



St Andrew's Day: A National Holiday

Public Consultation

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Contents

1	INTRODUCTION	2
2	THE HISTORY AND STATUS OF BANK HOLIDAYS	3
3	AN INTERNATIONAL COMPARISON	5
4	THE CASE FOR AN ADDITIONAL BANK HOLIDAY	8
5	WHY ST ANDREW'S DAY?	10
6	A CELEBRATION OF SCOTLAND'S DIVERSITY	12
7	THE EXACT DATE OF THE PROPOSED BANK HOLIDAY	13
8	CONCLUSION AND HOW TO RESPOND	14
9	QUESTIONS	15
10	DISTRIBUTION LIST	16

List of Tables

Table 1: Current Bank Holidays in the UK	4
Table 2: Public Holidays in the European Union	5

1 Introduction

Dennis Canavan, Member of the Scottish Parliament for Falkirk West, intends to introduce a Bill in the Scottish Parliament to establish a St Andrew's Day Bank Holiday in Scotland.

This consultation paper gives some information about the proposal and seeks your views on it. After reading this paper, you are invited to respond to a series of questions and your views will be considered as part of the public consultation process on the proposed Bill.

The purpose of the Bill is to designate St Andrew's Day (or an alternative day around 30 November) as a Bank Holiday so that St Andrew's Day can be recognised as Scotland's National Day and a celebration of Scotland's multi-cultural and multi-ethnic traditions.

There is no legal definition of public holiday in Scotland. Some public holidays are based on local traditions and vary considerably from one part of Scotland to another. However, bank holidays are designated in the Banking and Financial Dealings Act 1971 and, under the Scotland Act 1998, the Scottish Parliament has the right to amend the 1971 Act in order to create an additional bank holiday.

Currently, a disparate arrangement exists throughout Scotland where some employers, such as the Scottish Parliament, include St Andrew's Day in their staff holiday entitlement. For some, therefore, St Andrew's Day is already recognised as worthy of celebration as a holiday and the aim of the Bill is to expand such sporadic recognition so that St Andrew's Day becomes a day of national celebration.

2 The history and status of bank holidays

Bank holidays are days on which banks may close for business and legislative provision allows for certain payments to be deferred until the next appropriate working day. Although the law does not oblige employers to give employees a holiday on bank holidays, they have become so widely observed in the UK that terms and conditions of employment commonly include entitlement to a holiday on those days.

Legislative provision for bank holidays originates from the 1871 Bank Holidays Act, which designated named days on which banking transactions could be suspended without penalty.

The UK precedent for a bank holiday in recognition of a patron saint is found in Northern Ireland where, by a special Act of Parliament in 1903, St Patrick's Day (17 March) was added to the list of bank holidays. It is also interesting that, in 1926, Northern Ireland introduced a further bank holiday on 12 July to commemorate the 1690 Battle of the Boyne. To this day, Northern Ireland has two more bank holidays than other parts of the United Kingdom.

The provisions of the 1871 Act were eventually repealed and incorporated into the Banking and Financial Dealings Act 1971, which remains the statutory basis for bank holidays today. However, a number of changes have been instigated in the interim:

- **1971** - Whit Monday in England, Wales and Northern Ireland (which could fall anywhere between 11 May and 14 June) was formally replaced by a fixed spring holiday on the last Monday in May. The last Monday in August was formally made a bank holiday in place of the first Monday in August in England, Wales and Northern Ireland.
- **1973** - 2 January was created an additional bank holiday in Scotland by the 1971 Act, coming into effect in 1973.

- **1974** - New Year's Day became an additional bank holiday in England, Wales and Northern Ireland, and Boxing Day became an additional bank holiday in Scotland.
- **1978** - the first Monday in May in England, Wales and Northern Ireland, and the last Monday in May in Scotland, became additional bank holidays.

There are currently 8 permanent bank holidays in Scotland, England and Wales and 10 in Northern Ireland:

Table 1: Current Bank Holidays in the UK

Scotland	England & Wales	Northern Ireland
New Year's Day (or substitute day in lieu)	<i>New Year's Day (or substitute day in lieu)</i>	<i>New Year's Day (or substitute day in lieu)</i>
2 January (or substitute day in lieu)	Good Friday	St Patrick's Day
Good Friday	Easter Monday	Good Friday
Early May Bank Holiday	<i>Early May Bank Holiday</i>	Easter Monday
<i>Spring Bank Holiday</i>	Spring Bank Holiday	<i>Early May Bank Holiday</i>
Summer Bank Holiday	Summer Bank Holiday	Spring Bank Holiday
Christmas Day (or substitute day in lieu)	Christmas Day (or substitute day in lieu)	<i>Battle of the Boyne (Orangemen's Day)</i>
<i>Boxing Day (or substitute day in lieu)</i>	Boxing Day (or substitute day in lieu)	Summer Bank Holiday
		Christmas Day (or substitute day in lieu)
		Boxing Day (or substitute day in lieu)

Holidays in italics are in addition to those established by the original statute and are proclaimed annually by the Queen or Secretary of State for Northern Ireland.

Sources: www.dti.gov.uk/er/bankhol.htm & www.scotland.gov.uk/library3/employment/bankhol.pdf

3 An international comparison

UK employees often complain that they have fewer public holidays than their European Union (EU) colleagues and, from the evidence in Table 2, it would appear to be a valid complaint. In addition to the number of days shown in the table, it should be noted that, in some countries, there are regional variations. However, in terms of the number of official public holidays, Table 2 highlights the lack of parity across the recently expanded EU.

Table 2: Public Holidays in the European Union

Austria	14	Latvia	10
Belgium	11	Lithuania	9
Cyprus	15	Luxembourg	10-12 ¹
Czech Republic	12	Malta	14
Denmark	12	Netherlands	10
Estonia	9	Poland	10
Finland	14	Portugal	13
France	11	Slovak Republic	15
Germany	9-14 ¹	Slovenia	14
Greece	12	Spain	12
Hungary	12	Sweden	12-14 ²
Ireland	10	UK	8-10 ³
Italy	12	EU average	12

*1. Regional variations. 2. Includes half-days. 3. 10 holidays in Northern Ireland
Sources: www.incomesdata.co.uk & www.columbusguides.com*

It is significant that the UK lies at the bottom of the league in terms of officially designated public holidays and is well below the EU average.

The debate surrounding working hours and holiday entitlement in the UK has been going on for some time. Media speculation in the lead-up to the 2001 General Election suggested that the Labour Party might include in its manifesto a commitment to increase public holidays. This arose from John Prescott, Deputy Prime Minister, commenting on national television that employees in the UK worked too many hours and agreed that, compared with the rest of Europe, there was an argument for a further

bank holiday¹. This view was echoed by Michael Jacobs, past General Secretary of the Fabian Society, who claims that UK workers work longer hours than those in any other European country, and that working hours have been rising for many UK workers over the last decade².

An examination of national holidays across Europe provides an interesting picture where 43 of the 46 countries considered as comprising the continent of Europe, that is, 93.5 *per cent*, have an officially designated 'National Day' holiday. This may be referred to simply as *National Day* or, in some cases, *Liberation Day* or *Independence Day*. In some of those countries, the national day holiday is connected with a significant historical event associated with the celebration of patriotism or freedom, such as *Bastille Day* in France, *Unification Day* in Bulgaria, *October Revolution Day* in Belarus and the *Anniversary of the Slovak Uprising Day* in Slovakia. Over three-quarters of EU countries have a public holiday on either a specific saint's day and/or on All Saints' Day (1 November).

An even more emphatic picture emerges from an examination of the practice in North and South America where 100 *per cent* of the constituent countries have a National Day holiday (e.g. Independence Day on 4 July in the USA) and, in all but five of them, additional holidays to commemorate significant events in their history, including: battles (Paraguay), emancipation (Bermuda), revolutions (Mexico) and the abolition of slavery (Surinam), as well as various saints' days. Almost equally high in proportion are Africa, the Middle East, Asia and India where 95-100 *per cent* of constituent countries have a National Day holiday.

¹ <http://news.bbc.co.uk/1/hi/wales/1278988.stm>, *St David's Day Holiday Boost*, 15/04/01, (accessed July 2004)

² Jacobs, M. (2001) *Another Bank Holiday!* Fabian Society

In addition to holidays celebrating nationhood, many countries throughout the world have established national holidays in celebration of a variety of themes. Japan, for example, has several days of national celebration, including Health & Sports Day, Culture Day, Children's Day and Respect for the Aged Day³.

³ (www.columbusguides.com).

4 The case for an additional bank holiday

There are compelling arguments for increasing the number of public holidays in the UK in line with the EU average. The detrimental effect of long working hours can lead to high levels of stress, depression and other forms of ill health, as well as placing additional pressure on family life. Even in terms of efficiency at the work place, all employees need a reasonable degree of leisure time in order to re-charge their batteries.

Opponents might argue that a reduction in working hours is already possible through voluntary agreement with individual employers or even via collective bargaining in respect of holiday allowances. However, it is not always a straightforward process to reduce working hours through voluntary agreement. Unfortunately, long working hours are very much a part of the culture and ethos of many organisations in the UK and advocating a reduction in working hours may not be conducive to career advancement. In addition, some employers are unlikely to provide more holidays or offer shorter working hours if they fear it will result in a loss of competitive advantage.

Some employers, such as the Scottish Parliament, have already introduced a St Andrew's Day holiday for their employees but the practice is not common and other workers may feel that they should have a similar entitlement.

Some members of the business community may argue against additional bank holidays, claiming that any increase in statutory holidays will result in a decrease in national productivity and competitiveness. However, as has already been pointed out, most of our European competitors have more public holidays than us and there is no evidence of a resultant drop

in their ability to compete. On the contrary, more rest and recreation time may help to increase productivity through a more effective workforce and a reduction in work days lost because of stress-related illness.

Lord Macfarlane of Bearsden, who is widely respected for his business experience, has indicated that he sees 'enormous potential' in having a national day holiday on St Andrew's Day which could be celebrated with a much higher profile than at present. Commenting in the national press, Lord Macfarlane said:

As a businessman, I can see enormous potential in such a joyous celebration of St Andrew's Day and its ability to bring together the Scots community worldwide. Around the world there are an estimated 30 million people of Scots descent. In whisky, tartan, golf and international reputation for business sagacity, Scotland has the most readily recognised national symbols of any country in the world. But as a nation, are we maximising these tremendously strong marketing assets adequately for the long-term benefit of Scotland plc? I do not believe that we are, and I share the vision that the time has come to capitalise on these assets and make St Andrew's Day a focus for worldwide celebration of Scotland and Scottish achievement⁴.

In a similar debate about a St George's Day holiday, a representative from the English independent brewery, Charles Wells, estimated that celebrating a national day holiday for England could generate as much as £38 million from tourism and festivities⁵. There is no doubt that more leisure time increases the potential to spend more on leisure activities which can boost the economy. A St Andrew's Day holiday might even encourage Scots and people from outwith Scotland to take short-break holidays in Scotland and so stimulate the tourist industry during what would otherwise be an off-peak period. If workers in the service sector were expected to work on the St Andrew's Day holiday, then they could be given another day off in lieu.

⁴ Pia, S. (2001) *Should St Andrew's Day be a Holiday?* The Scotsman 1/12/01

⁵ <http://news.bbc.co.uk/1/hi/magazine/3650747.stm>, *If St George Wants a Party He Can Pay For It*, (23/04/04) (accessed July 2004)

5 Why St Andrew's Day?

For many centuries, the last day of November has been observed as the feast of St Andrew. In Scotland – and in many other parts of the world where Scots and their descendants are gathered – 30 November is celebrated as Scotland's National Day. St Andrew is Scotland's patron saint and the St Andrew's Cross forms our national flag, the Saltire.

The Bible tells us that Andrew and his brother, Simon Peter, were fishermen who were the first disciples to be called by Christ when they were casting their nets into the Sea of Galilee. After Christ's crucifixion, Andrew is said to have travelled to Greece, where he preached the Gospel, leading to his martyrdom by crucifixion on a diagonal cross, now referred to as the cross of St Andrew.

The history linking St Andrew to Scotland is rather convoluted. A common account is that, in the fourth century, some relics of St Andrew were being transported by a monk called St Rule (or Regulus) when he was shipwrecked off the coast of Fife. St Rule established a settlement in the north east of Fife which came to be known as St Andrews. It became a place of pilgrimage and later a cathedral was established as well as Scotland's oldest university.

The Saltire became the national flag by Act of Parliament in 1385 but the reason for its adoption is based on a legend dating back to the battle of Athelstaneford in 831, when an army of Scots was about to face a Northumbrian army. When the Scots King Angus saw a vision of a white St Andrew's Cross in the clear blue sky, he swore that, if he was victorious, St Andrew would be forever the patron saint of Scotland. The

Scots went on to win the battle. St Andrew's status as patron saint of Scotland was formalised in the declaration of Arbroath in 1320.

At one time, St Andrew's Day was a popular day of feasting in Scotland but is now celebrated more enthusiastically by ex-patriate Scots and their descendants in countries such as the USA, Canada, Australia and New Zealand. There are St Andrew's Societies and St Andrew's Clubs in many parts of the world. If St Andrew's Day was recognised at home as Scotland's National Day, it would probably give a boost to such international celebrations and help to promote Scotland on the world stage.

6 A celebration of Scotland's diversity

Some critics of the celebration of St Andrew's Day might claim that the feast day of a Christian saint is not appropriate for the national day of a Scotland striving to be a modern multi-ethnic, multi-cultural and multi-faith society. One of the biggest impediments to the creation of such an inclusive Scotland is the religious sectarianism and antipathy which still exists between some people of different Christian traditions. However, all the major Christian denominations in Scotland recognise St Andrew as our patron saint. He is therefore a unifying figure in that respect and this consultation paper invites views from people of all faiths and none on how St Andrew's Day could become a day of national celebration of Scotland's diversity of cultures, faiths and ethnic origins.

In terms of multi-ethnic appeal, it might be worth recalling that St Andrew himself was not a Scot. Like many of today's Scots, his roots were in the continent of Asia but he is recognised throughout the world as an international figure. He is also the patron saint of other countries such as Greece, Russia and Romania.

It is also significant in this regard that the Scottish Trades Union Congress celebrates St Andrew's Day with an annual march and rally against racism and fascism and many of the participants are representatives of ethnic minority communities.

If St Andrew's Day were to become a Bank Holiday, it would encourage all the people of Scotland, irrespective of their ethnic origins and beliefs, to participate in the celebration of our national identity and social inclusion. It could also be a celebration of Scottish democracy, bearing in mind that our present Parliament is just a few years old.

7 The exact date of the proposed bank holiday

An important issue to consider in establishing a fixed date public holiday is whether a substitute day should be included in the event that it falls on a non-working day. If St Andrew's Day falls on a Saturday or Sunday, then the St Andrew's Day holiday could be held on the following Monday.

Another option might be to have the Bank Holiday always on the Monday or Friday closest to 30 November in order to avoid mid-week disruption of work and to give employees a long weekend off work. Such an arrangement would also enable the celebration of St Andrew's Day to encompass a whole weekend of events rather than just one day. A St Andrew's Day weekend might also make it more attractive to the tourist industry for marketing short winter breaks.

8 Conclusion and how to respond

Thank you for reading this consultation document. Supporters of the proposed Bill hope that you have been persuaded that there is a case for designating St Andrew's Day (or an alternative day around 30 November) as a Bank Holiday so that St Andrew's Day can be recognised as Scotland's National Day and a celebration of Scotland's multi-cultural and multi-ethnic traditions.

You are now invited to respond to this consultation paper by answering the questions in section 9. Responses, **which should be submitted by 31 October 2004**, may be sent to:

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Please make it clear whether you are responding as an individual or on behalf of an organisation. If you wish your response to be confidential, please say so, otherwise it will be available for public inspection, in accordance with the principles of transparency and freedom of information. Confidential responses will be included in any summary or statistical analysis but this will not reveal the identity of any respondent who has requested confidentiality.

Additional copies of the paper or alternative formats can be requested using the contact details above and calls via Typetalk are welcome. An on-line copy is available on Dennis Canavan's website at: <http://www.denniscanavan.com>

9 Questions

1. What would be the benefits of establishing a St Andrew's Day Bank Holiday in Scotland?
2. What are the problems, if any, that might arise from establishing a St Andrew's Day Bank Holiday in Scotland?
3. How do you think that St Andrew's Day could become a day of national celebration of Scotland's diversity of cultures, faiths and ethnic origins?
4. What impact, if any, would there be on the Scottish economy if a St Andrew's Day Bank Holiday were established in Scotland?
5. What alternative arrangements, if any, should be made if a St Andrew's Day Bank Holiday is established but the 30th of November falls on a Saturday or a Sunday?
6. Would there be any benefits in always having the St Andrew's Day Bank Holiday on the Monday or Friday closest to the 30th of November (rather than always adhering to the specific date of the 30th of November)?
7. Do you have any further comments to make?

10 Distribution List

Distribution List includes the following:

CBI Scotland
Scottish Clearing Banks
Scottish Chambers of Commerce
Scottish Council for Development & Industry
Scottish Enterprise
Federation of Small Businesses
Licensed trade and hospitality representatives
Equal Opportunities Commission
Ethnic Groups
Members of the Scottish Parliament
VisitScotland
Scottish Local Authorities
Convention of Scottish Local Authorities
Political Parties
Scottish Council for Voluntary Organisations
Scottish Parent Teacher Council
Scottish Trades Union Congress
Trade Unions
Universities Scotland
Association of Scottish Colleges
Scottish Association for Mental Health
Faith Groups
Saltire Society
Scottish Civic Forum
Scottish Youth Parliament
Scottish Law Commission
Law Society of Scotland