**Parent councils and other parent groups**

'Parent forum' is the term for all of the parents of pupils in attendance at a local authority school (collectively).

Once a parent council has been constituted, it is formally established and recognised in law. The parent council must notify the headteacher, the pupils at the school, the parents of those pupils, and any other appropriate people: who the members of the parent council are; how to contact it; and its main functions. A copy of the constitution must be provided to the headteacher and the education authority.

The default name of any parent council is 'the [Name of School] Parent Council', but the parent forum may decide on a different name if they prefer.

Members of the parent council must be parents of a pupil at the school or (where the constitution allows it) co-opted members. Parent councils for denominational schools must allow for one co-opted member to be nominated by the relevant church or religious body. The chair of the parent council must be one of the parent members.

A proposed amendment to (or replacement of) the constitution of a parent council must be sent to every member of the parent forum for their approval. The amendment (or replacement) may only proceed if a majority of those responding in time agree.

Where the constitution is amended or replaced, the parent council must provide the headteacher and the education authority with copy of the amended (or replacement) constitution.

**Combined parent councils**

Combined parent councils can be established to carry out the functions of a parent council in relation to more than one school. This might happen where the schools share a headteacher or are part of the same cluster of feeder schools to the same secondary school or are to be merged in the near future.

When a combined parent council is established, any parent council for any of the schools involved ceases to exist. It is not possible to have a parent council and a combined parent council for the same school.

**Requirements for PVG registration**

Guidance from Disclosure Scotland on PVG registration for parent council members states that parent councils or other parental bodies meeting in a school either when there are no children present (eg evenings) or in the presence of a responsible person (eg a teacher or headteacher) do not require PVG registration. Even when meetings are taking place during the school day in the absence of a responsible person, it should be possible for schools to make arrangements to ensure that parents remain outwith the scope of the scheme by, for example, arranging for them all to be picked up from reception and taken to the meeting room.

Depending on the activities of the parent council, PVG registration may be required. This would apply where, for example, the members of the parent council were involved in running social or fundraising events specifically targeted at children.

**The functions of the parent council**

The functions of parent councils are:

* to support the managers of the school in: raising standards of education; securing improvements in the quality of education; and developing to their fullest potential the personality, talents and mental and physical abilities of the pupils attending the school
* to make representations to the headteacher and the authority about the arrangements for promoting parental involvement in the school and across the authority
* to promote contact between the school, the parent forum, parents of prospective pupils of the school, pupils, the community, and other appropriate people or bodies. For primary schools, this includes providers of nursery education (early learning and childcare)
* to report back on the activities to the parents of pupils at the school at least annually
* to ascertain the views of the members of the parent forum on: the standards of education in the school; the quality of education which the school provides; the exercise by the parent council of its functions; and any other matters as may be of interest or concern to parents
* to collate those views and report them to the headteacher, the education authority and other appropriate person or body
* to review from time to time its constitution
* with the requisite consent, to amend (or replace) the constitution whenever it is necessary or expedient to do so.

The parent council may make representations to the headteacher, the education authority or any other appropriate person or body about any matter which appears to be of interest or concern to parents of pupils at the school. That might include making representations to Her Majesty's Inspectors (Education Scotland), but that is only permitted where the parent council have first made representations to the authority and (where appropriate) the headteacher and have received a reply.

Where Her Majesty's Inspectors do receive representations from a parent council they must have regard to those representations (in so far as it is reasonable and practicable to do so) in carrying out their functions - including any subsequent inspection of the school - and must reply to the parent council.

The parent council have wide powers to do anything intended to assist in the exercise of these functions including entering into contracts and agreements (other than in relation to land).

Members of a parent council do not incur personal liability for anything done, in carrying out these functions - if it was done in good faith.

The education authority can issue guidance to its parent councils. Parent councils within that area must have regard to any such guidance.

The parent council must comply with any reasonable request made by the headteacher or the education authority for any information relating to its exercise of those functions.

A parent council ceases to exist if the school is closed (or merged with another school).

**Meetings**

The headteacher has both the right and the duty to attend (or be represented at) all meetings of a parent council. If the headteacher is unable to attend, they should arrange for another member of staff to attend in their place.

Meetings must generally be open to the public, except during consideration of any confidential matters, when only the members of the parent council and the headteacher (or their representative) are entitled to attend.

The parent council may appoint a person to act as a clerk, taking minutes and dealing with correspondence, notices for meetings etc. If the clerk is not a member of the parent council, then the parent council may pay the clerk.

**Financial powers**

A parent council may raise funds and receive donations (but may not borrow money). It may spend any money it has received at its discretion.

Obviously, in spending money, it must still act in accordance with its constitution and the statutory functions of a parent council. Some funds received may come with conditions of use, for example if an award was made by a source of charitable funding, conditions of grant will be imposed and must be adhered to.

Parent councils may not acquire (even by gift or inheritance) any interest in heritable property (land or buildings).

Where a parent council ceases to exist, any funds or other property belonging to it passes to the education authority but must be used for the benefit of the school (unless the school has been closed). Where a parent council is a Scottish Charity, particular care must be taken to ensure that the disbursement of any funds to the authority is done in such a way that the charitable purposes for which the funds were raised are respected.

**Education authority duties**

A parent council can request advice and information from the education authority 'on any matter' and the education authority must provide it (where 'reasonably requested').

The education authority must provide the parent council with an annual allocation of money for covering the administrative expenses of the parent council, costs of training for parent council members, and other outgoings in carrying out its functions. The authority should consult with the parent council prior to setting the allocation.

Additionally, the authority may provide a parent council with services or accommodation. For example, it is common for the parent council to meet within the school itself and training for members may be provided directly by education authority staff.

The education authority must let the parent council know what the current arrangements are for parent/teacher consultations (eg parents’ night), and the parent council may make its views on those arrangements known to the headteacher and/or education authority.

Where the authority receives any representations from the parent council on any topic, the authority must have regard to those representations in carrying out their functions (so far as reasonable and practicable) and must reply to the parent council.

The parent of any pupil in attendance at one of the authority's schools can request advice and information from the education authority on any matter relating to that pupil's education and the education authority must provide it (where 'reasonably requested').

**Headteacher duties**

A parent council can request advice and information from the headteacher on any matter within his or her area of responsibility and the headteacher must provide it (where 'reasonably requested').

The headteacher and staff of each school should be available to give advice and information to the parent council on what is being done by the school managers to promote parental involvement at the school.

Where the headteacher receives any representations from the parent council on any topic, the headteacher must have regard to those representations in carrying out the duties of his or her post (so far as reasonable and practicable) and must reply to the parent council.

In addition, the headteacher and staff at a school should be available to give advice and information to any parent of a pupil in their school on any matter relating to that pupil's education.

The headteacher must report to the parent council at least once a year, evaluating the performance of the school and setting out the headteacher's objectives and ambitions for the school. The report should cover the school improvement plan and the objectives and ambitions for the school set out there; the implementation of the school improvement plan; the latest standards and quality report for the school; and the equal opportunity requirements.

The report is to be made in whatever way the parent council may reasonably request. Some parents may prefer a written report to a verbal report, for example. In any case, the headteacher must also prepare a summary of the report (in writing). Every parent of a pupil at the school must receive a copy of that summary.

Where there is no parent council, the report is made to the parent forum instead.

**Complaints**

The education authority must establish a complaints procedure for parents or others to make complaints about the authority's exercise of their parental involvement functions. This must be a specific complaints process in relation to parental involvement. It is not sufficient to simply point complainants to the authority's general complaints policy.

Before adopting a complaints procedure, the authority must consult with parents, parent councils and other appropriate people or bodies. The authority must keep the procedure under review and must vary the procedure where it is appropriate to do so.

The authority must publicise the complaints procedure, and must provide a copy, free of charge, to anyone who requests one.

**Other parent groups**

Another way in which parents can become involved in what’s going on at their child’s school is through a parent-teacher association (PTA) or a parents’ association (PA). Generally there is little difference between the two, although as the name suggests, a PTA will tend to have teachers as members as well as parents. There is no legal requirement (or specific legal provision) for PTAs or PAs to be set up within schools, although some education authorities do encourage this.

Many PTAs or PAs have now simply become part of a parent council. However, there is nothing to stop parents from continuing or setting up a parent group which is not part of the parent council.

PTAs and PAs can become involved in a wide range of activities. Many are devoted solely to fundraising activities, while others take an active interest in educational and other matters affecting the school.

It is advisable to have a formal document or 'constitution' setting out the aims of the association, how often meetings are held, how office bearers are appointed, etc. This is particularly the case if the association will be handling any money. Unlike Parent Councils, PTAs and PAs are liable for their actions, with members of their committees carrying any liability personally. The Scottish Parent Teacher Council gives advice to PTAs and PAs on, among other things, how to set up an association and insurance.

If a school does not have a PTA or PA, it is open to any parent to go about setting one up. The initial steps would be to establish whether there is a willingness among other parents to become involved, and then to approach the parent council (if there is one) and the headteacher to see if they would be agreeable to setting one up. The permission of the parent council or headteacher is not required to set up a parent’s group, but if either is opposed to it, it may be more difficult to fulfil certain functions. As the headteacher, the authority and the parent council are required to promote parental involvement, there is unlikely to be significant opposition to setting up a new group.