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**Report to Clackmannanshire Council**

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**Date of Meeting: 6 October 2022**

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**Subject: Closure of Council on 19 September 2022**

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**Report by: Strategic Director – Partnership and Performance**

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**1.0 Purpose**

- 1.1. This paper invites Council to note that with the exception of emergency service provision, the Council closed on Monday 19 September 2022 to allow staff to mark the funeral of the Her Majesty Queen Elizabeth II.

**2.0 Recommendations**

Council are invited to:

- (i) **Note** that, as part of the accession ceremony, His Majesty King Charles III designated Monday 19 September 2022 a Bank Holiday in Scotland.
- (ii) **Note** that Human Resource Advice Note HRA 22-09 SPDS issued by the employers function of CoSLA advised that Councils that chose to recognise the event could do so by granting either an additional bank holiday or an additional day of annual leave.
- (iii) **Note** that to formally approve a bank holiday a special meeting of Council would have been required.
- (iv) **Note** that an additional day of annual leave was granted by the Chief Executive, under delegated authority, in consultation with the Council Leaders, Leaders of the Labour and Conservative Groups and Councillor Quinn, as the Council's Green Party representative, to allow staff, on the day of Her Majesty Queen Elizabeth II state funeral, to pay their respects.
- (v) **Note** a pro-rata leave entitlement will be given to those staff that do not work on a Monday.
- (vi) **Note** that where staff were required to undertake work no enhancement was given as the day was not formally designated a public holiday however staff who were required to work will be able to take the equivalent time back within the leave year.

- (i) **Note** the guidance issued by Scottish Government related to schools and early learning and childcare settings (paragraph 3.5)
- (ii) **Note** the exemption from the statutory requirement to provide 190 days of schooling. (paragraph 3.6)
- (iii) **Note** the provision related to 1140 Hours (paragraph 3.8) and that Education colleagues will offer the time to ELC on an alternative date, at the parents/carers request.
- (iv) **Note** that those families who are entitled to free school meals will receive a payment to their bank account for this day.
- (v) **Note** that adjustments to leave entitlement will be made by the Council's HR team.

### 3.0 Considerations

- 3.1. Her Majesty Queen Elizabeth II was the longest serving British Monarch having reigned for over 70 years.
- 3.2. The Country celebrated the Platinum Jubilee in June 2022 and in September we, as a nation, mourned the Loss of Her Majesty Queen Elizabeth II.
- 3.3. Each local council in Scotland has powers to make certain days 'local' public holidays.
- 3.4. As an employer we are not required to give paid leave on bank holidays however the Council does recognise 7 fixed paid public holidays which are contained with the terms and conditions of staff. These are:

New Year	01 and 02 <sup>nd</sup> January
Easter	Good Friday and Easter Monday
May	First Monday in May
Christmas	25 <sup>th</sup> and 26 <sup>th</sup> December

- 3.5. The Scottish Government advised that schools and other settings across Scotland that would normally have been closed on a bank holiday should close on that day as mark of respect.
- 3.6. Scottish Government advised that authorities could apply for an exemption from the requirement to provide 190 days of schooling for the schools in their area.

- 3.7. The People Directorate made application, and were granted, exemption to provide 190 days of schooling in order to allow closure of Schools etc.
- 3.8. Scottish Government indicated there remains a requirement for parents to be entitled to 1140 hours of child care.
- 3.9. The Council's Senior Manager – HR and Workforce Development engaged with the JTUC Branch Secretary to inform and discuss matters relating to the additional day of annual leave.

**4.0 Sustainability Implications**

- 4.1. None

**5.0 Resource Implications**

*5.1. Financial Details*

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

*5.4. Staffing*

*None*

**6.0 Exempt Reports**

- 6.1. Is this report exempt?    Yes  (please detail the reasons for exemption below)    No

**7.0 Declarations**

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box )

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

**8.0 Equalities Impact**

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

**9.0 Legality**

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**10.0 Appendices**

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

**11.0 Background Papers**

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

**Author(s)**

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**Approved by**

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director – Partnership and Performance	