

Scheme for the Establishment of Parent Councils (2019) Updated December 2022  
 Directorate of Education and Learning - Curriculum and Quality Assurance Team

## SCHEME FOR THE ESTABLISHMENT OF PARENT COUNCILS SECTIONS 1 - 4

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### 1. Introduction

1.1 Dumfries and Galloway Education Authority, through their Children, Education and Learning Directorate, have prepared the following Scheme for the Establishment of Parent Councils in line with The Scottish Schools (Parental Involvement) Act 2006. Please click on link for the full Act details: [Scottish Schools \(Parental Involvement\) Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/12)

#### What does this mean for:

##### 1.2 Parent and Parent Councils:

- the document has been prepared to help with the establishment of new Parent Councils and to help Parent Councils review their Constitutions when they decide it is appropriate to do so.

##### 1.3 Education and Learning Directorate:

- to provide a framework informing and setting out the governance for Parent Councils creation and operation.
- to provide a framework to review and amend their Parental Involvement [and Engagement] Strategy to ensure that ALL Parents are aware of and able to be engaged in supporting their school and their child's learning.

#### Who is involved in creating and enforcing the Scheme? (2006 Act Section 5)

1.4 Dumfries and Galloway Council as Education Authority/Council (referred to as DGC) represents the Directorate of Education and Learning, AND Parent Council (referred to as PC) who represent the Parent Forum of those Parents who have Children and Young People in our schools. Both parties must have regard to the Scheme in carrying out their functions under the Act.

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1.5 The Act requires education authorities to promote the establishment, and provide support for the operation, of PCs. In general, this will entail the creation of a PC for each school. The Act also allows for the establishment of a Combined PC in certain circumstances.

1.6 'Parents' refers to members of the 'Parent Forum'. The Act says the Parent Forum consists of ALL parents who have a child at the school. The definition of 'parent' includes everyone with a parenting role, for example non-resident parents, foster carers, and relatives who are caring for children for a range of different reasons.

1.7 DGC have additional guidance about 'who is a parent' as we acknowledge that there are many types of parent (married or unmarried/carer, grandparent other relative depending on where the child resides, foster parent, kinship care, should all be considered as 'parent'). This is available on request.

1.8 Parent Forum and PC. A Parent Forum may be represented by a body to be known as "Parent Council". A PC ceases to exist when the school for which it is established is discontinued or amalgamated with another school.

1.9 The PC should have arrangements in place for ascertaining the views of members of the Parent Forum on the standards and quality of education provided by the school, or on other matters that appear to the PC to be of interest or concern to members of the Parent Forum - see **Appendix 7: Communication and Engagement Strategy**.

## 2. What is a Scheme for the Establishment of a Parent Council? (2006 Act Section 6)

2.1 For the purposes of establishing a PC, DGC are to notify in writing the members of the Parent Forum of a public school in their area of the intention to prepare a Scheme for the Establishment of a PC for the school (and all pupils), inviting them to indicate, within a reasonable period as they are to specify in the notice:

1. a preference as to how the PC is to be constituted;
2. what its constitution is to be; and
3. an invitation to the Parent Forum that (a) no such scheme should be prepared or (b) any scheme prepared should be prepared by a person other than the education authority. If this is the case DGC will support the Parent Forum to achieve this.

2.2 If the Scheme is to be established by DGC, the relevant officer(s) will prepare the Scheme, send a copy to each Parent Forum member, and decide to implement it, ensuring that parental involvement and engagement is embedded in the process agreed with the Parent Forum as outlined in 2.5 below.

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2.3 The Scheme should also be referenced alongside DGC's Parental Involvement and Engagement Strategy [Parental Involvement and Engagement \(PIE\) - Dumfries and Galloway Council \(dumgal.gov.uk\)](#)

2.4 The Scheme requires the preparation of a Constitution for the PC - see **Appendix 1: Sample Constitution.**

### 2.5 How do DGC develop a Scheme and Constitution? (2006 Act Section 6)

- a) DGC will share the notification of the Scheme preparation with the Parent Forum.
- b) DGC will work with Parents to help them clarify and confirm how the PC is to be constituted.
- c) DGC will work with Parents to help them confirm their Constitution.
- d) once in place, or as soon after, the PC will inform:
  - the Headteacher
  - the members of the Parent Forum
  - pupils in attendance at the school, and such other persons as it appears to the PC appropriate to include for the purposes of this subsection, that it has been established
  - DGC, including who the members of the PC are and as to how to communicate with it
  - if the education authority did not prepare the Constitution of the PC, the PC must provide a copy to DGC AND provide the Headteacher with a copy of that constitution.

2.6 DGC will record the planning, pre-consultation, consultation, and post consultation stages - see **Appendix 2: Consultation Template / Project Mandate.** It will form a comprehensive record of the consultation process (Consultation Institute & National Standards of Engagement) - [National Standards for Community Engagement | SCDC - We believe communities matter](#)

## 3. The Composition of a Parent Council (2006 Act Section 7)

3.1 Members of the PC must be parents of the School's Parent Forum unless the Constitution allows for other co-opted by the membership.

3.2 The size and make-up of the PC will feature as part of the Constitution noting that it would be desirable to have at least one parent representative from each stage in the school.

3.3 The PC may co-opt additional members to assist it with carrying out its functions where there is a need for individuals with skills or knowledge. Co-opted members must be declared

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to the Parent Forum. These may include other 'Communities of Interest' in the locality but may not be a member of the Parent Forum. Co-opted members must be proposed and seconded at an ordinary meeting, AGM or EGM and approved by a two-thirds majority of the current elected membership of the PC.

3.4 Denominational schools must provide for at least one of the PC's members to be co-opted and to be a person nominated by the church or denominational body in whose interest the school is conducted.

3.5 Pupil representation (for example members of the School's Pupil Council) may also be invited to attend meetings. Other ways of taking the views of pupils should be considered such as a vote or survey.

3.6 The Headteacher or their representative has a right and duty to attend PC meetings.

3.7 The PC should try to engage with ALL parents as they have the right to be treated fairly and have access to the work of the PC. The Equality Act 2010 also requires us to look at equality in terms of the nine "protected characteristics": age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

3.8 ONLY a person of who is a member of the school's Parent Forum may Chair a PC established for that School.

3.9 A PC is to be known by whatever name the Parent Forum may specify. Sometimes changing the name away from 'Parent Council' may help to engage the wider Parent Forum for example 'Friends of ...'.

### **3.10 Office / Role Bearers**

3.11 The Chair shall be responsible for ensuring that PC meetings are properly conducted in accordance with the Scheme, and for submitting a written report on the PC's activities for the previous year to the AGM. A Vice-Chair is sometimes appointed to support the role of Chair.

3.12 The Secretary shall be responsible for arranging PC meetings, newsletters and for supporting communication with parents. If the role is considered to be too onerous for one person the role may be split into the role of Secretary (Minute Taker) and Secretary (Communications) or Secretary and Vice Secretary with allocated tasks or such other way as is deemed suitable.

3.13 The Treasurer shall be responsible for correctly maintaining the PC's financial records which shall disclose the PC's financial position. The Treasurer shall take all reasonable steps to ensure that monies due are received and creditors paid, present financial information to the

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PC when required and prepare annually a statement of accounts - see Section 9 - Financial Responsibilities.

3.14 Removal of Office / Role Bearers: In the event that an Office / Role Bearer is not performing their duties to the PC's satisfaction, a motion to remove that person from their post can be considered at a PC meeting, provided that notice has been given on the agenda for the meeting and the Office Bearer concerned has been given reasonable opportunity of being heard. The motion shall require a proposer and seconder and if the motion is passed by a two-thirds majority of the current voting membership of the PC then the Office Bearer will be deemed to have been removed from that post and the post will require to be filled as the next item of business at that meeting.

3.15 Locally Elected Members who are members of School PCs either on a co-opted basis or who attend on an invitation only basis should be able to demonstrate that they are complying with the Standards Commission for Scotland Councillors' Code of Conduct. The Locally Elected Member would not have any voting role. Visit [Councillors' Code of Conduct | The Standards Commission for Scotland \(standardscommissionscotland.org.uk\)](https://standardscommissionscotland.org.uk) for more information. Locally Elected Members attending as a parent are doing so solely as a Parent.

3.16 Council employees who are members of School PCs by being part of the School Parent Community should be able to demonstrate that they are complying with their Employee Code of Conduct. Visit [Policy Code of Conduct.docx \(dgcouncil.net\)](https://dgcouncil.net) for more information.

3.17 PC members are always asked to consider their conduct as the representative body of the Parent Forum. DGC have provided an exemplar code of conduct for parents to consider ensuring that the Parent Council members understand their expectations, obligations and duties placed on their conduct. The code will ensure that members exercise their roles effectively and have the highest standards of integrity. The code of conduct is an assurance, for outside bodies, that members will be acting in an appropriate manner - see **Appendix 5: Code of Conduct for Members - Exemplar**.

#### 4. The Functions of a Parent Council (2006 Act Sections 4 & 8)

4.1 The statutory functions of the PC are listed within the Act as:

**(a) to support the endeavours of those managing the school**

- (i) to raise standards of education in the school
- (ii) to secure improvements in the quality of education which the school provides and
- (iii) to develop to their fullest potential the personality, talents and mental and physical abilities of the pupils attending the school.

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**(b) to make representations**

(i) to the school's headteacher and to the education authority about the arrangements in the school for promoting the involvement of parents in the education of such of those parents' own children (of whatever age) as attend the school and of its pupils generally and

(ii) to the education authority about the arrangements in their area for promoting the involvement of parents of pupils attending schools in that area in the education of such of those parents' own children (of whatever age) as attend the school and of those pupils generally.

**(c) to promote contact between**

(i) the school

(ii) the Parent Forum

(iii) parents of prospective pupils of the school

(iv) pupils in attendance at the school

(v) the community and

(vi) such other persons as it appears to the council appropriate to include for the purposes of this paragraph.

**(d) to report on the council's activities to the members of the Parent Forum, as often as appears to the council to be appropriate but in any event**

(i) not more than 12 months after the council is established and

(ii) after that first report, at intervals of not more than 12 months.

**(e) to ascertain the views of the members of the Parent Forum as regards**

(i) the standards of education in the school

(ii) the quality of education which the school provides

(iii) the exercise by the council of its functions and

(iv) such other matters as appear to the council to be of interest or concern to the Parent Forum.

**(f) to collate those views and report them to**

(i) the headteacher of the school

(ii) the education authority and

(iii) such other persons as it appears to the council appropriate to include for the purposes of this paragraph.

**(g) to review from time to time its constitution and**

**(h) with the requisite consent, to amend (or replace) the council's constitution whenever it appears to the council to be necessary or expedient to do so.**

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4.2 DGC and PCs in 2008 agreed to summarise the above functions of the PC to the following objectives

- to work in partnership with the school to create a welcoming school which is inclusive for all parents;
- to promote partnership between the school, its pupils, all its parents and the wider community;
- to develop and engage in activities, including fundraising, which support the education and welfare of the pupils; and
- to identify and represent the views of parents on the education provided by the school and other matters affecting the education and welfare of the pupils.

4.3 Early Learning and Childcare: In the case of a primary school PC there is an additional requirement for the PC to promote contact between such providers of nursery education, early learning and childcare setting to prospective pupils of the school as appear to the PC appropriate. (A person is a provider of nursery education if providing education to pre-school children.)

4.4 These functions should be reflected in the Constitution of the PC as agreed by the Parent Forum.

4.5 Subject to any other provision made by this Act, the PC may do anything which is calculated to facilitate the exercise of those functions including, without prejudice to that generality:

- a) entering into contracts and agreements (other than in relation to land) and
- b) appointing a person to be clerk to the council.

4.6 A person (other than a member of the PC) who is appointed by the PC (appointment of a clerk) may be paid by the PC.

4.7 Meetings of PC are to be open to all members of the Parent Forum. However, during consideration of any matter which a PC is satisfied should be dealt with on a confidential basis, the only persons entitled to attend are members of the Parent Council. Parent Councils are required to be open and transparent. In general, all meetings of the Parent Council are open to the public. However, the Parent Council, (including the Headteacher) also has the right to meet in private during discussion of any matter which the Parent Council considers should be dealt with on a confidential basis due to the sensitive nature of the information. These would normally be confidential matters to a named individual.

4.8 The members of the PCs do not incur personal liability for anything done, or purportedly done, in the exercise of those functions if it was done in good faith. However please refer to

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Section 12 - Insurance and the Liability of PC Members to ensure that your Parent Council have appropriate public liability insurance in place which will provide cover for the activities of the Parent Council in arranging events. This is outlined in your membership details with Connect.

4.9 In the exercise of those functions the PC is to have regard to any guidance issued to it, that may include training to support the PC in the delivering their functions.

4.10 The PC is to comply with any reasonable request made to it by the Headteacher of the school or by DGC for information relating to its exercise of those functions.

4.11 A PC ceases to exist when the school for which it is established is discontinued or amalgamated with another school.

4.12 If the PC amends (or replaces) its constitution it must as soon as reasonably practicable provide:

- a) the education authority and
- b) the headteacher, with a copy of the constitution as amended (or of the new constitution).

**NOTE:** the Scottish Ministers may by order alter/add to the functions. DGC will be responsible for notifying PCs of these changes. There are anticipated changes to the role and engagement with Early Learning and Childcare Settings expected 2022/23.

4.13 DGC is committed to offering whatever assistance it can to PCs as requested and provide opportunities centrally for parents to enhance their knowledge of education and care and wellbeing issues. As appropriate, schools will deliver ongoing programmes to assist parents in supporting their child's learning as outlined in the [DGC Parental Involvement and Engagement \(PIE\) - Dumfries and Galloway Council \(dumgal.gov.uk\)](https://www.dumgal.gov.uk/parental-involvement-and-engagement)

4.14 Formalised groupings such as individual School PCs and the Area Parent Forum which seek to represent collective views are not expected to progress matters solely relating to an individual parent/carer or family. Individual circumstances arising should in the first directed to the Headteacher of the school and may be considered in line with the Councils Complaints Handling process if matters cannot be resolved at School Level.