

EAST AYRSHIRE COUNCIL

**JOINT NEGOTIATING COMMITTEE FOR TEACHERS (JNCT)
5 OCTOBER 2011**

ROYAL JUBILEE HOLIDAY

Report by Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to recommend to the Joint Negotiating Committee arrangements to mark the Queen's Diamond Jubilee celebrations, Tuesday 5 June 2012 by designating that day as an additional holiday and exceptional school closure of all educational establishments.

2. BACKGROUND

- 2.1 The UK Government and Scottish Government have announced that an additional bank holiday will take place on Tuesday 5 June 2012 to mark the Queen's Diamond Jubilee celebrations.
- 2.2 One-off holidays of this nature have previously been agreed and Cabinet at its meeting on 23 February 2011 recommended the proposal that, to celebrate the wedding of His Royal Highness Prince William and Miss Catherine Middleton, Friday 29 April 2011 be designated as an additional holiday for all Council employees. All school establishments were closed on that day.
- 2.3 The UK Government and Scottish Government have also announced that the late May bank holiday will be moved to Monday 4 June 2012. There is no impact on the Council of this announcement as the late May bank holiday is not one of the 12 public holidays recognised by the Council.

3. CONTRACTUAL POSITION

- 3.1 Holiday entitlement in the UK is regulated by the Working Time Regulations 1998 which entitle all workers to 5.6 weeks of paid annual leave capped at a maximum of 28 days.
- 3.2 There is no statutory right to take public holidays and whether or not a worker is entitled to be off work on a public holiday is a matter determined by the contract between the employer and the worker.
- 3.3 Public holidays are included in Teachers' annual leave entitlement.
- 3.4 There is no contractual entitlement to the additional day for East Ayrshire Council employees.

4. SCHOOL ISSUES

- 4.1 Under section 133 of the Education (Scotland) Act 1980, Councils are required to seek Ministers' consent for exceptional closure of schools. Ministers will then consider whether to temporarily suspend Regulation 5 of the Schools General (Scotland) Regulations 1975, as amended, which requires schools to be open for at least 190 days per school year.
- 4.3 The Scottish Ministers have approved the application from the Executive Director of Educational and Social Services to allow the exceptional school closure of all schools in East Ayrshire on 5 June 2012, the day of the Queen's Diamond Jubilee celebrations.

5. PROPOSAL

- 5.1 Having regard to the contractual position outlined above and the Council's previous decision regarding the wedding of His Royal Highness Prince William and Miss Catherine Middleton, the Joint Negotiating Committee is asked to agree that Tuesday 5 June 2012 be designated as an additional holiday for all teaching staff and note the closure of all educational establishments on 5 June 2012.
- 5.2 Cabinet at its meeting on 12 October 2011 is being asked to recommend the proposal that, Tuesday 5 June 2012 be designated as an additional holiday for all Council employees taking into account the decision of the East Ayrshire Council Joint Negotiating Committee for Teachers on the Royal Jubilee Holiday in respect of teaching staff.

6. COMMUNICATIONS

- 6.1 A relevant PER Circular will be issued advising that Tuesday 5 June 2012 has been designated as an additional holiday for all employees.
- 6.2 The Executive Director of Educational and Social Services will advise Head Teachers, Parent Councils, pupils, parents and school transport providers etc of the closure of all educational establishments on 5 June 2012.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no costs arising from the proposal to grant an additional holiday on Tuesday 5 June 2012.

8. POLICY/LEGAL IMPLICATIONS

- 8.1 There are no policy or legal implications arising from the content of this report.

9. RECOMMENDATIONS

9.1 The Joint Negotiating Committee is recommended to:

- (i) agree that Tuesday 5 June 2012 be designated as an additional holiday for all teaching staff; and
- (ii) note the closure of all educational establishments on 5 June 2012.

Graham Short
Executive Director of Educational and Social Services
26 September 2011

LIST OF BACKGROUND PAPERS

1. UK Government and Scottish Government announcements on the Royal Jubilee
2. Correspondence from the Scottish Ministers approving the closure of all Council educational establishments on 5 June 2012.

Any person wishing further information should contact Andrew Sutherland, Head of Service: Schools (Telephone 01563 576126).