

section d — guidance for parent councils

Role of Parent Council

1. The Act makes provision for Parent Councils to play an active role in supporting parental involvement in the work and the life of the school, while also providing opportunities for parents to express their views on children's education and learning. The Parent Council, as a statutory body, has the right to information and advice on matters which affect children's education. In all cases, parents and the Parent Council can expect to influence decisions, to be listened to and be taken seriously. For example, it has an important role to play in the recruitment process for appointing the head and deputy head teacher of the school.
2. The Parent Council is entitled to support from the education authority in fulfilling its role. See Section C for more information.

Setting up a Parent Council

3. The Act is designed to allow parents to decide on Parent Councils that reflect local circumstances. It is for members of a school's Parent Forum to decide on what kind of Parent Council they want for their school, how it works and what it is called. However, parents can call on the support of education authority staff and the headteacher to help them decide on arrangements that will ensure an effective partnership with the school. This guidance and the resource materials provided in the toolkit should be used to help parents reach a decision on what kind of representation is right for their school and to review this as necessary. Some of the key issues that parents should consider are:
 - how will the Parent Council represent the views of all parents?
 - how will it be open and accountable to members of the Parent Forum?
 - what kind of partnership should the Parent Council have with the school and the wider community?
 - what will be its main areas of interest or activity?
 - how can it involve more parents in what it does?
4. The toolkit resource materials can help parents and the school through the process of establishing a Parent Council and a constitution that reflects the nature of the school and the wishes of parents. In particular, they can help parents consider what number of parent members they wish to have on the council, how they are selected, who they wish to co-opt from the school and the wider community, how often they may wish to meet, and what kind of resources they will require.



S6(7)

5. Once established, the Parent Council must inform the headteacher of the school, members of the Parent Forum, pupils and other parties as they consider appropriate that it has been established. The Parent Council must also inform them of who the members are and how they can be contacted. It must also provide a copy of its constitution to the headteacher and inform members of the Parent Forum and other parties as they consider appropriate of what its functions will be. The Parent Council should be supported by the authority to develop effective communication arrangements with all those that they need to keep informed of and involved with its functions.

Membership of Parent Council

S7

6. The Act requires that members of the Parent Council must be members of the school's Parent Forum. That is, they must have a child attending the school. It also provides that only a member of the Parent Forum may chair a Parent Council for that school. Beyond this, the Act allows considerable flexibility for parents to decide the composition of the Parent Council for their school. Parents may choose to frame their Parent Council constitution to allow others to be co-opted if they wish to draw on wider experience, such as that offered by school staff, local councillors or the school's community. Where a Parent Council is established in respect of a denominational school, (see glossary for meaning of denominational school), its constitution must allow for at least one of its members to be co-opted. The Parent Council must invite the relevant church or denominational body to nominate a representative to be part of its membership.
7. Members of the Parent Council will bring to discussions of the Council knowledge from their own experience and personal views. However, as parent representatives, they must also consider how they can ensure that the Parent Council presents a co-ordinated, collective voice through consultation with other members of the Parent Forum. The Council should consider how they can ensure that the views of all parents can be taken into account and what they can do to remove any barriers to wider parental involvement. The Headteacher can advise on this in terms of the education authority strategy to promote parental involvement. There are also activities and practical advice aimed at involving all parents in Section 2 of the toolkit which accompanies this guidance.

Functions of the Parent Council

8. The Act sets out a range of functions for Parent Councils which fall broadly within the following four areas:
- supporting the school in its work with pupils
 - representing the views of parents
 - promoting contact between the school, parents, pupils, providers of nursery education and the community
 - reporting to the Parent Forum.

Supporting the school

9. Parents have a key supportive role to play in assisting the headteacher and school staff in their aims to raise standards of education and to secure improvements in the quality of education provided by the school. The education provided must take account of the whole needs of the child in respect of developing a child's personality, talents and mental and physical abilities to their fullest potential. School education is about more than the curriculum and includes the school's provision for social, cultural and recreative activities and for physical education and training.
10. The Parent Council can support the work of the school in a variety of ways. It can:
- be involved in drawing up the school development plan and consider how parents might support its implementation
 - consider ways parents can be involved in children's learning to improve achievement
 - build positive relationships between parents and school staff
 - support the school in consulting with the wider parent forum on school policy decisions and other matters
 - use its own formal and informal channels for communicating about school events and how parents can become involved
 - fundraise to provide additional equipment and resources for the school
 - facilitate school events and work with the head teacher and staff to devise events which are enjoyable, encourage parental participation and that suit the needs of parents and fit into their schedules.



Representing the views of parents

11. The Act gives Parent Councils the right to represent the views of parents on a wide variety of educational matters. A Parent Council can make representations to a school's headteacher, and the education authority, about the arrangements the school has to involve parents in their own child's education and that provided by the school generally. It also can make representations to the education authority about its own arrangements for promoting the involvement of parents of pupils attending public schools in its area.
12. The Parent Council should have arrangements in place for ascertaining the views of members of the forum on the standards and quality of education provided by the school, or on other matters that appear to the Council to be of interest or concern to members of the forum. The Parent Council may want to work with the school to look at trends to see whether standards are improving across the school or if there are areas where further development might be needed. They could ask the head teacher what specific plans might be in place for improvement and consider how parents can be involved in supporting improvement in standards across the school. While it is good practice for the Parent Council to ascertain the views of the wider parent membership, it is not precluded from making representations on issues where these have been fully discussed at one of its meetings.
13. A report from the Parent Council might give feedback to the Parent Forum on the issues that they have identified in relation to standards and quality of education, what actions have been taken already and what further options there might be. This can be used to ascertain parents' views and involve them in activities that will help to raise standards.
14. The Parent Council may also be involved in consulting the Parent Forum about the full range of school policies, e.g. in relation to uniform, drugs, school ethos, etc. It can collate the views of parents and report them to the headteacher of the school and to the education authority as appropriate. It can also make representations on such matters to other persons, including HMIE. However, generally the Parent Council can only take a matter to HMIE if they have raised the issue with the headteacher and the education authority and have received a reply from both. This is in line with the expectation that most issues can be addressed fully at either the school or authority level. In exceptional cases, where the Parent Council consider it inappropriate to take an issue to the headteacher, they can raise the matter with the education authority, and if not resolved at that level, make representations to HMIE. [See Section E, paragraphs 7-9 for information about the role of HMIE.]

Promoting contact

15. The Parent Council can play a key role in supporting the work of the school within the wider community. The Act provides that one of its functions is to promote contact between all those with an interest in the work of the school. This includes parents of pupils at the school, parents of prospective pupils, the pupils themselves, providers of nursery education and community representatives.
16. Promoting contact can involve a variety of approaches. The Parent Council may identify and foster links with others whose work relates directly to children's education and learning e.g. local early years groups, childcare and nurseries; adult and continuing education, libraries etc. Individual members may do this through their employment in local services, shops etc where they may be able to publicise events, or through their membership of other local community or recreational groups and organisations. The Parent Council may wish to draw on the experience and expertise of local elected councillors and other community representatives and promote their involvement in its work and that of the school. The Parent Council can seek advice and information from the education authority on how they can promote contact with the wider community. In particular, it will wish to discuss with the education authority what providers of nursery education they should make contact with to ensure that parents of prospective pupils at the school are aware of what is done to promote parental involvement at the school.
17. The issues discussed by the Parent Council will necessarily focus on the interests of children and young people who may, themselves, have views on what is being discussed. The Parent Council should be open to ways of engaging with children and young people at the school. This may involve inviting representatives from the school's Pupil Council, or other representative pupil bodies, to meet with the Parent Council or to forward pupils' views on matters of interest to them. Pupils can also play a valuable role in helping promote the interest and involvement of their parents in school education. Examples of how this can be done are available in section 4 of the Toolkit.

S8(1)(c)

Accountability

18. The Parent Council is accountable to members of the Parent Forum. It should operate in an open manner and seek to ensure that all parents know how to communicate with members of the council if they need to do so. Discussions at Parent Council meetings should be open to the public, unless the matters to be discussed relate to issues which may impact upon the confidentiality of individuals or that of the school. In such cases, only members of the Parent Council and the headteacher and his or her representative are entitled to be present.

S9(2) and
S9(3)

19. The Parent Council should have appropriate arrangements in place for reporting to the Parent Forum on the work that it does to carry out its functions. Its constitution should set out arrangements in respect of such issues as annual and general meetings, frequency of meetings, notes of meetings, handling of confidential issues, and financial arrangements. Section 8 of the toolkit sets out a number of issues and suggested wording for a Parent Council constitution.
- S8 (1) (h)
20. The Parent Council may, with the requisite consent of members of the Parent Forum, amend or replace its constitution whenever this is required by changing circumstances. Requisite consent requires the Parent Council to send each member of the Parent Forum a copy of the proposed amendment or replacement and give them reasonable time to indicate whether they agree with that amendment or replacement. Any change must reflect the majority view of those responding within the appropriate timescale. The Parent Council must provide a copy of the amended or new constitution to the education authority and the school's headteacher.

Carrying out functions

- S8 (10) & (11)
21. Parent Councils have considerable flexibility under the Act to decide on how they carry out their functions. It is for parents to decide how their Parent Council is organised and to decide on how to take forward those issues that matter most to parents. The Parent Council may appoint a person to be a clerk and may pay the clerk, unless the person appointed is a member of the Parent Council itself. It must comply with any reasonable request from the headteacher, or the education authority, for information relating to its exercise of its functions.

Financial arrangements

22. As described at Section C, paragraph 50, the education authority must allocate, after consultation with the Parent Council, reasonable funding to enable it to meet the administrative costs incurred in carrying out its functions. This includes training costs and the cost of appointing a clerk. The Parent Council and the education authority should discuss what support the authority can provide to assist it with its financial arrangements. In particular, the authority should seek to agree arrangements whereby they can minimize, as far as possible, the administrative burden on the Parent Council of appointing a clerk.

23. The Parent Council can raise funds by any means, other than by borrowing, and can receive gifts. In addition, it can also enter into contracts and agreements. It cannot, however, purchase or own land or buildings. While the Parent Council can decide on how it expends any sums received by way of fund-raising or gifts, it should consider both the general view of members of the Parent Forum, as well as any advice offered by the school's headteacher. It should keep proper accounts of all monies received and expended and should as a matter of good practice produce an annual statement of accounts. Where a Parent Council ceases to exist, any property it holds passes to the education authority which, so long as the school continues, shall use it for the benefit of that school.
24. It is not anticipated that Parent Councils will, in normal circumstances, require to pay tax on any fundraising activities in which they are likely to engage, since activities such as school fetes, dances, coffee mornings, etc. are generally not considered to be trading activities. As an unincorporated association, similar to a Parent Teacher Association, the Parent Council might be liable to pay corporation tax on any profits they made from engaging in trading activities, or from investment income or capital gains. In the main, any tax liabilities which a Parent Council might incur would be likely to arise from interest on banked funds, of which Parent Councils are likely to have only very small amounts. HM Revenue and Customs (HMRC) has not, for many years, sought corporation tax returns from clubs and unincorporated associations that have very small tax liabilities. In practice therefore, it is considered unlikely that Parent Councils will be liable to any corporation tax. However, if in any doubt, they should check the position with their local HMRC office,¹⁶ which can offer general advice on tax issues. The Parent Council should also take account of any guidance that HMRC may issue from time to time on these matters. It can also ask the education authority for general advice and information on how it should handle its budget and finances.
25. The Act states that the members of the Parent Council do not incur personal liability for anything done, or purportedly done, in the exercise of the functions of the Parent Council if it was done in good faith. However, the Parent Council itself should consider the need for appropriate insurance in respect of activities which it may undertake and in relation to which issues of liability might arise. Where a Parent Council undertakes an activity on behalf of the education authority or a school, it will wish to establish whether the members involved are covered by the authority's own insurance arrangements for public liability. Otherwise, as for activities undertaken by the Parent Council itself, or by anyone on its behalf, it should secure its own public liability insurance. The Parent Council could take out an individual policy with a recognised broker. Alternatively, it may wish to explore the possibility of buying into a group policy held by a national organisation or into local authority insurance arrangements.

S10

S8
(12)

¹⁶ <http://www.hmrc.gov.uk/enq/index.htm>



Combined Parent Council

26. The Act makes provision for the establishment of a Combined Parent Council, covering two or more schools, where this has the requisite consent of the majority of parents in each of the schools. Requisite consent means the expressed wish of the majority of parents, in each school, responding to a written notice of the proposal that a Combined Parent Council be set up. Where parents choose to set up a Combined Parent Council, the education authority should prepare a scheme using a similar process to that followed in the case of a single council (see Section C, paragraphs 45-48). The authority must send a copy of the scheme to all members of the respective Parent Forums and make the necessary arrangements to implement it, including an appropriate constitution for the Combined Parent Council. It will be for the Combined Parent Council to agree a name by which it will be known and to let the headteachers of the represented schools, members of the Parent Forums, pupils and others, as appropriate, know when it has been established.
27. In general, provisions in the Act which apply to the operation and support of a single Parent Council apply in the required modified form to a Combined Parent Council. These cover:
- developing or reviewing the strategy for parental involvement
 - composition and chair of the council
 - functions of Parent Council
 - headteacher's right and duty to attend council meetings and meetings being open
 - financial powers
 - education authority provision of advice, information and support
 - appointments procedure for senior staff.
28. If a Combined Parent Council includes a denominational school its constitution must provide for at least one person from the church or denominational body to be a co-opted member of the council. Where there is more than one such church or denomination, each church or body must be able to nominate at least one co-optee.

29. Where the members of the Parent Forum of one of the represented schools within the combined arrangements decide to withdraw, or one of the schools is discontinued or amalgamated with another school, then the Combined Parent Council will cease to exist if the 'represented schools' no longer comprise more than one school. Withdrawal from a Combined Parent Council is subject to the majority of parents at the school responding, within a reasonable timescale, to a written proposal that the school withdraw from the combined arrangements. If members of a Parent Forum do decide to withdraw, then the general duty on the education authority to promote and support the establishment of a Parent Council at the school re-applies.

Key Points:

- Parent Councils should play an active role in supporting parental involvement in the school and provide an opportunity for parents to express their views. (para 1)
- It is for the members of the Parent Forum to decide what kind of Parent Council they want. (para 3)
- Parent Council made up of members of the Parent Forum, but may co-opt others if they wish. (para 6)
- A range of functions for Parent Councils are set out in the Act (para 8) and councils can support the school in a variety of ways. (para 10)
- The Act gives Parent Councils the right to represent the views of parents. (para 11)
- The Parent Council is accountable to members of the Parent Forum and should have arrangements in place for reporting to the forum on their work. (paras 18 and 19)
- Authorities must allocate Parent Councils reasonable funding to enable the council to carry out its functions. (para 22)
- A Combined Parent Council may be established to cover two or more schools. (paras 26-29)

