

SCOTTISH SCHOOLS (PARENTAL INVOLVEMENT) ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 16 – Establishment etc. of Combined Parent Council

56. [Section 16](#) sets out the arrangements to apply where a majority in each of the Parent Forums of two or more schools decide that they wish to have a combined council cover the interests of the schools involved.
57. [Sections 16\(1\)](#) and [16\(2\)](#) set out how a combined council may be set up. The members of the Parent Forum at each school must be told in writing of the proposal and given a specific but reasonable timeframe in which to give their response to the proposal. The decision is to be based on the response of the majority of parent members of each of the Forums responding within that period. Arrangements to establish a combined council can be made at any time, including where a Parent Council has already been set up ([section 16\(3\)](#)). However, an existing Parent Council ceases to exist when a combined council is established ([section 16\(4\)](#)).
58. If the decision of the Parent Forums in each of the schools for the prospective combined council is that a combined council should be established, the education authority then have to proceed to prepare a scheme for establishing the combined council ([section 16\(6\)](#)), make arrangements for implementation of that scheme which have to include the preparation of a constitution ([section 16\(7\)](#)), and must send a copy of the scheme to the members of the Parent Forums.
59. Once a Combined Parent Council is established, [section 16\(8\)](#) sets out what the new combined council must do when first set up and whom they must inform of their existence and constitution. This is broadly parallel to the obligation on a Parent Council for an individual school as set out in [section 6\(7\)](#) of the Act. It includes similar provisions as in [section 8\(2\)](#) with regard to the promotion of contact with providers of nursery education, where one of the represented schools is a primary school (see [paragraph 36](#)). The Combined Parent Council is to decide its own name.
60. [Section 16\(12\)](#) provides that, subject to any necessary modifications, a Combined Parent Council has essentially the same rights and functions as a Parent Council, with the provisions in [section 7\(4\)](#) as regards the chair of a Parent Council applying equally to Combined Parent Councils. The headteacher's duty to report on an annual basis on school performance, objectives and ambitions includes, where appropriate, a duty to report to a Combined Parent Council ([section 13\(1\)\(b\)](#)). Subsections (13) and (14) provide that a Combined Parent Council which includes a denominational school must provide in its constitution for at least one co-opted member nominated by the church or denominational body in whose interest the school is conducted. If more than one church or denominational body had an interest, each must be able to nominate at least one co-opted member to the Combined Parent Council.

*These notes relate to the Scottish Schools (Parental Involvement)
Act 2006 (asp 8) which received Royal Assent on 14 June 2006*

61. [Section 16\(15\)](#) provides that the duties on the education authority to promote the establishment of a Parent Council and to support its operation and in that regard to offer schemes for their establishment cease to apply on the establishment of a combined council but reapply if the school withdraws from the arrangement, and/or the combined council ceases to exist.
62. Subsection (16) sets out the circumstances in which a Combined Parent Council ceases to exist. The withdrawal or discontinuation from a combined council of one or more schools will not cause the Combined Parent Council to cease to exist so long as there is more than one school remaining in the combined council.