

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services Committee
DATE	24 January 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Coronation of King Charles III Public Holiday
REPORT NUMBER	CFS/23/037
DIRECTOR	Eleanor Sheppard
CHIEF OFFICER	Shona Milne
REPORT AUTHOR	Shona Milne
TERMS OF REFERENCE	1.1.1

1. PURPOSE OF REPORT

- 1.1 For the Chief Education Officer to seek authority to apply to the Scottish Government for an additional closure day to mark the celebration of the coronation of His Majesty King Charles III subject to the decision taken at the Staff Governance Committee on 30th January 2023.

2. RECOMMENDATION

- 2.1 That the Committee delegate authority to the Chief Education Officer to make a formal request to Scottish Government for an additional closure day on 8 May 2023, subject to approval of an additional public holiday for staff at the Staff Governance Committee on 30th January 2023.

3. CURRENT SITUATION

- 3.1 The UK and Scottish Governments have announced that there will be an extended long weekend in May 2023 to mark the King's coronation.
- 3.2 The Scottish Government acknowledges that it is for each local authority to determine which dates will be classed as public holidays.
- 3.3 The Scottish Government has expressed their view that it is important that families in Scotland are also able to participate in the Coronation celebrations.
- 3.4 ACC recognises 7 public holidays; for the majority of staff, these fall on Good Friday, May Day, Christmas Day, Boxing Day, Hogmanay, New Year's Day and 2nd January, with days being substituted where a public holiday falls on a weekend day. Craft workers do not have a public holiday on Good Friday, and instead have an Autumn holiday on the 4th Monday of September. The rest of the public holidays are the same as for other employees.
- 3.5 On 30th January the Staff Governance Committee will consider whether to grant an additional closure day to mark the occasion on the 8th May 2023.

- 3.7 Regulation 5 of the Schools General (Scotland) Regulations 1975, as amended, requires schools to be open for a minimum of 190 days in a school year. However, Section 133 (4) of the Education (Scotland) Act 1980 allows Scottish Ministers, on application; to modify this regulation providing they are satisfied that it would be unreasonable for Regulation 5 to apply, or to apply without modification.
- 3.8 Education authorities are therefore requested to apply for an exemption in order that schools can close. The decision taken at the Staff Governance Committee may result in the need to apply for an exemption for an additional closure day. The granting of an exemption would allow children, young people and families to be advised of the additional closure day at the earliest opportunity.
- 3.9 It is proposed that the Chief Education Officer be given delegated authority to apply for this exemption to mark the celebration of the coronation of His Majesty King Charles III if an additional public holiday on 8 May 2023 is agreed by Staff Governance Committee at its meeting on 30th January.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications

5. LEGAL IMPLICATIONS

- 5.1 Regulation 5 of the Schools General (Scotland) Regulations 1975, as amended, requires schools to be open for a minimum of 190 days in a school year. However, section 133(4) of the Education (Scotland) Act 1980 allows Scottish Ministers, on application by a local authority, to modify this requirement providing they are satisfied that it would be unreasonable for Regulation 5 to apply.
- 5.2 The Scottish Government have opted not to put in place an additional day of school closure to celebrate the coronation. They have indicated that if an additional public holiday or leave day would cause a reduction in teaching days, a council will require to seek permission for this from the Scottish Government Learning Directorate through an e-mail request, in accordance with the statutory provisions noted in paragraph 5.1. This was addressed in a letter sent from the Learning Directorate to Directors of Education on 9/12/22. This letter can be found as appendix 1 to this report.
- 5.3 The Scottish Government has confirmed in the letter of 9/12/22 that the SQA exams timetabled to take place on 8th May 2023 will be moved to another date.

6. RISK

Category	Risk	Primary Controls/Control Actions to achieve Target Risk Level	Target Risk Level (L, M or H)	Does Target Risk Level Match Appetite Set?
Strategic Risk	None identified			
Compliance	None identified			
Operational	There is a risk that service users will not be able to access the services they require due to the additional holiday	Normal public holiday service delivery levels will be applied in all essential service areas	L	Yes
Financial	There is an additional cost in respect of paying enhanced public holiday rates for staff working on the public holiday	Staffing levels will be the minimum to allow for safe service delivery	L	Yes
Reputational	None identified			
Environment / Climate	None identified			

7. OUTCOMES

7.1 The proposals in this report have no impact on the Council Delivery Plan.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

N/A

10. REPORT AUTHOR CONTACT DETAILS

Name	Eleanor Sheppard
Title	Interim Director Children and Family Services
Email Address	esheppard@aberdeencity.gov.uk
Tel	01224 522707

T: 0131 244 0132
E: sam.anson@gov.scot

Directors of Education

9 December 2022

Dear Colleague,

KING CHARLES III CORONATION – 8 MAY 2023

You will be aware that His Majesty King Charles III will celebrate His Coronation in May next year.

The First Minister has confirmed, along with the other nations of the United Kingdom, the introduction of a Bank Holiday to mark the celebration of His Majesty's Coronation. In relation to schools in Scotland, Ministers have confirmed their view that it is important that families in Scotland are also able to participate in the Coronation celebrations next year and is supportive of these days being taken as school holidays.

If your local authority intends to close public schools in its area on 8 May 2023 to mark His Majesty's Coronation, such closures might result in a breach of the requirement in Regulation 5 of the Schools General (Scotland) Regulations 1975 (which requires authorities to secure that schools are open for 190 school days in every school year). Where this would be the case, an application for a direction under section 133(4) of the Education (Scotland) Act 1980 exempting your authority from that requirement to the necessary extent should be submitted to exceptionalclosure@gov.scot.

We are conscious that SQA exams were scheduled to take place on this date. In light of the announced public holiday, no exams will now take place on 8 May. SQA has engaged with partners in finalising where the relevant exams should be moved within the existing timetable, and will be informing centres of the finalised arrangements shortly.

With regard to early learning and childcare (ELC), the decision on how to approach the public holiday is at local authority discretion and Local Authorities should consider how their services are provided in line with the statutory obligation to provide 1140 hours of funded ELC over the course of the year.

If you have any further comments or concerns please feel free to contact me.

Sam Anson
Deputy Director: Workforce, Infrastructure and Digital

Cidhe Bhictòria, Dùn Èideann, EH6 6QQ
Victoria Quay, Edinburgh EH6 6QQ
www.gov.scot

