

**South Ayrshire Council**

**Report by Chief Executive  
to Cabinet  
of 27 September 2022**

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**Subject: Additional Public Holiday**

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**1. Purpose**

- 1.1 The purpose of this report is to advise Cabinet of the decision of the UK Government to announce an additional one-off holiday on 19 September 2022 to allow businesses and other organisations to pay their respects to Her Majesty and commemorate her reign, while marking the final day of the period of national mourning and the date of the Queen's State Funeral.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 approves an additional public holiday on Friday 23 December 2022; and**
- 2.1.2 agrees that the required funds are drawn from uncommitted reserves if costs cannot be absorbed by services.**

**3. Background**

- 3.1 The UK Government has announced an additional one-off holiday on 19 September 2022 to allow businesses and other organisations to pay their respects to Her Majesty and commemorate Her reign, while marking the final day of the period of national mourning and the date of the Queen's State Funeral.
- 3.2 The Scottish Government advises that schools and other settings across Scotland that would normally be closed on a bank holiday should close on that day as a mark of respect.
- 3.3 COSLA sought clear and consistent advice to be provided to local government but SG have been clear that it should remain a matter for local discretion. Human Resource Advice (HRA) has been provided by the Society of Personnel & Development Scotland
- 3.4 The HRA confirms that Councils that choose to recognise the event may do so by granting either an additional bank holiday or an additional day of annual leave. If a bank holiday is awarded anyone required to work on 19 September 2022 should be recompensed in accordance with the relevant local arrangements in place for bank holiday working. If an additional day of annual leave is awarded employees required

to work on 19 September 2022 will be entitled recompense in accordance with the relevant local practice.

3.5 If a Council already has 19 September 2022 as a local public holiday, and it intends to close on that day it will need to decide whether an additional public holiday, an additional day of flexible leave, or no adjustment to holiday entitlement is required.

3.6 South Ayrshire, like most other Councils, has published school holidays for 2022, which include 19 September 2022. Regulation 5 of the Schools General (Scotland) Regulations 1975 which requires authorities to secure that schools are open for 190 school days, an application for exemption from this requirement would require to be submitted should an additional days leave be granted

3.7 For the provision of Early Learning and Childcare, the statutory obligation to provide 1140 hours over the course of the year remains in place and authorities should consider this in their decisions around closures of LA estate. The 1140 hours statutory duty is applied over the course of a year and there are no requirements in the legislation for services to be open or otherwise on a particular day. Local authorities should consider how all their services are provided over public holidays and the decision over how to approach the public holiday for ELC services is at local authority discretion.

#### **4. Proposals**

4.1 It is proposed that Cabinet grants an additional public holiday on Friday 23 December 2022 for all Council employees.

4.2 If the proposals above are approved, the Service Lead – Education Support Services will progress the exceptional closure request.

4.3 It is proposed that any costs which cannot be absorbed by services will be met from uncommitted reserves.

#### **5. Legal and Procurement Implications**

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

#### **6. Financial Implications**

6.1 The main impact associated with the additional public holiday will centre on lost productivity for the majority of services.

6.2 The requirement to maintain certain services and therefore employees continuing to work on 23 December 2022 will cost approximately £83,000 for cover costs of time off in lieu.

#### **7. Human Resources Implication**

7.1 Not applicable.

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## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 There are no risks associated with rejecting the recommendations.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 1](#).

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitment 1 of the Council Plan: Fair and Effective Leadership/ Leadership that promotes fairness.

## **13. Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Martin Dowey, Portfolio Holder for Corporate and Strategic, and Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

13.3 Trade Unions have been consulted on this proposal and are supportive of a proposal to grant an additional days leave but have differing views on when the additional day should be taken.

## **14. Next Steps for Decision Tracking Purposes**

14.1 If the recommendations above are approved by Members, the Chief Executive will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b><i>Implementation</i></b>	<b><i>Due date</i></b>	<b><i>Managed by</i></b>
Make the necessary arrangements to communicate and implement the additional public holiday on 23 December 2022	30 September 2022	Chief HR Adviser

**Background Papers**    **None**

**Person to Contact**    **Wendy Wesson, Chief HR Adviser**  
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**Date:**    **21 September 2022**

**South Ayrshire Council  
 Equality Impact Assessment  
 Scoping Template**

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

**1. Policy details**

Policy Title	Additional Public Holiday
Lead Officer (Name/Position/Email)	Eileen Howat, Chief Executive Eileen.howat@south-ayrshire.gov.uk

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	-	-

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e. parent's education, employment and income	-	-

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

General Duty and other Equality Themes Consider the 'Three Key Needs' of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
<b>Eliminate unlawful discrimination, harassment and victimisation</b>	Low impact
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	Low impact
<b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low impact
Increase participation of particular communities or groups in public life	Low impact
Improve the health and wellbeing of particular communities or groups	Low impact
Promote the human rights of particular communities or groups	Low impact
Tackle deprivation faced by particular communities or groups	Low impact

**5. Summary Assessment**

Is a full Equality Impact Assessment required?	<input checked="" type="checkbox"/> <b>YES</b>
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(A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<b>NO</b>
<b>Rationale for decision:</b>  <b>This report impacts on staff in a positive way. The requested decision on this has no specific equality implications</b>	
<b>Signed:</b> Eileen Howat - Chief Executive <b>Date:</b> 13 September 2022	