

To: Council

On: 19 May 2022

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 require 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 its nominee is Mary Jane Bird, who was its previous representative. Confirmation of the Roman Catholic Church representative is still awaited and it is proposed that the appointment of their nominee be delegated to the Education & Children's Services Policy Board (or its successor).
- 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's Services Policy Board, at its meeting held on 20 January 2022, agreed to place an advertisement in the press and on the Council's website seeking nominations. The closing date was 21 April 2022.
- 1.4. Correspondence has been received from Renfrewshire Interfaith Group nominating Ravinder Singh, who has served as the third representative since 2017.
- 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 is also directed at co-opted members of committees and sub-committees who are not elected councillors. However, it should be noted that the Standards Commission has no legal powers to enforce the provisions of the Code against anyone other than elected councillors. In the case of religious representatives the Standards Commission has advised that authorities can seek confirmation from the appointing authorities that they will require their appointees to comply with the Code.

- 15 The Council at its statutory meeting held on 18 May, 2017 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 Mary Jane Bird, the Church of Scotland nominee to the Education & Children's Services Policy Board.
 - 2.2 That the Council delegates the appointment of the Roman Catholic Church nominee to the Education & Children's Services Policy Board (or its successor);
 - 2.3 That the Council considers the nomination by Renfrewshire Interfaith Group of Ravinder Singh as the third representative; and
 - 2.4 That the Council notes that, in accordance with advice issued by the Standards Commission, that the Church of Scotland and the Roman Catholic Church 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

12. CoSLA Policy Position – n/a

13. Climate Risk – n/a

List of Background Papers –

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