

REPORT TO: East Lothian Council

MEETING DATE: 29 October 2019

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: VE Day – 75th Anniversary

1 PURPOSE

- 1.1 To inform Council of the UK Government's decision to change the date of the May bank holiday to mark the 75th anniversary of VE Day;
- 1.2 To inform Council of the options open to it as to how to Mark VE Day;
- 1.3 To inform Council of the implications and steps that require to be taken in respect of each option in order to enable Council to make a decision

2 RECOMMENDATIONS

- 2.1 That Council considers the options set out in 3.4 and agrees one of those options.
- 2.2 That, whichever of options A, B, C, D or E is agreed, a report is prepared for the next meeting of the Education Committee to reflect Council's decision on the arrangements for the May holiday as schools already have a scheduled holiday on Monday 4 May and the term dates have been published.

3 BACKGROUND

- 3.1 The UK Government has approved a change to the date of next year's early May bank holiday from Monday 4 May to Friday 8 May 2020 to mark the 75th anniversary of VE Day.
- 3.2 8 May 1945 was the day that peace was declared in Europe after nearly six years of war and the 75th anniversary on 8 May 2020 represents an important milestone in the history of the UK. National celebrations of VE Day 75 are being led by the Pageantmaster with three days of

commemorations planned throughout the UK from Friday 8 May to Sunday 10 May 2020.

3.3 Unlike many other councils, East Lothian Council does not have a universal fixed holiday in May so there is no opportunity to move any existing May holiday for all staff. Schools are in a different position as the Education Service has already published term times for East Lothian Schools for 2019/20 showing a range of holidays including Monday 4 May. Schools are therefore in a position to swap the existing holiday on 4 May for Friday 8 May.

3.4 It is felt important that the Council should mark the occasion and there are therefore a number of options for Council to consider each with its own implications:

A. Move the school holiday from Monday 4 May to Friday 8 May and look sympathetically on requests for leave/flexi for those members of staff that do not work in schools who wish to take the day off to mark the occasion. This option would align schools with the SQA examination timetable that has now fixed Higher and Advanced Higher English exams for Monday 4 May. No exams have been fixed for Friday 8 May. This change would require formal approval through the normal approval process for school holidays as school term dates for 2019/20 have already been approved and published but it would have no direct impact on the 195 school working days. This option would be relatively cost neutral as for schools it swaps one holiday for another as anticipated by UK Government. There would be no change for staff not employed in schools.

B. Move the scheduled school holiday on 4 May to 8 May and, for staff not based in schools, move the fixed public holiday that would normally be granted on Friday 18 September 2020 to 8 May. As with option A, this option would be relatively cost neutral as it swaps one fixed public holiday for another, this time for all staff. This is the option proposed by the UK Government and it has already been adopted by a number of councils. It resolves the SQA examination issue. The fixed annual leave days for 2020 for staff not employed in schools are agreed annually with the Trades Unions and as these have not yet been agreed, an opportunity exists to move the September fixed holiday to May. For staff not based in schools there may be implications for some who have already booked holidays in September 2020 who may then be required to use annual leave or flexi time as a result of moving the fixed September holiday. It is not thought that many staff would be negatively impacted in this way and they would have a year in which to make any alternative arrangements.

C. Move the school holiday from Monday 4 May to Friday 8 May and grant all non-school based staff an additional day's annual leave on Friday 8 May. This option will have cost and service delivery implications. The additional cost is estimated at £30,000. There would be no additional payment for school based staff and no enhanced payments

would be made to other staff. The school calendar would have to be adjusted as in A and B. Those employees not based in schools who deliver essential services on 8 May will require an additional day's leave at a later date that will require to be covered potentially incurring overtime payments. Part-time employees not due to work on 8 May would be entitled to pro rata time off at a later date. This would, however, mean that teachers and other school-based term-time staff such as business support, janitors, cleaners etc. would not benefit from the extra holiday and it might therefore lead to parity issues being raised.

- D. Grant an additional public holiday for all staff on 8 May 2020. This option would incur considerable cost both direct and indirect and will have service delivery implications. Should Council agree this option, permission will require to be obtained from the Scottish Government to reduce the number of school days by a further one day for the 2019/20 session. The pupil year has already been reduced from 190 days to 188 to accommodate an additional two in-service days. It is not known whether the request will be granted or how long that process would take. Soundings have been taken from Scottish Government and it has indicated that its permission may be difficult to obtain and would only be granted on the basis of the educational benefit of allowing an additional day off. There would also have to be consultation with parents and the schools before granting any additional holiday as it is important to balance any educational benefit against the additional burden placed on working parents in respect of child care. There are implications for members of the public as only essential services would be available on 8 May 2020. Costs to the Council will potentially include paying enhanced payments and/or time off in lieu at a later date. The costs for such payments are estimated to be in the region of £60,000. Any employees delivering essential services would receive enhanced payments or time off in lieu at a later date. In addition there are many hidden costs involved in catching up on the work normally undertaken on the day that will range from extra hours that have to be worked for those inputting data to arranging additional waste collections etc. There may be implications for shift workers as changes will be required to shift patterns to accommodate the additional holiday. This may have impact on the holiday plans of some individuals.
- E. Recognise 8 May 2020 as an additional one-off leave day. As with options C and D there would be cost and service delivery implications although this would be less costly than D as the Council would not pay public holiday enhanced pay. Permission would still have to be sought from Scottish Government for exceptional closure of the schools. The school calendar would also have to be adjusted accordingly. Those employees delivering essential services will require an additional day's leave at a later date that will require to be covered potentially incurring overtime payments. Part-time employees not due to work on 8 May would be entitled to pro rata time off at a later date. An estimated allowance for these costs is approximately £45,000. Similar to option

C there will be some extra hidden cost in certain processing teams who will have an extra days work with which to catch up.

- 3.5 On benchmarking with other councils, thirteen responses were received. Although not all of the responding councils have made a final decision, nine have indicated that they propose to move an existing public holiday from 4 May to 8 May, three have decided not to mark the date mainly because they do not have any fixed holidays and one has taken the decision to grant an additional days leave. The council that granted the additional day's holiday did so before the decision was taken by the SQA to fix examinations on 4 May.
- 3.6 The trades unions have been consulted. The EIS has responded to the effect that it supports the holiday on 4 May being moved to 8 May for schools, options A and B. It does not support retaining the existing holiday on 4 May as it feels that it would be unrealistic to open schools for the examination asking staff to provide support and cover for those. It would prefer that 4 May remains a normal working day and did not support options D and E. UNISON has indicated that it is not supportive of option B and that its preferred option would be option D.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy

6 RESOURCE IMPLICATIONS

- 6.1 Financial – Potentially up to £60,000 to be found from within existing budgets depending on the option decided upon. If options D or E are approved that would also incur the additional cost of opening the Secondary Schools on Monday 4 May, providing teaching and support staff to enable students to undertake the Higher and Advanced Higher English examinations and to invigilate during the examinations.
- 6.2 Personnel - There may be some issues around shorter working days and changed shift patterns caused by granting any additional public holiday or fixed day annual leave. Some school staff may not be prepared to work on Monday 4th May to cover the examinations
- 6.3 Other - None

7 BACKGROUND PAPERS

7.1 East Lothian Council Leave Policy (June 2008)

https://intranet.eastlothian.gov.uk/downloads/file/282/leave_policy

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DATE	29 August 2019