

Agenda Item	10
Report No	RES/09/23

THE HIGHLAND COUNCIL

Committee: Corporate Resources Committee

Date: 22 February 2023

Report Title: Recognition of the King's Coronation

Report By: Interim Chief Executive

1. Purpose/Executive Summary

- 1.1 A bank holiday has been announced in honour of the coronation of His Majesty King Charles. The bank holiday will fall on Monday 8 May, following the Coronation on Saturday 6 May.
- 1.2 The decision to adopt the bank holiday is not statutory and should be determined by individual employers including staff cover on a bank holiday and payment made to staff working a public holiday.

2. Recommendations

- 2.1 Members are asked to:
 - i. approve an additional bank holiday on Monday 8 May 2023 for all staff;
 - ii. note offices, service points, council-run ELCs and schools (subject to the Scottish Government approval as outlined in paragraphs 3.5 and 4.4 of the report) will be closed; and
 - iii. note that normal emergency response will be available from services on 8 May with enhanced payments applying.

3. Implications

- 3.1 Resource - Public holidays attract enhanced payment if worked i.e. 3x hourly rate or 2x hourly rate plus a day in lieu. Essential services such as those covered on the Platinum Jubilee holiday would continue to be provided on 8 May e.g. waste collection, mechanics, emergency social work cover, housing repairs, homeless service. Any pre-booked weddings both on the day of the coronation (Saturday 6 May) and Monday 8 May will be honoured and attract the enhancement.

- 3.2 Legal – Single Status allows individual councils to set their own public holidays and payment if worked which is contained in staff’s contractual provision.
- 3.3 Community (Equality, Poverty, Rural and Island) - There are no implications arising from this proposal.
- 3.4 Climate Change / Carbon Clever - There are no implications arising from this proposal.
- 3.5 Risk - Allocation of an additional public holiday will result in a reduction in teaching days. The Council is required to seek permission for this from the Scottish Government. Failure to do so will breach regulations.
- 3.6 Gaelic - There are no implications arising from this proposal except in relation to the reduction in teaching days.

4. Background

- 4.1 The UK Government has announced the King’s Coronation will take place on Saturday 6th May 2023 with a bank holiday allocated on Monday 8 May 2023. The bank holiday has also been endorsed by the Scottish Government and other countries in the UK to mark the celebration of His Majesty’s Coronation.
- 4.2 There is no statutory right to a bank holiday. Whether or not a worker is entitled to be off work on a bank holiday is determined by their contract of employment which is determined by the Council.
- 4.3 Highland Council has a total of 15 Public Holiday provision (pro-rata for staff who work less than 5 days per week) for staff paid under Scottish Joint Council (SJC) conditions of service. This holiday provision was increased by a day as part of the Scottish Joint Council (SJC) pay award 2022/23.
- 4.4 Teaching staff and staff paid under NHS conditions of service have separate leave arrangements.
- 4.5 In the case of schools Regulation 5 of the Schools Scotland General (Scotland) Regulations 1975, as amended, requires schools to be open for a minimum of 190 days per school year. Section 133 (4) of the Education (Scotland) Act 1980 allows Scottish Ministers, on application, to make modifications to these Regulations providing they are satisfied that it would be unreasonable for Regulation 5 to apply, or to apply without modification. SQA exams which were scheduled on 8 May will no longer take place, with alternative exam date(s) set.
- 4.6 NHS Scotland have announced Monday 8 May 2023 will be a Public Holiday and that staff required to work that day will be eligible for the rates of pay and all other terms and conditions applicable on a designated Public Holiday. It is not anticipated there will be any additional cost to the Council for this staff group.

5. Proposals

- 5.1 It is proposed the Council allocate an additional day's leave to all Council staff which would cover agency workers due to work that day. This is consistent with the approach taken with the allocation of an additional day's leave for the Jubilee holiday. Similarly offices, schools/ELC and service points will close with only normal emergency response being available from services on 8 May 2023. Any pre-booked weddings both on the day of the coronation (6 May) and the bank holiday (8 May) will be honoured.
- 5.2 Approval will also be required from the Scottish Ministers for the reduction in a day's teaching provision which is standard practice as outlined in paragraph 4.5.

ELCs not run by the Council will determine individually whether to close on 8 May or remain open.

6. Benchmarking with other Councils

- 6.1 A benchmarking exercise has taken place with the other Scottish councils with their proposed approaches outlined in the table below.

Approach to Bank Holiday	Number of Councils
Provision of an additional day's leave with enhancement	10
Provision of an additional day's leave without enhancement	10
Move another public holiday to 8 May	1

- 6.2 All councils who responded are proposing to recognise the bank holiday, with the majority either proposing to pay staff who are required to work on 8 May with an additional day's leave and enhancement or additional days leave without enhancement.

Designation: Chief Executive

Date: 10.02.23

Author: Elaine Barrie, Acting Head of People

Background Papers: