

EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE - 27 MAY 2003

NON-ELECTED MEMBER REPRESENTATION

Joint Report by the Depute Chief Executive/Director of Corporate Resources and the Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1** The purpose of this report is to seek authorisation for the Depute Chief Executive/Director of Corporate Resources to seek nominations for non-Elected Member representation on the Education Committee.

2. BACKGROUND

- 2.1** In terms of Section 124 of the Local Government (Scotland) Act 1973, as amended by Section 31 of the Local Government Etc (Scotland) Act 1994, where a Local Authority establishes an Education Committee the Members of that Committee shall include the following three persons:-
- (i) one representative of the Church of Scotland, nominated in such manner as may be determined by the General Assembly of the Church;
 - (ii) one representative of the Roman Catholic Church, nominated in such manner as may be determined by the Scottish Hierarchy of the Church; and
 - (iii) one person in the selection of whom the Authority shall have regard (taking account of the representation of Churches under (i) and (ii) above) to the comparative strength within the area of all the Churches and denominational bodies having duly constituted charges or other appointed places of worship there).
- 2.2** There is also provision in terms of the aforementioned legislation for an education authority to appoint persons who are not members of the authority to be members of an Education Committee.
- 2.3** At the Education Committee on 3 June 1999 (Item 2, Page 87, 1999/03) provision was made for the appointment of 3 Church Representatives, 1 Teacher Representative and 1 Parent Representative to serve on the Education Committee.
- 2.4** In respect of 2 Church Representatives, nominations were sought from the Church of Scotland and the Roman Catholic Church; the third Church Representative was identified by advertising in newspapers circulating within East Ayrshire.

2.5 In relation to the Teacher Representative and the Parent Representative arrangements were made for one individual to be appointed in respect of each of these groups. All teachers employed in educational establishments under the management of the Council and registered with the general teaching council would be eligible for nomination as the Teacher Representative. In terms of parent representation, the Parent Representative has been a serving school board member and has not been employed in an Education Service.

2.6 Accordingly, the Committee is requested to consider whether provision should be made for one Teacher Representative and one Parent Representative to serve on the Education Committee.

3. CURRENT POSITION

3.1 One nomination has been received from the Church of Scotland for Reverend John Taylor to serve as their Church's Representative on the Education Committee.

4. FINANCIAL/POLICY IMPLICATIONS - Nil

5. LEGAL AUTHORITY

5.1 Where a Local Authority appoint an Education Committee there is a statutory requirement to appoint 3 Church Representatives in terms of Section 124 of the Local Government Act (Scotland) 1973 as amended by Section 31 of the Local Government Etc (Scotland) Act 1994. Having appointed an Education Committee, there is statutory provision in terms of the aforementioned legislation to appoint persons who are not members of the Authority to be members of an Education Committee.

6. RECOMMENDATIONS

6.1 It is recommended:-

- (i) that the Depute Chief Executive/Director of Corporate Resources be authorised to write to the appropriate religious organisation seeking a nomination for one representative from the Roman Catholic Church to serve on the Education Committee;
- (ii) that the Depute Chief Executive/Director of Corporate Resources be authorised to make appropriate arrangements to advertise in the local press seeking one further nomination for a Church representative to serve on the Education Committee;
- (iii) that, should the Committee agree to appoint a Teacher Representative, it be remitted to the Depute Chief Executive/Director of Corporate Resources and Director of Educational and Social Services in consultation with the Chair of the Education Committee to make the appropriate arrangements to obtain a nomination for a Teacher

Representative to serve on the Education Committee as soon as practicable;

- (iv) that, should the Committee agree to appoint a Parent Representative, it be remitted to the Depute Chief Executive/Director of Corporate Resources and Director of Educational and Social Services in consultation with the Chair of the Education Committee to make the appropriate arrangements to obtain a nomination for a Parent Representative to serve on the Education Committee as soon as practicable; and
- (v) to note that all Representatives will be appointed to serve for the life of the Committee and/or the current Council, subject to their remaining eligible to hold such appointment.

Fiona Lees
Depute Chief Executive/
Director of Corporate Resources

John Mulgrew
Director of Educational and
Social Services

AMC/JW

9 May 2003

LIST OF BACKGROUND PAPERS

NIL

Any person wishing further information on this report should contact Bill Walkinshaw, Administration Manager, on telephone number (01563) 576135.