



Close the Gap

Close the Gap response to the UK Government’s consultation: Make Work Pay: Consultation on improving access to flexible working

April 2026

1. Introduction

Close the Gap is Scotland’s policy advocacy organisation working on women’s labour market participation. We work with policymakers, employers and employees to influence and enable action that addresses the causes of women’s labour market inequality.

Close the Gap welcomes the opportunity to respond to this consultation on improving access to flexible working. The availability of high-quality flexible working remains a key challenge in the UK labour market. A lack of access to flexible working sustains women’s concentration in low-paid and undervalued work, exacerbates in-work poverty, limits progression, and is a significant driver of the gender pay gap. Women’s disproportionate responsibility for unpaid care means that access to flexible working is critical to enabling women to enter, remain in, and progress within the labour market.

2. The context: Women’s labour market inequality

The gender pay gap, the key indicator of women’s labour market equality, represents the divergent experiences men and women have not only in employment but also in education, training, care and other domestic labour. It is a persistent feature of the UK labour market, remaining stubbornly high at 12.8%.¹ Women’s disproportionate responsibility for childcare and care and the

¹ ONS (2025) *Gender Pay Gap in the UK: 2025*

lack of quality flexible working makes it difficult for them to balance work with family life. Women do the majority of unpaid care in the home for children, older people and disabled people. They are more likely than men to take annual leave, sick leave and unpaid leave to do childcare, and twice as likely to give up paid work in order to care. As a result of balancing earning with caring, women account for 75% of part-time workers and this sees women further concentrated into low-paid and often insecure work, as most part-time work is found in the lowest paid occupations and sectors. Indeed, the gender pay gap in the UK rises to 27.5% when comparing men's average full-time hourly earnings with women's part-time hourly earnings.² Part-time workers also continue to have fewer career, pay and progression opportunities compared to full-time workers.

Women's propensity to have a caring role is key cause of the UK's gender pay gap and women's enduring labour market inequality, preventing women from progressing into overwhelmingly inflexible senior roles. Improving access to flexible working, particularly in better-paid roles, and in ways that genuinely accommodate unpaid caring roles, is essential to tackling this.

3. Marginalised women's employment

Access to high-quality flexible working is particularly challenging for those women experiencing intersecting inequalities, and therefore greater labour market disadvantage, particularly for disabled women, single parents, young mothers, women returning from maternity leave, and those experiencing domestic abuse.

Disabled women

Disabled women experience discrimination because they are disabled, but also because they are women, with racially minoritised disabled women also facing racialised discrimination. This significantly impacts their ability to enter the labour market and progress in their career, while also putting them at increased risk of poverty and negatively affecting their wellbeing.

² ONS (2025) *Annual survey of hours and earnings*

Disabled women face a range of barriers to accessing and progressing in good-quality jobs. This includes discrimination in recruitment, inaccessible workplaces, inflexible jobs, and a lack of employer awareness of disability and reasonable adjustments. This is compounded by unequal caring responsibilities and low pay due to occupational segregation. This contributes to their exclusion from the labour market, and increased risk of poverty and violence against women (VAW).

Recent figures show that the employment rate for disabled people in the UK was 53% compared to 83% for non-disabled people, representing a disability employment gap of 30 percentage points.³ There are also significant pay gaps for disabled women, whose average hourly pay is less than non-disabled men (23.2% gap), non-disabled women (9.6% gap) and disabled men (9.0% gap).⁴ A key driver of this is acute and chronic occupational segregation, with more than 40% of disabled women working in health, social care, or education, in jobs which are often low paid and undervalued and offer limited career progression. We know that a lack of access to high-quality, or any, flexible working is a key driver of women's concentration in these low-paid roles.

Close the Gap's recent report, *Excluded by Design: Research on disabled women's employment in Scotland*, found that flexible and part-time work are particularly important for disabled women, many of whom need to work flexibly to manage health needs and, for some, also caring responsibilities.⁵

Interview participants consistently highlighted the importance of remote working and flexible scheduling in enabling them to manage health conditions, maintain their mental wellbeing, and balance caring responsibilities. The ability to exercise greater control over their working patterns, such as varying start and finish times, and to work from home was particularly valued, as it reduced the stress associated with commuting and allowed individuals to better manage their working environment. For some participants, this flexibility was also critical in meeting access needs, including working alongside personal

³ <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2025/the-employment-of-disabled-people-2025>

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<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/disabilitypaygapsintheuk/2014to2023>

⁵ Close the Gap (2025) *Excluded by Design*. Available at:

<https://www.closesthegap.org.uk/content/resources/Excluded-by-Design---research-report.pdf>

assistants and managing sensory sensitivities within a more stable and predictable setting.

While many research participants had access to flexible working, availability varied by occupation. Women in low-paid caring and service jobs had the least access, which was a particular challenge due to their physically demanding roles. Remote work and adaptable schedules were seen as essential for meeting health needs, supporting wellbeing, and balancing caring responsibilities. Some expressed anxiety about the potential withdrawal of flexible working arrangements when managers failed to understand their ongoing importance.⁶ This evidence highlights the uneven approach to flexible working in different sectors and roles, and among line managers.

Flexible working can be classed as a reasonable adjustment, however the research found that employer understanding of disability and the legal responsibilities around reasonable adjustments are poor, with implementation gaps widespread.⁷ The reasonable adjustments framework places the burden on disabled women to disclose their impairments, articulate their needs, and advocate for support. Survey respondents shared:

“When discussing the adjustment of working one afternoon a week from home, one of my managers said it’s not reasonable as my coworkers would be jealous of me.”

“I asked for reasonable adjustments, and they only offered me very limited options thus resulting in me reducing hours at work ... they disregarded my letter from the GP.”

This demonstrates the impact of employer attitudes to flexible working on how accessible it is in practice. A lack of access to high-quality flexible work means many disabled women are pushed into the only work they can find, often part time. However, part-time work is often low paid and concentrated in undervalued sectors, reinforcing the cycle of in-work poverty for these women. Increasing access to flexible work is therefore likely to better enable disabled women to access and stay in good quality jobs, and employment overall.

⁶ Close the Gap (2025) *Excluded by Design*. Available at: <https://www.closesthegap.org.uk/content/resources/Excluded-by-Design---research-report.pdf>

⁷ Ibid.

Single parents

Single parents, 90% of whom are women, face increased barriers to accessing good quality work because of the dearth of flexible working. Along with the escalating cost of childcare and the cost-of-living crisis, inflexible work traps many single parents and their children in poverty. Quality part-time work, and other types of flexibility, is necessary so that single parents can access increased opportunities and better pay.

Evidence consistently shows that flexible working is a critical enabler of labour market participation for parents. In Scotland, seven in ten parents in poverty report that flexible working makes work possible for them, and one in four say it enables them to increase their working hours and income.⁸ This is even more important for single parents, who face greater constraints in balancing paid work with sole responsibility for childcare, particularly where jobs are inflexible or require rigid hours that do not align with school or childcare provision. However, the flexible work that is available to single parents is too often low quality. Part-time roles are disproportionately found in lower-paid occupations and sectors, limiting earnings and progression and reinforcing in-work poverty. The lack of flexible working options in higher-paid and senior roles further restricts single parents' ability to progress. Improving access to flexible working is key to addressing single parent poverty, women's poverty, and child poverty.

Young mothers

Young mothers face distinct and often acute barriers to accessing good quality employment, driven by the intersection of age, gender, and, in many cases, poverty and limited access to support networks. These barriers are closely linked to the availability of flexible working. Caring responsibilities at a young age significantly shape the type of work young mothers can take on, with many only able to work within narrow and specific hours that align with childcare. This restricts access to a wide range of roles, particularly where jobs require long, irregular, or unsociable hours, or where flexibility is limited.

⁸ Flexibility Works (2026) *Flex for Life 2026*. Available at: <https://www.flexibilityworks.org/flexible-working-research/flex-for-life-report-2026/>

Emerging evidence from Close the Gap’s research on young mothers’ employment⁹ highlights that inflexible working patterns are a key barrier to both entering and sustaining employment. Participants described difficulties in finding roles with predictable hours that fit around childcare, as well as a lack of flexibility to respond to child illness or appointments. Part-time roles were often not a solution, as they were frequently characterised by rigid scheduling and limited flexibility. Certain sectors, particularly retail and hospitality, were viewed as particularly inaccessible due to expectations of availability and limited accommodation of caring responsibilities. Assumptions from employers that young mothers can rely on informal childcare support further compound these challenges. As a result, many young mothers are constrained to a narrow set of job opportunities, often in low-paid and insecure work, reinforcing their risk of in-work poverty.

Young mothers’ experiences are further evidence that employer attitudes to flexible working are a central factor in improving access. A small number of research participants reported that they were able to sustain employment where employers offered supportive and flexible working arrangements. This included flexibility in working hours, understanding where time off was needed to care for children, and the provision of term-time working to align with school and nursery schedules. Access to high-quality flexible working, including predictable hours, genuine flexibility, and the ability to adjust working patterns, is critical to enabling young mothers to enter, remain in, and progress within the labour market. Improving the availability and quality of flexible work is essential not only for advancing young mothers’ employment outcomes, but also for tackling women’s inequality and child poverty more broadly.

Women returning from maternity leave

Many women require flexible working when returning to work from maternity leave to enable them to work and care for their child. Research by the Equality and Human Rights Commission¹⁰ found that one in five mothers said they had experienced harassment or negative comments related to pregnancy or flexible working from their employer and/or colleagues. If scaled up to the general

⁹ Close the Gap *Fair Work for Young Mothers*. Forthcoming 2026

¹⁰ Equality and Human Rights Commission (2016) *Pregnancy and Maternity Related Discrimination and Disadvantage: Summary of key findings*. Available at: <https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>

population, this equates to 100,000 women a year. Over two thirds of mothers (68%) submitted a flexible working request and around three in four of these mothers reported that their flexible working request was approved. Around half of mothers (51%) who had their flexible working request approved said they felt it resulted in negative consequences. Scaled up to the general population, this is this could mean as many as 150,000 mothers a year.

Domestic abuse

VAW, sometimes known as gender-based violence, affects all aspects of women's lives, and the workplace is no exception. Providing flexible working for victim-survivors is key to improving support in the workplace. Flexible working can be an important safety planning measure for victim-survivors of domestic abuse, stalking and so-called "honour-based" violence. Enabling victim-survivors to work in a location that meets their needs can also support those who are affected trauma, anxiety and depression as a result of their experience. In the wider employment context, enabling women to work flexibly in a way that meets their needs is necessary to tackle the gender pay gap, and therefore prevent VAW¹¹.

Three-quarters of women experiencing domestic abuse are targeted at work.¹² Abusers often use workplace resources such as email and phones to threaten and harass current or former partners, acquaintances, colleagues or strangers. They rely on knowing a victim-survivor's regular work patterns. Different forms of VAW, including domestic abuse, stalking, rape or sexual assault can impact women's experiences and performance in the workplace resulting in absenteeism, unexplained absences, difficulty in carrying out work, or avoiding certain work situations.

Flexible working can help support victim-survivors of domestic abuse, stalking, and rape or sexual assault because it enables them to temporarily change their work pattern or location during certain periods. It can also be used by women to change their work hours for safety reasons, as the perpetrator might target them during work hours. A victim-survivor of domestic abuse may also need

¹¹ Close the Gap (2017) *Response to the consultation on the draft Equally Safe delivery plan*. Available at https://www.closesthegap.org.uk/content/resources/1498750312_Response-to-the-consultation-on-the-Equally-Safe-draft-delivery-plan.pdf

¹² Equality and Human Rights Commission (2013) *Managing and Supporting Employees Experiencing Domestic Abuse*

more flexibility in her work schedule for several weeks to access housing services, counselling appointments, or advocacy support. These services are often only available during work hours, therefore rather than taking time off, it may be easier to vary start or finish times.

4. The implementation gap

There is a persistent gap between employer policy and employer practice on flexible working. Evidence from Close the Gap's work with employers highlights that access to flexible working is often inconsistent across roles and teams, with availability frequently dependent on individual line managers rather than embedded organisational practice. Women in lower-paid, front-line, or service-based roles are particularly likely to experience limited or inconsistent access to flexibility, reflecting both occupational segregation and organisational constraints. Even where flexible working is formally available, workplace culture can act as a barrier to its use, with staff reporting reluctance to request or use flexibility due to perceived negative impacts on progression or workload.

Line managers play a critical role in shaping access to flexible working in practice. Evidence shows that even where organisations have strong policies in place, implementation is often uneven, with outcomes differing depending on managerial attitudes, knowledge, and confidence. A lack of understanding of the benefits of flexible working, as well as of legal obligations, particularly in relation to reasonable adjustments, can result in poor decision-making on flexible working applications and missed opportunities to accommodate requests. This is particularly significant for disabled women, who face challenges around employer awareness, and inconsistent implementation of reasonable adjustments, and who are more likely to require flexible or part-time work to manage health conditions and caring responsibilities.¹³

Flexible working is therefore shaped not only by legislation, but by organisational culture and capability. In many workplaces, flexibility remains contingent, informal, or negotiated on a case-by-case basis, rather than

¹³ Close the Gap (2025) *Excluded by Design*. Available at: <https://www.closesthegap.org.uk/content/resources/Excluded-by-Design---research-report.pdf>

designed into roles as standard. This limits its effectiveness as a tool for advancing equality, and reinforces existing labour market inequalities.

Close the Gap supports measures that strengthen the framework for flexible working requests, particularly those that increase accountability, improve transparency, and shift expectations towards flexibility being the default. However, legislative reform alone will not be sufficient to deliver meaningful change. To be effective, reforms must address how flexible working is implemented in practice, including strengthening the role of consultation, improving line manager capability, embedding equality considerations, and addressing the structural inequalities that shape access to flexible work across the labour market.

5. RESPONSES TO QUESTIONS

Q17. Do you feel the proposed objective is appropriate for the consultation meeting?

Yes. Close the Gap agrees that considering how challenges with the requested arrangement could be addressed, and exploring suitable alternative arrangements, is an appropriate objective for the consultation meeting.

Q19. How much advance notice do you think an employee should receive before the meeting is held?

Other:

Close the Gap considers that a clear minimum notice period should be set for consultation meetings, rather than relying on a requirement to provide 'fair' notice. We recommend a minimum of 10 to 14 days' notice. This would enable employees to seek advice and support, including from a trade union representative, and to take time to consider and prepare potential alternative options to discuss as part of a meaningful consultation process.

While the suggestion that employers should give 'fair' notice may appear reasonable, this lacks clarity and consistency. In particular, it does not mitigate against less supportive employers, or those with a cultural resistance to flexible

working, who may approach requests from a default position of refusal. These are the employers most in need of clear requirements in order to ensure flexible working requests are considered properly. Notice may be deemed 'fair' by the employer but may not, in reality, provide sufficient time for the employee to engage effectively in the process.

A defined minimum timeframe would provide greater clarity and consistency for both employers and employees, and support a more robust and meaningful consultation process.

Q20. Do you agree with the proposed requirements for setting up the meeting?

Yes. Close the Gap supports these proposed requirements, including holding the meeting within a clear timeframe, providing employees with sufficient information in advance to prepare, and ensuring that a decision-maker with appropriate authority is present and accountable for recording the discussion. Our response to question 22 sets out necessary additional measures to help support a more robust and effective consultation process.

Q22. In your view, which of the elements set out in the suggested process above should be part of the meeting between a decision maker and employee about a statutory flexible working request? Select all that apply.

a) Asking if the employee would like the request to be considered as a reasonable adjustment, in accordance with the Equality Act 2010

b) Discussing any challenges in accommodating the original request

c) Exploring alternative start dates for the proposed request

d) Considering alternative arrangements that could be accommodated

e) Discussing the option of a trial period

f) Other, explain your answer:

Close the Gap supports the introduction of a clearer and more structured consultation process, and considers that all elements listed in answer options a

to e should be included. However, in order to be effective, the process must place a clear onus on employers to meaningfully explore how flexible working requests can be accommodated, rather than relying primarily on employees to identify and propose workable solutions.

The primary responsibility for facilitating consideration of both the original request and suggestion and development of any alternative arrangements should sit with the employer. Employers are best placed to understand operational requirements, staffing models, and how work can be organised differently. Employers therefore should be expected to utilise this to facilitate discussion, particularly where the employee's original application is not feasible and potential alternative options are required. Employees, particularly those in lower-paid or lower-grade roles that have little power in the employer-employee relationship, should not be expected to redesign their role or identify business solutions in order to access flexibility. This is particularly important for women, disabled people, racially minoritised people, mothers (particularly young mothers), and those with caring responsibilities, who are more likely to be in roles with a power disadvantage.

Consultation must be genuine and meaningful, rather than procedural. This requires a clear expectation that employers will engage constructively with the employee to explore all reasonable options. This should include consideration of the original request, discussion of any barriers to implementation, and a proactive exploration of alternative arrangements, including adjustments to hours, location, patterns of work, or the use of trial periods. A default position of identifying reasons for refusal, rather than exploring what may be possible, risks undermining the purpose of the consultation requirement.

Timeframes within the overall decision-making period are also critical. The statutory two-month timeframe for responding to requests should include an expectation that consultation and the exploration of alternatives takes place at an early stage, rather than being left until the end of the process. Delayed or compressed consultation limits the opportunity for meaningful dialogue and reduces the likelihood of identifying workable solutions.

Without clear expectations on the quality and timing of consultation, there is a risk that the process becomes a formal requirement without delivering substantive change. Strengthening the process in this way would support a shift

towards more constructive engagement, improve consistency in decision-making, and increase the likelihood that flexible working requests are accommodated wherever reasonably possible.

Q23. Do you agree that employers should be required to communicate the outcome of the meeting, as well as the outcome of the statutory request, in writing?

Yes.

Close the Gap supports the requirement for employers to keep a written record of the consultation meeting, as this will support greater transparency and accountability, and help ensure that decisions are properly evidenced. Our response to question 27 sets out necessary additional measures to help support robust record keeping.

Q27. Do you have any further thoughts or suggestions on the process for the requirement to consult outlined above?

Close the Gap welcomes the introduction of a reasonableness test and the intention to strengthen the framework for considering flexible working requests. However, for this to be effective in practice, there must be greater transparency and accountability in how decisions are made.

At present, there is a significant imbalance in the process, with limited visibility for employees on how decisions are reached and limited ability to challenge refusals. Without clear requirements on employers to evidence their decision-making, there is a risk that the reasonableness test becomes a procedural exercise.

Employers should therefore be required to document and retain records of the consultation process. This should include the original request, the alternatives considered, the discussions held with the employee, and a clear explanation of how any refusal meets the reasonableness test, beyond simply citing one of the eight statutory business reasons. Records should be retained for a defined period and be available where decisions are challenged.

This would improve transparency, support more consistent and robust decision-making, and help to address the existing power imbalance between employers and employees. It would also support better organisational practice by encouraging employers to engage more meaningfully with requests and to fully consider how flexible working can be accommodated.

Q31. If you would like to see additional guidance for employers on flexible working, what format do you think this should take? This could include guidance on statutory or informal requests. Select all that apply.

a) Guidance on handling specific types of requests, for example on compressed hours or remote working

b) Guidance for specific sectors, such as hospitality or logistics

c) Guidance for specific ways of working, for example people working shift patterns

d) Case study examples

e) Visual aids, such as flow charts setting out steps to follow in handling requests

f) Additional written guidance

g) Video clips with short explainers

h) Webinars

j) Other formats, specify:

Close the Gap agrees that there is a clear need for improved training, resources and guidance to support the effective implementation of flexible working, and supports the delivery of this in a range of formats, including those set out in answer options a to h. Legislative change alone will not be sufficient to deliver meaningful improvements in access; how policies are understood and applied in practice, particularly by line managers, is critical.

Without clear, accessible guidance, there is a risk of inconsistent implementation, with flexible working remaining dependent on individual managers rather than embedded organisational practice. Guidance should

include content tailored to different roles that are involved in dealing with flexible working requests, including business owners, department heads, HR staff, and line managers.

Line managers in particular play a central role in determining access to flexible working. Evidence from Close the Gap's work highlights that even where formal policies exist, there is often an implementation gap, with outcomes varying significantly across teams depending on managerial attitudes, knowledge, and confidence. In some cases, access to flexibility is informal, unclear, or inconsistently applied, and employees may be uncertain about how to request flexible working or reluctant to do so due to workplace culture.

Training and resources must therefore prioritise building line manager capability. This should include clear guidance on how to assess requests, how to explore and implement alternative arrangements, and how to manage flexible working in different types of roles, including frontline and service-based work. Practical, scenario-based training and e-learning modules would support consistent understanding and application, particularly in larger or more complex organisations.

Guidance should also explicitly address the gendered and intersectional impacts of flexible working. Line managers need to understand how access to flexibility affects different groups of workers, including disabled women, women with caring responsibilities, and those experiencing domestic abuse, and how poor practice can exacerbate existing inequalities. This should include information on legal obligations, including reasonable adjustments under the Equality Act 2010, as well as the wider organisational and business benefits of flexible working.

There are also significant differences in access to flexible working across roles and sectors. Evidence shows that, in Scotland, around 70% of desk-based workers have access to flexible working, compared to only 52% of frontline workers.¹⁴ Sectors with the lowest levels of flexible working include education and training (53%), health and medical (53%), retail (49%), and hospitality and wellbeing services (37%), compared to an average of 61% across all workers.¹⁵

¹⁴ Flexibility Works (2026) *Flex for Life*. Available at: <https://www.flexibilityworks.org/flexible-working-research/flex-for-life-report-2026/>

¹⁵ Ibid

These are sectors where women are more likely to be concentrated, including social care, childcare, cleaning, retail and hospitality roles. This highlights a structural inequality in access to flexible working, where those who may benefit most are least likely to have access.

Training and guidance must therefore support employers to understand how flexible working can be implemented in a wider range of roles, including non-desk-based and customer-facing work. While not all forms of flexibility will be suitable for all roles, there is significant scope for greater creativity and variation in how work is organised. For example, greater employee input into shift patterns, flexibility in start and finish times, or more predictable scheduling can make a substantial difference to workers' ability to balance paid work with caring responsibilities.

Evidence also shows variation in the types of flexible working most commonly used. Around 57% of workers use hybrid working and 49% use flexible start and finish times, while other forms such as compressed hours (20%), fully remote working (23%), job sharing (11%), and term-time working (11%), are much less common.¹⁶ While this partly reflects the nature of different roles, it also suggests a lack of awareness, confidence, or capability among employers in implementing a broader range of flexible working arrangements. Training and resources should therefore include practical guidance on different types of flexible working, including how these can be adapted to different roles and sectors.

Q33. If you would like to see additional guidance for employees on flexible working, what topics do you think it should cover? Select all that apply.

- a) Guidance on making specific types of requests, for example on compressed hours or remote working*
- b) Guidance for specific sectors, such as hospitality or logistics*
- c) Guidance for specific ways of working, for example people working shift patterns*

¹⁶ Flexibility Works (2026) *Flex for Life*. Available at: <https://www.flexibilityworks.org/flexible-working-research/flex-for-life-report-2026/>

e) Other topics, specify:

Close the Gap agrees that clear and comprehensive guidance will be essential to support employees in understanding and navigating the flexible working framework, and that this should include topics covered in answer options a to c.

In addition to this, guidance for employees should clearly set out their rights, what they can expect from the process, and what constitutes a reasonable approach from employers. This should include accessible information on how to challenge a decision, including routes for raising concerns. Employees should be signposted to sources of advice and support, including Acas, trade unions, and other relevant organisations, to ensure they are able to engage effectively in the process.

It is particularly important that guidance clearly explains the relationship between flexible working and the duty to make reasonable adjustments under the Equality Act 2010. Disabled employees may require flexible working arrangements as a reasonable adjustment, rather than as part of the standard flexible working request process. Guidance should make clear when a request should be considered as a reasonable adjustment, the legal obligations on employers in these circumstances, and how this differs from the statutory flexible working framework.

Current practice places a significant burden on disabled employees to disclose their impairment, articulate their needs, and advocate for appropriate adjustments, often without sufficient employer understanding or support.¹⁷ Clear guidance for both employees and employers is therefore essential to ensure that requests for flexible working linked to disability are identified and handled appropriately, and that employers meet their legal obligations in a timely and effective way.

Q34. If you would like to see additional guidance for employees on flexible working, what format do you think this should take? Select all that apply.

¹⁷ Close the Gap (2025) *Excluded by Design*. Available at: <https://www.closesthegap.org.uk/content/resources/Excluded-by-Design---research-report.pdf>

- a) *Case study examples*
- b) *Visual aids, such as flow charts setting out steps to follow in making requests*
- c) *Additional written guidance*
- d) *Video clips with short explainers*
- e) *Webinars*
- g) *Other formats, specify:*

Close the Gap agrees that information for employees should be provided in a range of formats to ensure it is accessible, clear, and easy to understand. This should include all formats detailed in answer options a to e.

It is essential that all materials are designed with accessibility in mind. This includes ensuring compatibility with screen readers, providing videos with subtitles and/or British Sign Language (BSL) interpretation, and offering Easy Read versions where appropriate. Information should be available in formats that are accessible to disabled people and those with different communication needs, as well as being written in clear, plain language.

Guidance should also be made available in a range of languages, particularly for workplaces that employ migrant workers. While employees may have strong English language skills, technical policies and legal frameworks can be complex, and access to information in a first language can support better understanding and more effective engagement with the process.

Providing information in a range of accessible formats will help to ensure that all employees are able to understand their rights, engage effectively with the flexible working process, and seek support where needed.

Q36. Which, if any, of the following ways to address barriers to flexible working do you think we should explore further over the years ahead? Select all that apply.

- a) *Encouraging organisations to communicate their approaches to flexible working with candidates*
- b) *Improving enforcement of the right to request flexible working*

c) Improving employee awareness about different arrangements

d) Improving employer awareness about different arrangements

e) Something else, specify:

Close the Gap supports exploration of all of the options set out. Barriers to flexible working are multiple and interconnected, and action will be required across recruitment, enforcement, employee awareness and employer awareness if the framework is to operate effectively in practice.

A lack of transparency about flexible working in recruitment is a significant barrier, particularly for women, disabled people, single parents and others who need clarity about flexibility before accepting or applying for a role. Evidence from Scotland shows that 55% of job seekers say it is usually difficult to find information about flexible working, which highlights how often flexibility remains hidden from candidates.¹⁸ Improving transparency at recruitment stage would help widen access to good-quality work and reduce the risk that workers self-select out of opportunities because they assume flexibility will not be available. This is particularly important in the context of occupational segregation and the concentration of women in lower-paid roles with less access to flexibility.

Close the Gap also supports stronger enforcement. Without effective enforcement, there is a risk that legal rights exist only on paper, while inconsistent or poor practice continues. This is especially important given the power imbalance that can exist between employers and employees, and the evidence that workplace culture and line manager attitudes can shape whether requests are considered fairly in practice. Where an employee believes a flexible working request has not been handled in line with the law, their primary recourse is to pursue an individual claim, which can be time-consuming, adversarial, and carry risks for the employment relationship. In practice, many employees may be reluctant to challenge decisions, meaning that poor practice can go unaddressed. Better enforcement would support greater accountability and help ensure that flexible working requests are assessed consistently, transparently and in line with the statutory framework.

¹⁸ Flexibility Works (2026) *Flex for Life*. Available at: <https://www.flexibilityworks.org/flexible-working-research/flex-for-life-report-2026/>

Close the Gap supports further work to improve employee awareness. Employees need to understand not only that flexible working exists, but the range of arrangements that may be available to them, what they can reasonably request, and how different types of flexibility might help meet their needs. This is particularly important for workers who may not have previously seen flexibility modelled in their role, sector or workplace, including frontline staff and lower-paid workers. Improved awareness should include information about statutory rights and where to seek support, including from Acas and trade unions.

Close the Gap strongly supports action to improve employer awareness about different arrangements. Evidence consistently shows that access to flexible working is shaped not only by formal policy, but by employer understanding of what flexible working is and how it can operate in practice. In many workplaces, particularly in frontline or public-facing roles, flexibility is still too narrowly understood, with insufficient exploration of alternatives where remote or hybrid working is not feasible.

Improved employer awareness should also explicitly connect flexible working practice to wider equality obligations and frameworks. This includes the Public Sector Equality Duty, the UK gender pay gap reporting regulations, including action on menopause through the new action plan requirement, and forthcoming ethnicity and disability pay gap reporting requirements. Flexible working can help address inequalities experienced by different groups, particularly women, disabled women, and those with caring responsibilities, and employers should be supported to understand this as part of their broader equality practice rather than as a standalone HR issue.

In addition to the options above, Close the Gap recommends further exploration of how to address cultural barriers to flexible working within organisations. Even where formal policies exist, access to flexibility may remain dependent on managerial discretion, team culture, or assumptions about commitment, productivity and progression. Around 40% of employers report that opposition from senior managers makes it harder to implement flexible working, while 38% identify resistance from line managers, contributing to

inconsistent practice.¹⁹ More than half (52%) report concerns that consulting staff on flexible working will raise expectations. This indicates that barriers are not solely operational, but are rooted in organisational culture and perceptions of flexible working, which can limit access even where policies are in place.

¹⁹ Flexibility Works (2026) *Flex for Life*. Available at: <https://www.flexibilityworks.org/flexible-working-research/flex-for-life-report-2026/>