



Scottish Schools (Parental Involvement) Act 2006

2006 asp 8

Parent Forums and Parent Councils

8 Functions of a Parent Council

- (1) The functions of the Parent Council established for a school are—
- (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,
 - (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,
 - (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 so attend 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

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- (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.
- (2) In addition to the functions specified in subsection (1), the Parent Council established for a primary school is to promote contact between—
 - (a) the Parent Forum of the school, and
 - (b) such providers of nursery education to prospective pupils of the school as appear to the council appropriate.
- (3) For the purposes of subsection (2)(b), a person is a provider of nursery education if providing education to pre-school children (within the meaning of section 1(4B) of the Education (Scotland) Act 1980 (c. 44)).
- (4) The Parent Council may, whether or not it has ascertained and collated the views of the members of the Parent Forum as regards a matter mentioned in paragraph (e) of subsection (1), make representations to—
 - (a) the headteacher of the school,
 - (b) the education authority, or
 - (c) such other person as it appears to the council appropriate to include for the purposes of this subsection,
 as regards that matter.
- (5) But before making representations under paragraph (c) of subsection (4) to Her Majesty’s inspectors the Parent Council—
 - (a) must have made those representations under paragraph (b) of that subsection and received a reply under section 11(7)(a), and
 - (b) except in a case where it considers it inappropriate to do so, must have made those representations under paragraph (a) of that subsection and received a reply under section 11(7)(b).
- (6) Where by virtue of subsection (5) Her Majesty’s inspectors receive representations from a Parent Council they are to have regard to those 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.
- (7) In subsection (1)(h), “requisite consent”—
 - (a) is consent obtained after each member of the Parent Forum has been sent a copy of the proposed amendment or replacement with an invitation to the

- member in question to indicate, within such reasonable time as the council may specify in the invitation, whether the member agrees to that amendment or replacement, and
- (b) is the consent of the majority of such members of the parent forum as respond timeously to that invitation.
- (8) If, by virtue of subsection (1)(h), the Parent Council 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).
- (9) The Scottish Ministers may by order amend any of subsections (1) to (3) so as (either or both)—
- (a) to add to the functions for the time being described,
- (b) to alter any of those functions.
- (10) Subject to any other provision made by this Act, the Parent Council 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.
- (11) A person (other than a member of the Parent Council) who is appointed by virtue of subsection (10)(b) may be paid by the council.
- (12) The members of the Parent Council do not incur personal liability for anything done, or purportedly done, in the exercise of those functions if it was done in good faith.
- (13) In the exercise of those functions the Parent Council is to have regard to any guidance issued to it, for the purpose mentioned in subsection (14), by the education authority.
- (14) The purpose is of ensuring that any duty which the authority has—
- (a) under statute, or
- (b) by virtue of any rule of law,
- is duly complied with.
- (15) The Parent Council is to comply with any reasonable request made to it by the headteacher of the school or by the education authority for information relating to its exercise of those functions.
- (16) A Parent Council ceases to exist when the school for which it is established is discontinued or amalgamated with another school.