal.

When	What
Day 1 (law)	Request received. Note the date: the two months run from here.
Within 1 to 2 weeks (suggested)	Letter 1: acknowledge, and invite to a consultation meeting if you might not agree in full.
Within 4 weeks (suggested)	Meeting held, note taken. Decide. Letter 2, 3 or 5.
If refused (suggested)	Appeal window, for example 14 days, set so the appeal can finish within the deadline. Appeal meeting, wherever possible with a different manager.
By 2 months (law)	Final decision (Letter 6) sent, or an extension agreed (Letter 4).
After the change (law)	Written statement of the changed terms at the earliest opportunity, and within one month (s4(3)).

Decision log

Keep this with the request. It is your evidence that the request was handled reasonably.

Item	Notes
Employee and role	
Date request received	
Change asked for and start date	
Two-month deadline	
Extended deadline, if agreed, and date agreement obtained	
Previous requests in the last 12 months	
Consultation meeting date and attendees	
Alternatives and trial period discussed	
Disability or other Equality Act issues considered	
Decision and date	
Business reason(s) if refused, and the evidence for each	
Appeal received, heard by, outcome and date	
Written statement of changed terms given (date)	

Letter 1: acknowledgement and invitation to a meeting

Use when you have received a request and might not agree to it in full. If you agree in full straight away, go to Letter 2.

[Employer name and address]

[Date]

Private and confidential

[Employee name], [address or email]

Dear [name],

Thank you for your flexible working request dated [date], which I received on [date]. You have asked to [describe the change] from [proposed start date].

I would like to meet you to discuss the request before a decision is made. The meeting will be on [date] at [time] at [place / video link]. It will be with [name, job title], who can make a decision on the request.

At the meeting we will talk about how the change would work in practice, its effect on you and on the business, and whether there are other arrangements, or a trial period, that might work if the request cannot be agreed as it stands.

You are welcome to bring a work colleague or a trade union representative with you. Please let me know who, if you would like to. Please also tell us if you need any adjustments to take part in the meeting. If the date does not suit, please tell me as soon as possible so that we can rearrange.

We will give you our decision, including any appeal, by [date two months from receipt], unless we agree a longer period with you.

Yours sincerely,

[Name], [Job title]

Letter 2: request agreed

Use when you agree to the request as asked, with or without a meeting.

[Employer name and address]

[Date]

Private and confidential

[Employee name], [address or email]

Dear [name],

Thank you for your flexible working request dated [date]. I am pleased to confirm that it has been agreed as you asked.

From [start date], your [hours / days / place of work] will be:

- [New working pattern, hours or location]
- Pay: [state the new pay, for example pro rata to your new hours]
- Holiday: [state the entitlement for the rest of this holiday year; holiday already built up before the change is not reduced]
- Benefits: [state which benefits change and which stay the same]

This is a permanent change to your terms and conditions. We will review how it is working on [date]. That review is to discuss practical points and does not itself change the agreed terms.

If you would like to talk through any practical points about the new arrangement before then, please let me know. [Either: The changed terms are set out in the attached statement. / Or: We will send you a written statement of the changed terms as soon as possible, and no later than one month after the change takes effect.]

Yours sincerely,

[Name], [Job title]

Letter 3: alternative arrangement agreed

Use only when the employee has agreed a modified or alternative arrangement after consultation. If they have not agreed it, and you are refusing the original request, use Letter 5, which can also propose the alternative.

[Employer name and address]

[Date]

Private and confidential

[Employee name], [address or email]

Dear [name],

Thank you for meeting me on [date] to discuss your flexible working request dated [date], in which you asked to [describe the change].

At the meeting we agreed the following arrangement instead, from [start date]:

- [Agreed working pattern, hours or location]
- Pay: [state the new pay]
- Holiday: [state the entitlement for the rest of this holiday year; holiday already built up is not reduced]
- Benefits: [state which change and which stay the same]

[Choose one and delete the other:]

[Permanent:] This is a permanent change to your terms and conditions. We will review how it is working on [date]; that review does not itself change the agreed terms.

[Trial:] This is a trial from [start date] to [end date]. During the trial you will work [temporary terms]; your contract is otherwise unchanged. At the end of the trial, [the arrangement will become permanent unless either of us raises a concern by [date] / we will meet on [date] and confirm a final decision on your request in writing]. Unless we agree otherwise in writing, if the trial ends without agreement to make the arrangement permanent, your previous working pattern of [details] will resume on [date]. We will discuss any concerns with you before the trial ends and confirm the outcome in writing. [If your request is still to be decided after the trial, we have agreed to extend the decision period to [date], which leaves time after the review for a decision and any appeal: see the separate extension letter.]

Please sign and return a copy of this letter, or reply by email, to confirm the arrangement we agreed. [Either: The changed terms are set out in the attached statement. / Or: We will send you a written statement of the changed terms as soon as possible, and no later than one month after the change takes effect.]

Yours sincerely,

[Name], [Job title]

Letter 4: agreeing to extend the decision period

Use when you both agree you need longer than two months. Agree it before the two months end; do not rely on agreeing it retrospectively. For a trial, set the new date after the trial review, leaving time for a decision and any appeal. Keep the signed copy or the email reply with the request.

[Employer name and address]

[Date]

Private and confidential

[Employee name], [address or email]

Dear [name],

We received your flexible working request on [date]. The law requires a decision, including any appeal, within two months, so by [date].

As we discussed on [date], we have agreed to extend that period to [new date], because [reason, for example a trial period running until then, or a key person being on leave]. The extended date covers the decision and any appeal.

Please confirm your agreement by signing and returning a copy of this letter, or by replying to this email to say you agree.

Signed (employee): _____ Date: _____

Yours sincerely,

[Name], [Job title]

Letter 5: request refused

Use only after consulting the employee. Each reason must be one of the eight statutory reasons, and you should be able to show the evidence for it. Set the appeal date so the appeal can be decided within the two months, or any agreed extension. The appeal should be heard, wherever possible, by someone not involved so far.

[Employer name and address]

[Date]

Private and confidential

[Employee name], [address or email]

Dear [name],

Thank you for meeting me on [date] to discuss your flexible working request dated [date], in which you asked to [describe the change].

I have considered the request carefully, together with what you told me at the meeting and the alternatives we discussed, including [alternatives and any trial period considered]. I am sorry to tell you that I am not able to agree to it.

The business reason for the decision is [choose one or more of: the burden of additional costs / a detrimental effect on our ability to meet customer demand / our inability to reorganise work among existing staff / our inability to recruit additional staff / a detrimental impact on quality / a detrimental impact on performance / insufficient work during the periods you propose to work / planned structural changes].

This applies in your case because [explain the facts, for example the cover that would be needed, what was tried and why it would not work].

[Delete if not used: We would be willing to agree [alternative arrangement] instead. If you would like to accept it, please let me know by [date].]

You can appeal against this decision. If you wish to, please write to [name] by [date, for example 14 days], explaining why you think the decision is wrong, including any new information. We will arrange an appeal meeting, and you may bring a work colleague or trade union representative.

Once this request and any appeal are concluded, you may make a further statutory request, up to two in any 12 months.

Yours sincerely,

[Name], [Job title]

Letter 6: appeal outcome

Use after the appeal meeting, within the two months or any agreed extension. The appeal should be heard, wherever possible, by someone not previously involved. Choose one outcome.

[Employer name and address]

[Date]

Private and confidential

[Employee name], [address or email]

Dear [name],

Thank you for attending the appeal meeting on [date] about the decision on your flexible working request dated [date]. [Name of companion, if any] also attended.

[Outcome A, request agreed:] I have decided to uphold your appeal. Your request is agreed as you made it, from [start date]: [set out the new terms, including pay, holiday and benefits].

[Outcome B, alternative agreed:] At the appeal meeting we agreed the following arrangement instead, from [start date]: [set out the agreed terms]. Please sign and return a copy of this letter, or reply by email, to confirm.

[Outcome C, appeal not upheld:] I have considered the points you raised, which were [summary]. I have decided not to uphold the appeal, because [reasons, linked to the business reason or reasons given]. This is our final decision on this request. [Delete if not used: We would still be willing to agree [alternative]; please tell me by [date] if you would like to.]

[For A or B:] [Either: The changed terms are set out in the attached statement. / Or: We will send you a written statement of the changed terms as soon as possible, and no later than one month after the change takes effect.] This is a permanent change to your terms and conditions unless stated otherwise above.

Once this request is concluded, you may make a further statutory request, up to two in any 12 months.

Yours sincerely,

[Name], [Job title]

Need help with a request?

Electra HR can review a request and your draft decision before it goes out, as a fixed-price written answer, or support you through the meetings and any appeal. We advise employers and employees. electra-hr.com/contact

Our Working Patterns & Flexibility policies, at electra-hr.com/hr-templates, give you a written policy for requests, hybrid and home working.

Sources: Employment Rights Act 1996, ss4 and 80F to 80I (legislation.gov.uk); Acas Code of Practice on requests for flexible working (acas.org.uk); Equality Act 2010, ss19 to 21.