

To: Council

On: 18 May, 2017

Report by: Director of Finance and Resources

**Heading: Religious Representatives on Committees Approved by
Education Authorities**

1. Summary

- 1.1. Section 124 of the Local Government (Scotland) Act 1973, as amended by Section 31 of the Local Government etc (Scotland) Act 1994, provides that where an education authority appoints a committee whose purposes include advising the authority on any matter relating to the discharge of their functions as education authority on their behalf, three of the members to be appointed (who shall not be members of the education authority) shall be church representatives. In accordance with the Act, one of the three places requires to be filled by a nomination from the Church of Scotland and one by the Roman Catholic Church. The Church of Scotland has advised that their nominee is Mr Ian Keith and the Roman Catholic Church has advised that their nominee is Mr Jack Nellaney. Both were previous members of the Education & Children Policy Board.
- 1.2. In the selection of the third person, the Act specifies that the authority shall have regard (taking account of the representation of the Roman Catholic Church and the Church of Scotland) to the comparative strength within the area of all the churches and denominational bodies having duly constituted charges or other appointed places of worship therein.
- 1.3. In order to obtain nominations for the third representative, the Education & Children Policy Board, at its meeting held on 9 March 2017, agreed to place an advertisement in the press seeking nominations and that this advertisement be drawn to the attention of major denominations throughout Renfrewshire. An advertisement was also placed on the Council's website with a closing date of 20 April 2017.
- 1.4. Correspondence has been received from Paisley Action of Churches Together (PACT), which is the representative organisation for the 36 Paisley Churches nominating Graham Currie, secretary of PACT and the Pastor of Hopehall Evangelical Church (Paisley), and a member of 2gether Renfrewshire, which represents the Evangelical Church community across Renfrewshire. In

addition, his previous employment was as the Manager of Voluntary Action in South Lanarkshire. No other nominations were received.

- 1.5 The Ethical Standards in Public Life etc (Scotland) Act 2000 introduced a new ethical framework which required the Scottish Ministers to issue a Code of Conduct for Councillors. Whilst the former National Code for Local Government Conduct applied to non-elected members, the Councillors Code does not. However, guidance issued by the Standards Commission indicates that co-opted members are expected to apply the same high standards of conduct as elected councillors. In the case of religious representatives the Standards Commission has advised that authorities should seek confirmation from the appointing authorities that they will require their appointees to comply with the Code.
 - 1.6 The Council at its statutory meeting held on 17 May, 2012, agreed that allowances and expenses be paid to the representatives on the Education Policy Board representing religious bodies.
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2. Recommendations

- 2.1 That the Council appoints Mr Iain Keith, the Church of Scotland nominee to the Education & Children Policy Board.
 - 2.2 That the Council appoints Mr Jack Nellaney, the Roman Catholic Church nominee to the Education & Children Policy Board.
 - 2.3 That the Council considers the application submitted by Paisley Acton of Churches Together as the third representative; and
 - 2.4 That the Council notes that, in accordance with advice issued by the Standards Commission, the Church of Scotland and the Roman Catholic Church will be asked to confirm that they will require their nominees to comply with the Councillors' Code in so far as it is relevant to them in their role as church representatives. The person appointed as the third representative will be asked to confirm likewise.
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Implications of this report

1. **Financial Implications – none**
2. **HR and Organisational Development Implications – none**
3. **Community Plan/Council Plan Implications – none**
4. **Legal Implications – as detailed in the report**
5. **Property/Assets Implications – none**
6. **Information Technology Implications – none**

7. Equality and Human Rights Implications

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health and Safety Implications – none

9. Procurement Implications – none

10. Risk Implications – none

11. Privacy Impact – none

List of Background Papers –

- (a) correspondence from the Roman Catholic Church, Church of Scotland and Paisley Action of Churches Together

Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112