



## **EDUCATION EXECUTIVE**

### **APPOINTMENT OF RELIGIOUS, TEACHER AND PARENT COUNCIL REPRESENTATIVES**

#### **REPORT BY HEAD OF CORPORATE SERVICES**

##### **A. PURPOSE OF REPORT**

To outline to the Education Executive the arrangements to be made for the appointment of religious, teacher and parent council representatives to any committee set up to deal with education following the May 2017 council election.

##### **B. RECOMMENDATIONS**

It is recommended that the Education Executive:

1. note the arrangements to be put in place for the appointment of three religious representatives, two teacher representatives and one parent council representative to any committee set up to deal with education following the May 2017 council election; and
2. note that members appointed to any committee set up to deal with education would be invited to accept the terms of the Councillors' Code of Conduct and abide by its requirements.

##### **C. SUMMARY OF IMPLICATIONS**

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| <b>I Council Values</b>   | Being honest, open and accountable; making best use of our resources and working in partnership  |
| <b>II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b> | The appointment of three religious representatives fulfils the duty on the council under Section 124 of the Local Government (Scotland) Act 1973, as amended. The appointment of two teacher representatives and one representative from West Lothian Parent Councils' Representative Forum is in accordance with existing council policy and will allow the teaching profession and parent council forum to comment on the policy decisions of the committee and have full rights of participation, including voting. |
| <b>III Implications for Scheme of Delegations to Officers</b>   | None   |
| <b>IV Impact on performance and performance Indicators</b>  | None   |

<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	None
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	None
<b>VII</b>	<b>Consideration at PDSP</b>	The proposed arrangements were endorsed by the Education PDSP at its meeting held on 15 November 2016.
<b>VIII</b>	<b>Other consultations</b>	None

## **D. TERMS OF REPORT**

### **D1 Legislative Policy**

The council has a statutory duty to appoint three religious representatives to any committee dealing with its education function. The council also has the statutory power to appoint other non-elected members to the committee, as it sees fit. Appointed members have the right to sit on the Education Executive, and to have full rights of participation, including voting.

Nominations for two of the religious representatives will be sought from the Church of Scotland and the Roman Catholic Church. The third religious representative will be sought by election from an electoral college comprising representatives of all denominations and religious bodies in West Lothian.

Membership of the electoral college will be drawn from all denominations and religious bodies, in proportion to the number of places of worship of each within West Lothian. This number will be determined according to the Register of Places of Worship drawn up for the purpose.

The nomination made by the electoral college, along with those of the Church of Scotland and the Roman Catholic Church will be reported to the first meeting of any committee set up to deal with education following the election in May 2017.

### **D2 Current Council Policy**

The existing council policy is to appoint two teachers (one from the primary/early years' sector and one from the secondary/special education sector) and one representative of parents who is nominated by the West Lothian Parent Council's Forum. Current arrangements allow appointed members to participate in certain meetings of other council bodies, such as the Education (Quality Assurance) Committee, Education Policy Development and Scrutiny Panel, Joint Consultative Group (Teaching Staff) and Employee Appeals Committee.

Two teacher representatives, one from the primary/early years' sector and one from the secondary/special education sector, will be appointed following a ballot of all teachers to be employed in schools by West Lothian Council on 4 May 2017. A letter will be sent to all teachers, via the Head Teacher of each school, advising them of the arrangements for the election and inviting nominations. If more than one teacher is nominated, ballot papers will then be distributed to all teachers via the Head Teacher of each school. A closing date for the return of ballot papers will be set.

The appointment of a parental member to the Education Executive will be nominated by the West Lothian Parent Council's Forum and would assist West Lothian Council in fulfilling its duty to involve parents in the education provided to children, as well as further enhancing the strong existing partnership between parents and the council.

Arrangements will be made to complete the nomination and election processes before the local government election takes place on 4 May 2017.

The Councillors' Code of Conduct applies only to elected members and not to co-opted members of local authority committees. Co-opted members are, however, expected to apply the same high standards of conduct as elected councillors.

Guidance issued to all local authorities by the Standards Commission for Scotland states "local authorities should, therefore, expect co-opted members to comply with the Code and it should be a condition of their appointment. In cases where the authority has no discretion over the appointment (such as the Church of Scotland and Roman Catholic Church representatives on education committees) the authority should seek confirmation from the appointing authorities that they will require their appointees to comply with Code".

The council will invite the third religious representative, both teacher representatives and parent council representative to accept the Code of Conduct and will seek assurances from the Church of Scotland and Roman Catholic Church that their representative will comply with the Code.

## **E. CONCLUSION**

These arrangements will allow the religious, teacher and parent council representatives to join the first meeting of any committee set up to deal with education after the council elections on 4 May 2017.

## **F. BACKGROUND REFERENCES**

Minute of meeting of Education Executive held on 15 November 2011

Minute of meeting of Education PDSP held on 15 November 2016

Appendices/Attachments: None.

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Date of meeting: 6 December 2016