

## **Appointment of the Church of Scotland Representative in Education Matters - Report by Director, Resources**

### **1 Purpose of Report**

Following the resignation of the Reverend Ruth Halley as the Church of Scotland's representative in education matters which was reported to Council on 26 September 2017, the Council is now requested to endorse the nomination from the Church of Scotland for a replacement representative.

### **2 Background**

Under Section 124 of the Local Government (Scotland) Act 1973, when an education authority (ie the Council) appoints a Committee whose purposes include either advising the authority or discharging on the authority's behalf education matters (ie the Cabinet), then that Committee must include 3 Religious Representatives.

When dealing with education matters, statutory places are available automatically on the Cabinet for the Church of Scotland and the Roman Catholic Church. As Members are aware Mr Victor Bourne is the Roman Catholic Church's nominee. Following the Reverend Ruth Halley's resignation as a result of her move away from Midlothian, notification has now been received from the Church of Scotland of their nomination for the vacancy. The nomination, which has been endorsed by the Church of Scotland's Education Committee, is Mrs Elizabeth Morton who resides in Dalkeith.

### **3 Code of Conduct and Disqualification**

It should be noted that all religious representatives are asked to confirm that they will comply with the general terms of the Councillors' Code of Conduct issued by the Standards Commission for Scotland. They are also asked to confirm that there is nothing in Section 31 of the Local Government (Scotland) Act 1973 (grounds for disqualification), which would prevent them from serving on the Cabinet. The Church of Scotland has confirmed their nominee is aware of the requirement to comply with the Code of Conduct.

### **4 Report Implications**

#### **4.1 Resource**

The Religious Representatives are entitled to claim travel and subsistence expenses in connection with their service on the Council and Cabinet. These costs can be contained within the existing budget.

#### **4.2 Risk**

The appointment of the 3 Religious Representatives is a statutory requirement. Accordingly, the endorsement of the Church of Scotland's nominee will enable the Council to meet its legal duty in this respect.

#### **4.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

#### **4.4 Key Priorities within the Single Midlothian Plan**

Not Applicable

#### **4.5 Impact on Performance and Outcomes**

Not Applicable

#### **4.6 Adopting a Preventative Approach**

Not Applicable

#### **4.7 Involving Communities and Other Stakeholders**

Not Applicable

#### **4.8 Ensuring Equalities**

Not Applicable

#### **4.9 Supporting Sustainable Development**

Not Applicable

#### **4.10 IT Issues**

Not Applicable

#### **5 Recommendation**

The Council is invited to:-

- (a) accept the nomination of Mrs Elizabeth Morton as the Church of Scotland's representative in education matters;
- (b) note that the matter will be reported formally to the Cabinet on 4 September 2018 and Mrs Morton will be invited to attend the meeting and;
- (c) instruct the Director, Resources to provide Mrs Morton with a copy of the Councillors' Code of Conduct.

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**Report Contact: Verona MacDonald Tel No 0131 271 3161  
Email: verona.macdonald@midlothian.gov.uk**