

COUNCIL NEWS

MAY 2023

Avoiding Bank Holiday Chaos!

Most Councils are now probably aware that there are 10 Bank Holidays in 2023/24, due to the Coronation on the 8th May and Good Friday falling on the 29th March 2024, but only 7 Bank Holidays in 2024/25.

Councils will need to check what their Employment Contracts say in terms of Bank Holiday entitlement to address any potential confusion. There are two common options:

1 The NALC template states as follows:

You are entitled, in addition to the normal bank and public holidays, to 23 working days' leave in each leave year (pro rata for part time employees). In addition to normal bank and public holidays, you will be entitled to two extra statutory days.

Although some may question whether or not the Coronation Bank Holiday on the 8th May fits the definition of a 'normal' Bank Holiday, most Councils are treating them all the same and will expect to be closed on this date.

This means that the Full Time holiday entitlement for 2023/24 will be 23 days plus 10 Bank Holidays, plus the 2 statutory days, which amounts to 35 days, or 7 weeks.

So what happens in 2024/25? Full Time entitlement would be 23 days plus 7 Bank Holidays, plus the 2 statutory days, which amounts to 32 days, or 6.4 weeks. Although there are three less days in 2024/25 however this is still within the contractual entitlement, and above the statutory minimum provided by the Working Time Regulations.

2 Some Councils have Employment Contracts that state Employees are only entitled to 8 Bank Holidays per annum. There contracts may say something along the following lines:

You are entitled to 8 bank and public holidays, plus 23 working days' leave in each leave year (pro rata for part time employees). In addition to normal bank and public holidays, you will be entitled to two extra statutory days.

In this case Employees have no automatic right to the additional two Bank Holidays in 2023/24, and could be required to work. However in our experience, most will want to close, and treat the 8th May and 29th March as holidays. In which case they need to put their staff on notice that the Council is taking two days of their annual leave entitlement and allocating them to these two dates.

As a result staff would have two less days from their leave entitlement to request holiday. The notice period has to be twice as long as the amount of leave they have to take. So if a Council wants staff to include the Coronation on the 8th May as part of their leave entitlement, they need to give their workforce two days prior notice.

Statutory Payment Rates from April 2023

Shared Parental Pay (ShPP)	
Statutory rate of £172.48 or 90% of employee's weekly earnings if lower.	
Maternity Pay (SMP)	
6 weeks at 90% of average weekly earnings. Then statutory rate of £172.48 or 90% of employee's weekly earnings if lower.	
Adoption Pay (SAP)	
6 weeks at 90% of average weekly earnings. Then statutory rate of £172.48 or 90% of employee's weekly earnings if lower.	
Paternity Pay (SPP)	
Statutory rate of £172.48 or 90% of employee's weekly earnings if lower.	
Parental Bereavement Pay (SPBP)	
Statutory rate of £172.48 or 90% of employee's weekly earnings if lower.	
Statutory Sick Pay (SSP)	
£109.40 pw for 28 weeks subject to earnings (average £123 per week)	
Minimum Wage from April 2023	
Workers aged 23 and over (National Living Wage)	£10.42/hour
Workers aged 21–22	£10.18/hour
Workers aged 18–20	£7.49/hour
Workers aged 16-17	£5.28/hour
Apprentices under 19, or over 19 and in first year	£5.28/hour