

Section 3

THE ROLE OF THE CHURCH OF
SCOTLAND REPRESENTATIVE

- Be fully aware of and undertake your statutory duty;
- Establish good relationships with all elected members, particularly the Chair of the committee responsible for education and the leader of the Council;
- Meet annually with the Chair of the committee responsible for education and the Director of Education, or equivalent;
- Know the departmental structure and political governance of the Council.
- Work closely with the other church representatives;
- Represent the interests of the Church of Scotland;
- Have a knowledge of education policies and the curriculum;
- Church Representatives should request and adhere to the Council's Code of Practice. Where local authorities have introduced a Code of Conduct for elected members the Church of Scotland expects that its representatives agree to adopt and abide by these codes. Please refer to the most recent "Guidance and Dispensations Note to Councillors and Local Authorities In Scotland" from the Standards Commission.
- Report formally and regularly to the Church of Scotland Standing Committee on Education and to your presbyteries,

Section 3 (Continued)

1. Since the state assumed responsibility for the provision of school education in 1872 the Church of Scotland has been granted a statutory role as part of the education authority of the day. This privileged position reflects the historical link between schooling and the church. For that reason, if for no other, it is important for church representation on local authority committees with a responsibility for education, to ensure a respected presence across Scotland. This may be achieved by establishing good relationships; by exercising your statutory right and endeavouring to influence council education policies in areas of interest to the national church, including the development of the curriculum, Christian values, religious and moral education and religious observance in schools.

2. As determined by the General Assembly, the Church of Scotland's Church and Society Council, through its Standing Committee on Education, approves the appointment of Education Representatives and informs local councils of that representation. Such appointments usually coincide with the election of Scottish councils. A copy of the guideline for the appointment of church representatives is included in this guide. In practice presbyteries are invited to nominate representatives to the Church and Society Council. In most cases there is more than one presbytery within the bounds of a local authority. It is incumbent on presbyteries to agree upon a manner of selecting their nominee. Many do so by rotation and invitation, some seek indications of interest and others as and when a suitable candidate is obvious to all.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 3 (continued)

3. The Church of Scotland Education Representative joins the representative from the Roman Catholic Church and a "third representative" who is representative of the interests of other churches/denominations in the area, taking into account their comparative strengths. Responsibility for seeking nominations and the appointment of the "third representative" lies with the Chief Executive of the Council. There is no harm in the other two church representatives encouraging the Council to find a "third representative" by advert. Alternatively, Church of Scotland and Roman Catholic representatives could seek out a willing third representative from another denomination.
4. The role of the church representative is founded and built on good relationships; be known and trusted. A sense of humour is required.
5. All church representatives, albeit not *elected* members of the local authority, enjoy the same rights and responsibilities as elected members. Once around the committee table there is no distinction between a nominated representative of the church and an elected representative of the people. There may be a view that council decisions should be reached and voted on only by those elected at the ballot box to represent the views of local people.
6. Equality of status should be transparent. Church representatives may enjoy the same 'signing in' and parking arrangements as for elected members. However, as a practical measure, signing in may be necessary so that in any evacuation there is a record of who is present in the building. Those based permanently in the building, including Councillors are aware of evacuation procedures and where to report in an emergency.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 3 (Continued)

7. Representatives may use catering facilities and pay the going rate, they should have direct access to the Chair of the committee on education matters, the Leader of the Council and any other elected member with whom they may wish to discuss matters of education policy and practice or simply to clarify matters of concern; they should have access to any official, usually through the Director of Education, or his/her delegated officer; in other words treated between meetings of the committee responsible for education matters as would any elected member.
8. The 32 Scottish Councils have differing operating procedures. Whilst the information in the previous paragraph is correct it would be in the interests of each church representative to meet with the Chair/Convener of the committee responsible for education matters and the officer responsible for education, at a very early stage following appointment, to ascertain acceptable and appropriate means of access to elected members, resources and facilities. At or before this meeting new church representatives should be provided with a copy of the Council's administrative procedures and the Councillor's Code of Practice.
9. The "Guidance and Dispensations Note to Councillors and Local Authorities In Scotland (May 2007)" from the Standards Commission states: "The Act and the Code apply only to elected councillors 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.
10. Local authorities should, therefore, expect co-opted members to comply with the Code. This should be a condition of 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 the Code."

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 3 (Continued)

11. Church Representatives should request and adhere to the Council's Code of Practice.
12. In due course other council documents may be requested through the officer responsible for education
13. Gaining an early understanding of the committee and departmental structure, administrative systems, functions delegated to departments and officials is very important. There will be, within the department responsible for committee management, democratic processes and the distribution of committee papers, an officer responsible for liaising with committee members. This will include the distribution of agendas, reports and minutes. This administrative officer would also provide information and explanation on the departmental structure and the method by which reports to committee are prepared before appearing on the committee agenda.
14. It may be that in due course you seek to include a topic for consideration by the committee responsible for education. The administrative officer and the officer responsible for education would alert you to the steps necessary to make this possible.
15. Clearly, your key contact is the Chair of the committee responsible for education matters, the Director of Education or his/her delegated officer. Not all councils have a Director of Education. By statute, there must be an officer with responsibility for education/lifelong learning (including schools) but the title for that officer varies from council to council. Some councils have integrated services for children, which include social work responsibilities as well as schooling. It is important for church representatives to seek out and understand the council's underlying philosophy, policy and practice for the way in which they have chosen to deliver educational services.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 3 (Continued)

16. Equally important is an understanding of the political mix and direction of the council. Which political party has most seats? Is there a rainbow coalition? How is the "opposition" managed? Is there a manifesto for education from the ruling group? Is the council run through a series of committees reporting to full council or is there a cabinet structure with an executive group and scrutiny procedure. Where do the political groupings meet to discuss reports coming before the committee? If you sought to influence the recommendations in a report through one political group how might you approach them? These questions cannot be answered here in a general manner; however, it is important that church representatives gain some knowledge of how the politics of the council are handled. It may be that non-elected members of the committee responsible for education hold the balance of voting powers.
17. If it came to the vote on any issue how would you vote – politically or by conscience? If you wanted to introduce a new policy how could you secure the support of the elected members for your ideas – *quid pro quo*? Theological reflection tends to be forgotten when considering proposed budget efficiencies, school closures and the inclusion of children with additional needs!
18. In 1996, on the reorganisation of Scottish local government, some local authorities set up education executives/committees with limited powers. For example, all budget and resource matters would be considered by an executive group outwith the committee responsible for education, which considered only matters of education policy. Some authorities have no 'education committee' but consider educational matters at the top of the agenda of an executive committee, requiring church representatives to leave the meeting after matters of an educational nature have been discussed.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 3 (Continued)

19. Education/school matters may form part of the agenda of another committee. For example; services for children with additional needs may be dealt with through the Social Work Committee; new buildings may be discussed in the Technical Services Committee; the provision of teachers and support staff and school devolved budgets may be discussed through the resources or executive committee.

20. The days, of the Education Authority followed by Council Education Committees, which made life for church representatives relatively simple, are long gone. Given the variety of structures exemplified above it is now incumbent on all church representatives to understand committee structures within each new administration and to seek out all reports to any committee that deals with educational matters.

21. However, the only committee you can attend as an equal member is the committee designated to deal with educational matters. If you are to understand the width of education policy, practice and delivery it may be necessary to scan the agendas of all committees, or reach agreement with officers on how you might access all papers of an education matter

22. You can attend any committee as a member of the public and make your opinions known to the Education Convener or Director of Education. Should you wish some follow up to a matter discussed elsewhere than the designated education committee then seek a separate report to the committee for education.

23. Church representatives are required to report to Presbytery and the Standing Committee on Education. It is expected good practice to provide a written report regularly to the Church of Scotland Education Standing Committee. This report should be sent to Presbyteries from whom there might be an invitation to speak at a meeting of each local Presbytery!!

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4

THE APPOINTMENT OF CHURCH OF SCOTLAND
REPRESENTATIVES ON LOCAL AUTHORITY
COMMITTEES THAT HAVE RESPONSIBILITY FOR
EDUCATION

- Potential nominees for Church of Scotland representation on Local Authority committees with responsibility for education should make themselves fully aware of the expectations of the appointment, as described in the Representatives Guide, and be aware of the historical and legislative background to their appointment; preferably before appointment;
- Presbyteries should start seeking interest from potential Reps from the November prior to elections with a view to formally proposing names to the Standing Committee on Education.
- The Education Standing Committee will inform Local Authorities and Presbyteries of their final nomination, so that the Representatives can attend all local training for Local Authority councillors;
- Representatives are expected to promote key issues arising from the annual work plan of the Education Standing Committee;
- Representatives are expected to attend the Church of Scotland briefing session in June and the September Conference annually;
- Representatives have a duty to report regularly, in writing, to the Education Standing Committee and are encouraged to report at least annually to each Presbytery within their local authority area;
- Representatives should make themselves very aware of which committees discuss educational matters, as local authorities adopt differing practices.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

Background:

A. Each of the 32 Local Authorities has three religious representatives on their committee which deals with education. There is a representative from the Church of Scotland, one from the Roman Catholic Church and a representative of other churches and faith groups in the area.

B. The Church of Scotland has had a statutory obligation to be represented on local government education committees since 1929. At present this duty is expressed under Section 31 of the Local Government etc. (Scotland) Act 1994. This states that the selection of the Church of Scotland representatives is "in such manner as may be determined by the General Assembly of the Church."

C. The General Assembly has since 1974 delegated the authority for this process to the Standing Committee on Education. This was most recently confirmed in 2005 when it agreed this Deliverance:

- Instruct the Church of Scotland committee that deals with education to implement the procedure for the appointment of Church of Scotland nominees to each local authority committee that deals with education. The procedure being:
- The General Assembly delegates to the Committee of the Church that deals with education the responsibility to nominate Representatives to each local authority.
- In order to ensure as wide a choice as possible, Presbyteries are asked to propose the names of people with a strong interest in education who could fill this role.
- In all instances a short CV and supporting letter for each person should be forwarded to the Committee on Education or its successor body. Thereafter, the Committee on Education or its successor body will select the most appropriate person.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

Seeking candidates for nomination:

- D. The process for gathering names of nominees to be the Church of Scotland Reps should begin in the autumn prior to local authority elections
- E. Individuals can be proposed by Presbyteries and members of the Standing Committee on Education.
- The Committee on Education will contact existing Reps and ask them if they would like to continue. If they would, they should seek to be proposed by their Presbytery.
 - Presbyteries can propose an existing Rep, or propose an alternative.
 - Presbyteries are requested to notify Ministers in their bounds of the opportunity to be proposed and explain to them these procedures.
 - Members of the Standing Committee on Education may also propose people to be Reps.
- F. For each person being proposed the Presbytery (or Standing Committee member) should submit a short CV and a covering letter (this should come from somebody such as a Presbytery Clerk, Presbytery Committee Convener, member of the Committee on Education). These documents should be sent to Agnes Mullen (amullen@cofscotland.org.uk) at the Church Offices, 121 George Street Edinburgh EH2 4YN, churchandsociety@cofscotland.org.uk 0131 225 2275.
- G. Individuals being proposed should have a strong interest in education and might be a minister, elder, parent, teacher, or a student/senior pupil, but these should not be seen as qualifying criteria. They should live or work in the Local Authority area for which they are being proposed. Further information about the role of a Rep and what skills and experience might be useful, can be found in Rep's Handbook, available from the Presbytery Clerk and Church Offices.
- H. The Standing Committee on Education will consider all the individuals being proposed, and will decide who will be the Church of Scotland nominees.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

Selection and Appointment:

- I. Names of the nominated Representatives will be forwarded to the Local Authorities, for formal appointment, and Presbyteries by the Standing Committee on Education.

Local Authorities with Two or More Presbyteries:

- J. Presbytery boundaries and Local Authority boundaries do not always match. Some Presbyteries straddle more than one Local Authority, while some Local Authorities include two or more Presbyteries.
- K. Where appropriate, the names, CVs and supporting statements will be circulated to the other Presbyteries that are involved (those that include part of their territory within the relevant Local Authority area). Presbyteries are asked to consult one another and if possible to come to a consensus about which candidate they would like to collectively propose. Where Presbyteries cannot agree on a single person the Standing Committee will make the nomination for that Local Authority based on the best person from the CVs received.
- L. In the past some Presbyteries have adopted a turn system (they take it in turns to decide who gets their proposed person to be the Church Representative) where there is more than one Presbytery in a Local Authority area. This arrangement is to be strongly discouraged; Church Representatives are nominated by the General Assembly (which has delegated this authority to the Standing Committee on Education). Church of Scotland Representatives are therefore representing the Church of Scotland as a whole, not just (or not only) their Presbytery or the Presbyteries in the Local Authority area to which they have been appointed. Taking turns might also disqualify a better suited candidate for the role.
- M. Please see the Appendix for further details about which Presbyteries are in which Local Authorities.
- N. More detailed information is included in Section 5 of the Rep's Guide to Good Practice, but some important points are outlined below.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

Training and Support:

- O. Advice and help for Reps is provided by the Standing Committee on Education.
- P. Reps are advised that there is an expectation that they will attend an introductory briefing meeting as well as other meetings organised for them by the Education Standing Committee.
- Q. The role of the Rep is explored in more detail in the Rep's Handbook and at these meetings and conferences.
- R. The field of education is fast-changing and complex. In order to retain the credibility of the Church, Reps need to be well-informed about all educational developments, across the ages and stages, and the policies of the General Assembly. The Standing Committee on Education has taken this role of training and development very seriously in recent years, organising annual residential conferences and training days hosted jointly with the Roman Catholic Church, to which the representatives from other churches and faiths are also invited.
- S. Reps should also take advantage of any training or induction that is made available for elected members. They should inform the Standing Committee on Education about any local training events that they have been offered or attended.
- T. As appointees of the Standing Committee on Education, Church of Scotland Reps have a duty to report to the Committee.
- U. This is particularly important for the Standing Committee on Education to be able fulfil its role in keeping abreast of developments in education at local level and to monitor the implementation of national policy.
- V. Information on how regular to report, the content of reports and what issues to cover can change over time as requirements and issues change. Details about the role of the Rep and what is expected is included in the Rep's Guide.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

- W. Rep's participation in and attendance at events and conferences is an important place for networking and reporting on local issues and provides for the Standing Committee on Education to keep in touch with all the Reps.

Reporting to Presbyteries:

- X. After the appointment of Reps, the Standing Committee on Education will write to inform Presbyteries of the name and contact details of the Rep or Reps in their area.
- Y. As a matter of good practice, Reps are advised that they ought to report to all Presbyteries in the area of their Local Authority.
- Z. All Presbyteries are encouraged to invite Reps to give reports at appropriate times. In some cases, where a Presbytery sits in more than one Local Authority area they may request reports from each Rep. More detail about which Local Authorities are in which Presbyteries is available.
- AA. It is the joint responsibility of Reps and Presbyteries to agree a process for reporting, which may be different in different parts of the country.

Complaints and Removal:

- BB.* Reps are expected to adhere to their Local Authority's Code of Conduct for Elected Members and to follow its conventions and courtesies. As public appointments they should also have regard for principles of standards in public life. As Reps have privileged opportunity to vote and be fully involved in decision-making, but are not directly elected unlike other members of the Local Authority, they bear a real responsibility to work conscientiously and diligently.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

- CC. The Education Standing Committee may, following consultation with the relevant Presbyteries and Local Authority, remove the Rep and appoint a new one.
- DD. It is expected that a removal will only be considered in very extreme circumstances, such as:
- A Rep having a complaint upheld against them for breaching the Code of Conduct
 - A Rep failing to report or be in contact with the Standing Committee on Education for six months (in which case the Committee may deem the Rep to have resigned).
- EE. The Standing Committee on Education holds a database of all three Church Representatives (Church of Scotland, Roman Catholic and Ecumenical / Inter Faith Representatives) for all 32 Local Authorities.
- FF. Reps are asked to advise the Committee of any changes to contact or other details in order to keep this database up-to date. As a matter of good practice they should also inform the Presbyteries as well as the Local Authority.

Where the Local Authority does not have an Education Committee:

- GG. Where a Local Authority has moved from a traditional style Education Committee to an Executive or Cabinet, or where education issues are included in, for example, a Children's Services Committee, discussion needs to take place at a local level to clarify where the Church Reps are placed in the structure. It is appreciated that there may be different approaches in different places according to local practice.
- HH. The Reps should report to the Standing Committee on Education on the structures present in their local authority.

A GUIDE TO GOOD PRACTICE
FOR CHURCH OF SCOTLAND
EDUCATION REPRESENTATIVES
ON LOCAL AUTHORITY EDUCATION COMMITTEES.

Section 4 (continued)

Ecumenical / Inter Faith Reps:

- II. The process for appointing Ecumenical / Inter Faith Reps (representing faith communities other than Church of Scotland and Roman Catholic Church) is the responsibility of the Local Authority. It should be noted that, in some places, Presbyteries or the Church of Scotland Rep could make suggestions to the Local Authority for the appointment of the Ecumenical / Inter Faith Rep, where they may know individuals locally who could fill the role.