

Appointment of the Church of Scotland Representative in Education Matters**Report by John Blair, Director, Resources****1 Purpose of Report**

On the advent of the resignation of the current Church of Scotland representative (Mr Paul Hayes), the Council is now requested to endorse the nomination from the Church of Scotland for the replacement representative.

2 Background**2.1 Legislative requirement**

Under the Local Government (Scotland) Act 1973, section 124, the Council is required to have three religious representatives to take an active part in the decision making process in relation to education matters. This largely involves attendance at meetings of the Council and the Cabinet.

2.2 Nomination

Following the resignation of Mr Paul Hayes, the Council received notification from Ms Agnes Mullen – Principal Assistant to the Church and Society Council in relation to the Church of Scotland's nomination for the vacant representative. She confirmed that the nomination for the new Church of Scotland representative, that had been endorsed by the Church of Scotland Education Committee, was Rev Ruth Halley, Minister at Penicuik North Kirk.

2.3 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.

3 Report Implications

3.1 Resource

There are no resource implications arising directly from this report.

3.2 Risk

There are no risk implications arising directly from this report.

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

Not applicable

3.5 Impact on Performance and Outcomes

The religious representatives support the decision making and scrutiny function of the Cabinet in relation to Education matters and as such positively impact of the performance and outcomes of the Council in this area.

3.6 Adopting a Preventative Approach

Not applicable.

3.7 Involving Communities and Other Stakeholders

As a result of the recommendations in this paper, there will be continued community and religious representation and involvement with the decision making process within the Cabinet in relation to Education matters.

3.8 Ensuring Equalities

The religious representative role is designed to provide a balanced approach in relation to the decision making process and as such supports the 'protected characteristic' of religion as defined within the Equality Act 2010.

3.9 Supporting Sustainable Development

There are no Sustainable Development issues as a consequence of this report.

3.10 IT Issues

There are no IT issues as a consequence of this report.

4 Recommendations

Council is recommended to;

- (a) note the resignation of Mr Hayes as the Church of Scotland Religious Representative;
- (b) accept the nomination of Rev Ruth Halley as the Church of Scotland's representative;
- (c) formally recognise the contribution of Mr Hayes and agree that the Provost and Chief Executive write to Mr Hayes to express their gratitude for his contribution; and
- (d) note that the matter will also be reported formally to the Cabinet on 25 August 2015.

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