



Scottish Schools (Parental Involvement) Act 2006

2006 asp 8

Duties , reports , appointments and complaints

11 Duties of education authority and headteacher to a Parent Council etc

- (1) An education authority are to give advice and information to a Parent Council established for a school in their area when the council reasonably requests it from them on any matter.
- (2) An education authority are to take such steps as appear to them to be appropriate to ensure that the headteacher and staff of each school in their area—
 - (a) are available to give advice and information to a Parent Council established for the school on what is being done by those managing the school to promote parental involvement in education there, and
 - (b) in giving such advice and information act in a manner consistent with the authority's duties under this Act.
- (3) In addition to giving advice and information in terms of subsection (2)(a), the headteacher of a school must, if requested to do so by a Parent Council established for that school, give advice to the council on any matter falling within the headteacher's area of responsibility.
- (4) An education authority are, in respect of each financial year, to determine for a Parent Council established for a school in their area, an allocation of such money within the authority's budget as appears to the authority, after consultation with the council, reasonably to be required by the council for meeting—
 - (a) its administrative expenses (including, without prejudice to that generality, any expenses incurred by virtue of section 8(10)(b)),
 - (b) the expenses of training its members, and
 - (c) its other outgoings in carrying out the functions assigned it by or by virtue of this Act.
- (5) An education authority may provide a Parent Council established for a school in their area with services or accommodation.

- (6) An education authority are to inform a Parent Council established for a school in their area about the school's arrangements for consultation between parents and teachers; and without prejudice to the generality of paragraph (b) of section 8(1), the council may make representations under that paragraph, concerning those arrangements, to the authority or to the headteacher.
- (7) Where (whether or not under that paragraph)–
- (a) an education authority receive representations from a Parent Council established for a school in their area, the authority are to have regard to the representations (in so far as it is reasonable and practicable to do so) in carrying out their functions and are to reply to the council, or
 - (b) a school's headteacher receives representations from the Parent Council of the school, the headteacher is to have regard to the representations (in so far as it is reasonable and practicable to do so) in carrying out the duties of that post and is to reply to the council.

12 Duties of education authority to parents generally

- (1) An education authority are to give advice and information to any parent of a pupil in attendance at a public school in their area when that parent reasonably requests it from them on any matter relating to the education provided to that pupil.
- (2) An education authority are to take such steps as appear to them to be appropriate to ensure that the headteacher and staff of the school–
 - (a) are available to give such advice and information to the parent in question, and
 - (b) in giving it act in a manner consistent with the authority's duties under this Act.

13 Headteacher's report to Parent Council, Combined Parent Council or Parent Forum

- (1) The headteacher of a public school must at least once a year report–
 - (a) to any Parent Council established for the school,
 - (b) if a Combined Parent Council has been established for schools which comprise the school, to the Combined Parent Council, or
 - (c) if no Parent Council or Combined Parent Council has been so established, to the Parent Forum,
 evaluating the performance of the school and stating what the headteacher's objectives and ambitions for the school are.
- (2) Without prejudice to the generality of subsection (1), the headteacher is, in making the report, to have regard to–
 - (a) the school's development plan and in particular the objectives for the school which the plan sets and the statement of ambitions for the school which it contains,
 - (b) the report most recently prepared under section 6(4) of the Standards in Scotland's Schools etc. Act 2000 (asp 6) (report as to what has been done, over a period of twelve months, in implementation of that plan),
 - (c) the measures and standards of performance defined and published most recently under section 7(1) of that Act (review of school performance), and
 - (d) the equal opportunity requirements.

- (3) The report under subsection (1) is to be made in whatever way the council or forum reported to may reasonably request and a summary of it is to be prepared by the headteacher.
- (4) The headteacher is to secure that each member of the Parent Forum receives a copy of that summary.

14 Procedures for appointment of headteacher or deputy and participation of a Parent Council

- (1) An education authority are to inform—
 - (a) the Scottish Ministers, and
 - (b) any Parent Council established for a school in their area,about the authority’s procedures (in this section referred to as their “appointment process”) for filling any post, other than on an acting basis, of headteacher or deputy headteacher of a school and also (forthwith) about any change they make, whether or not by virtue of subsection (5)(b), to their appointment process.
- (2) The appointment process must entail involvement in it of any Parent Council established for the school to which an appointment is to be made.
- (3) A person who is not a member of a Parent Council may, at the request of the council, assist it in discharging its functions in connection with the appointment process.
- (4) An education authority are to make such arrangements as appear to them to be appropriate to ensure that training which will be of assistance in the discharge of functions in connection with the appointment process is made available to—
 - (a) members of any Parent Council,
 - (b) any person assisting a council under subsection (3).
- (5) The Scottish Ministers may (either or both)—
 - (a) by regulations, impose requirements which an appointment process must satisfy,
 - (b) by notice, require an education authority to make such changes to their appointment process as may be specified in the notice.

15 Complaints procedure

- (1) An education authority are to establish a procedure by which a person, or someone acting on a person’s behalf, may make complaints (or other representations) in relation to the exercise by the authority of, or failure by them to exercise, any of their functions under this Act in respect of the person.
- (2) Before establishing a procedure under subsection (1), the authority must consult—
 - (a) the parents to whom their duties under sections 1, 5 and 12 relate,
 - (b) any Parent Council established for a school in their area,
 - (c) any Combined Parent Council established for schools in their area, and
 - (d) any other person who appears to the authority to have an interest in their implementation of those duties,on the authority’s proposals in that regard.

Status: This is the original version (as it was originally enacted).

- (3) The authority are to keep the procedure so established by them under review and must vary that procedure whenever they consider it appropriate to do so.
- (4) The authority are to give such publicity to that procedure, including that procedure as varied under subsection (3), as they consider appropriate and must give a copy of the procedure to any person who requests it (at no cost to that person).