



Schoolboard

Get involved in your child's school

FREQUENTLY ASKED QUESTIONS



SCOTTISH EXECUTIVE

School Boards – Frequently Asked Questions

This publication has been compiled by the **Scottish Executive Education Department** in partnership with the **School Board Officers Network** and the **Scottish School Board Association**. It has been framed around the questions most commonly asked by School Boards.

These questions and answers offer assistance in interpreting the meaning and the intention behind the provisions of the School Boards (Scotland) Act 1988. Questions and answers of this kind cannot, however, give a definite interpretation of the law: that is the function of the courts. Any Board or other person seeking advice on the meaning of the Act in relation to particular circumstances, is strongly advised to take professional legal advice.

We hope that the answers to some of these questions will help you in the day to day running of your School Board. If you cannot find the answer to your question here, please contact the Scottish School Board Association and their 'Problem Solving Service' for help and advice. They can be contacted during normal office hours on 01387 260428 (phone and fax) or by email to ssba@schoolboard-scotland.com.

This document is also available from the Parentzone website www.parentzonescotland.gov.uk and the Scottish School Board Association website www.ssba.cc

Frequently Asked Questions

INDEX

Question:

Page:

1.	Who can serve on a School Board?	1
2.	Do I require any qualifications to be a School Board member?	
3.	Do Board members have to undertake any training?	
4.	Will I receive any training?	
5.	When is the regular election period?	
6.	How long does a parent member serve?	
7.	Can a parent be re-elected for a further term of office?	
8.	Can a teacher at a school where their child is a pupil be a parent member?	
9.	Can a parent member, who is a teacher at another school sit on an appointment committee?	
10.	Can a classroom assistant/auxiliary/nursery nurse with children in the same school stand for election as a Board member?	2
11.	What is the position of a parent member who becomes a member of the teaching staff at the school?	
12.	How long does a staff member serve on the Board?	
13.	Can a Board function without a staff member?	
14.	If a staff member resigns part way through their term of office, is there a timescale within which the education authority must make arrangements to fill that vacancy?	
15.	Can a Board appoint a parent or staff member without holding a formal election?	
16.	What is the role of the School Board Chair?	
17.	Can a staff member serve as Chair?	3
18.	How long should the Chair be in post?	
19.	Does the Clerk get paid for their services?	
20.	What does the Board do if the Clerk resigns?	
21.	What does co-opted mean and who can be co-opted?	

22.	Who invites a co-opted member onto the Board?	4
23.	How long does a co-opted member from the community serve?	
24.	Can non-teaching members of staff such as janitors, school secretaries, be co-opted members of a School Board?	
25.	Do co-opted members have to come from the local community?	
26.	Is a parent member whose child leaves the school eligible to be co-opted onto the Board?	
27.	If a Board member no longer has a child at the school do they have to stand down?	
28.	What is the position of a nursery unit within a primary school?	
29.	Who can attend meetings?	

30.	What is a quorum?	5
31.	What can a Board do if a member does not attend meetings?	
32.	How many meetings are School Boards expected to have?	
33.	What is the role of the Headteacher in relation to the School Board?	
34.	Does the Headteacher have to attend every meeting of the Board?	
35.	Has the Headteacher any say in the approval of the minutes of Board meetings?	
36.	What does the School Board deal with?	

37.	Do all Boards have the same role and remit?	6
38.	What is the composition of a Board in a single teacher school?	
39.	What is the difference between a School Board and a PTA/PA?	
40.	What is the relationship between the School Board and PTA/PA?	
41.	How do Boards effectively communicate with parents?	
42.	Can you sit on more than one Board at the same time?	

43.	Can a husband and wife sit on the same Board at the same time?	7
44.	Does a Board deal with complaints?	
45.	Can a Board “hire and fire” staff?	
46.	Does the School Board receive a budget?	
47.	Does the School Board have any say in how the school budget is spent?	
48.	What happens to any surplus funds at the end of the financial year?	
49.	Are education authorities required to establish School Boards for special schools and for special units for children permanently excluded from secondary school?	

50.	Is there a period of time after disestablishment that a Board must wait before requesting re-establishment?	8
------------	--	----------

1. Who can serve on a School Board?

Any parent of a pupil at a particular school can become a **parent member** of the School Board for that school. Teachers on the staff can serve on a Board as **staff members**. Persons may be co-opted onto the Board (**co-opted member**) provided they are not eligible to serve as a parent or staff member.

People who are eligible to serve on the Board may do so as long as there is no legal reason which might otherwise restrict them from doing so.

2. Do I require any qualifications to be a School Board member?

No, you do not need any professional qualifications or expert knowledge of education to be a School Board member.

3. Do Board members have to undertake any training?

There is no statutory requirement for Board members to undertake training. However, members are actively encouraged to attend training courses which will assist them in undertaking their roles and responsibilities effectively.

4. Will I receive any training?

Training courses are available to Board members either from the Scottish School Boards Association (SSBA) or your education authority. Further details about the courses available in each area will be circulated by the education authority and published on the SSBA website.

5. When is the regular election period?

The regular election period is between 1 September and 30 November every second year. The next election period is in 2005.

6. How long does a parent member serve?

A parent elected to the Board at a regular election or co-opted to the Board as part of the regular election process will serve for four years. A parent co-opted to fill a casual vacancy will serve until the next regular election. When a Board is first established, half of the parent members will serve for two years. The statutory period of office starts on 1 December and ends on 30 November.

7. Can a parent be re-elected for a further term of office?

Yes.

8. Can a teacher at a school where their child is a pupil be a parent member?

No. A person who is eligible for election to a Board as a staff member is not eligible for election to that Board as a parent member and cannot be a co-opted member.

9. Can a parent member, who is a teacher at another school sit on an appointment committee?

Yes – an employee of an education authority is not precluded from being a member of an appointment committee. That member would require to be nominated either by the Board or the authority.

10. Can a classroom assistant/auxiliary/nursery nurse with children in the same school stand for election as a Board member?

Yes, they can stand as a parent member.

11. What is the position of a parent member who becomes a member of the teaching staff at the school?

The person would have to resign as a parent member of the Board if, as a teacher, they would be eligible to be a staff member of the Board, i.e. are employed over 40% time.

12. How long does a staff member serve on the Board?

4 years

13. Can a Board function without a staff member?

Yes, a Board can exist without a staff member. However, in order to represent all interested parties on the Board it is best practice to ensure that wherever possible, a staff member position is filled

14. If a staff member resigns part way through their term of office, is there a timescale within which the education authority must make arrangements to fill that vacancy?

Yes. In the event of a lesser number of staff members being elected on any occasion than is necessary to make up the prescribed number of staff members for the Board, or if a vacancy for a staff member arises, a by-election must be held as soon as possible and within 3 months of the vacancy arising.

15. Can a Board appoint a parent or staff member without holding a formal election?

Parent members can be appointed without formal election when filling a casual vacancy and where no request has been made to hold a by-election. The education authority should always be notified of any casual vacancies for parent members in the first instance in order that appropriate steps can be taken before the Board proceeds to co-opt.

The term of office of a parent member co-opted in these circumstances runs until the end of the regular election period in the next relevant year after the co-option takes place. A co-opted parent member would therefore hold office for no more than 2 years. Staff members cannot be co-opted and any casual vacancies that arise should be notified to the education authority and then filled by holding a by-election.

16. What is the role of the School Board Chair?

- The positions of Board Chairperson and Vice-Chairperson can be held by either a parent or co-opted member. The role of the Chairperson, or in their absence the Vice-Chairperson, has a significant effect on how a Board operates.
- Before a Board meeting the Chairperson should, together with the Clerk, draw up an agenda for the meeting. The Headteacher should also be included in this process as they may suggest appropriate/relevant matters for discussion. The Chairperson has final say on what appears on the agenda. >>

- The Chairperson should ensure arrangements are in place for the agenda to be sent out to the Headteacher, all Board members, the local councilor and the Director of Education (or representative) where appropriate, at least a week in advance of the Board meeting. The agenda should also be made publicly available in the school.
- During the Board meeting the Chairperson should allocate an appropriate amount of time to each item to ensure that all agenda items are covered and that the discussion is focused on the subject at hand.
- Where there is disagreement the Chairperson should consider when to ask for a motion to be proposed. The Chairperson has a second or casting vote where an equality of votes arises at any meeting of the Board surrounding any matter *except* in relation to the appointment of a co-opted member or to the appointment to any particular office or committee.
- At the end of discussion of each agenda item the Chairperson should summarise any decision(s) the Board has taken on the subject concerned. This will also assist the Clerk who has to write up the minutes of the meeting. Where any further action is required on an item, the Chairperson should make clear what has to be done, by whom and by when.
- Discussion of any item which is not on the agenda should be at the discretion of the Chairperson.
- After the meeting, the Chairperson should check the accuracy of the draft minutes as prepared by the Clerk. Responsibility for approving the draft minutes lies with the Chairperson.

17. Can a staff member serve as Chair?

No. The Chair can only be a parent or co-opted member of the Board.

18. How long should the Chair be in post?

There is no prescribed length of time a Chair should be in post since a School Board has the power to regulate its own proceedings.

19. Does the Clerk get paid for their services?

Yes, provided the Clerk is not a member of the Board. Different education authorities have different policies on how the Clerk should be paid. Please contact your education authority for more information.

20. What does the Board do if the Clerk resigns?

Advise the education authority immediately of the Clerk's resignation and then advertise the post around the school, support staff, PTA and parents. If there is no response, widen the search by advertising locally.

21. What does co-opted mean and who can be co-opted?

A co-opted person is someone who has been appointed to the Board by the existing Board members. A person who is eligible for election to a Board (as parent or staff member) is not eligible to be a co-opted member of that Board.

There is a duty for Boards to co-opt members who are neither parent or staff members in order to bring expertise or experience, such as a community representative or senior pupil, to

the Board. Boards also have a specific power to co-opt parents to fill vacancies which arise during the parent members' term of office. These are known as co-opted parent members.

22. Who invites a co-opted member onto the Board?

All Board members should be involved in any discussion and/or decision regarding who should be invited to be co-opted onto the Board. Where there is a division of opinion in relation to the appointment of a co-opted member, the decision shall be by vote.

23. How long does a co-opted member from the community serve?

In general, they serve a four-year term from the date of their co-option.

24. Can non-teaching members of staff such as janitors, school secretaries, be co-opted members of a School Board?

Yes, provided they are not eligible to be parent members.

25. Do co-opted members have to come from the local community?

No, but it is advised that co-opted members are from the local community to ensure they have a genuine interest in the school.

26. Is a parent member whose child leaves the school eligible to be co-opted onto the board?

Yes. However, if the parent member is a member of the School Board, they can remain until their period of office expires, as long as that is not for more than two years.

27. If a Board member no longer has a child at the school do they have to stand down?

No. They can remain on the Board provided that their remaining term of office is less than two years.

28. What is the position of a nursery unit within a primary school?

Staff and parents of children attending a nursery unit within a primary school are entitled to be included on the appropriate electoral roll of the school. Therefore, they are eligible to stand for election to the Board as staff or parent members.

29. Who can attend meetings?

The Headteacher, local Councilor and an officer of the education authority have the right to attend and to speak at Board meetings.

Members of the public can attend Board meetings as they are open meetings. However, there are times when a Board may exclude the public from attending when the Board is discussing any item of business relating to past, current or future employees at the school; a past, current or future pupil at the school; any information the Board are legally obliged not to disclose; and any matter which the Board are satisfied should be dealt with on a confidential basis because of its nature.

The Clerk to the Board when this is other than a Board member can attend and so can any other person invited by the Board.

30. What is a quorum?

A quorum is the least number of Board members that must be present to make a meeting valid.

The quorum of a School Board is not less than one third of the total number of Board members. For example, the quorum of a School Board with 7 members would be 3, even where a vacancy exists

31. What can a Board do if a member does not attend meetings?

A Board can remove a member whom they are satisfied is unable or unfit to carry out his/her duties because of illness or incapacity. A member can also be removed by the Board where the Board is satisfied that the member failed without good cause to attend meetings for a continuous period of at least 6 months, provided that he/she has also failed without good cause to attend 3 consecutive meetings. However, Boards have no power to remove a disruptive member simply for their behaviour.

32. How many meetings are School Boards expected to have?

It is for the Board to determine how often they shall meet.

33. What is the role of the Headteacher in relation to the School Board?

The Headteacher cannot be a member of the School Board but does have a right to be present and to speak at Board meetings, to provide the Board with information, and to act in an advisory capacity on any matter that falls within the Board's remit.

34. Does the Headteacher have to attend every meeting of the Board?

No. However, it is desirable that they do so in their capacity as principal adviser to the Board. An education authority must take appropriate steps to make sure that the Headteacher and staff are available when necessary. In certain circumstances it may be that the Deputy Headteacher attends in their place.

35. Has the Headteacher any say in the approval of the minutes of Board meetings?

Responsibility for approving the minutes lies with the Chairperson. However, the Headteacher may be involved in, for example, checking the minutes for accuracy and assisting in clarifying terminology before the Chairperson approves them.

36. What does the School Board deal with?

School Boards have certain formal duties, powers and rights, but it is up to each Board to decide how active they wish to be. They must, however, carry out their functions with a view to raising the standard of education in their school.

A School Board, for example;

- may make representations to the education authority about the **capitation allowance** (the budget for books, other teaching materials and other purposes.)
- should approve the **Headteacher's spending plans** before such funds are spent.
- can **request** from time to time **information** from the education authority relating to the Board's school and the provision of education in the authority's area.

>>

- may **comment** on **financial** information, statements and reports on school policies relating to the curriculum, assessment of pupils, discipline, rules and uniform.
- can **comment** on the **Headteacher's annual report** to the School Board and on any other reports or information concerning the school.
- must **report to parents** every 12 months on the activities of the Board
- can control the **use of school premises outside school hours**, encouraging the use of the premises by the community, and fix occasional holidays during school terms, after consulting with their education authority.
- has a duty to **promote contact between the school, parents of pupils** in attendance at the school and the local community, encourage the formation of parent-teacher or parents' associations.
- takes part in **appointment committees** to consider candidates for Headteacher and Deputy Headteacher posts.

37. Do all Boards have the same role and remit?

Yes, all Boards have the same statutory rights and obligations which are found in the School Boards (Scotland) Act 1988 and the regulations made under that Act.

38. What is the composition of a Board in a single teacher school?

There will be one staff member in a Board of a single teacher school where that teacher is not a Headteacher and does not work part-time hours which amount in total to less than 40% of a full-time teachers' normal working hours. Where there are no staff eligible to be staff members, there shall be none.

39. What is the difference between a School Board and a PTA/PA?

A School Board is a statutory body that has duties, rights and responsibilities assigned to it in legislation. On the other hand, PTA's/PA's are voluntary bodies.

40. What is the relationship between the School Board and PTA/PA?

It is up to the Board and PTA at each school to work out their relationship. However, the Board has formal duties, powers and obligations which it must carry out whereas the PTA/PA does not.

41. How do Boards effectively communicate with parents?

Boards communicate with their parent body through a variety of means such as:-

- publicising the Board meeting agenda and minutes (statutory obligation)
- through an annual report (statutory obligation)
- letters/newsletters/information on the school website
- personal contact
- attendance at school events, e.g., parents' evening

42. Can you sit on more than one Board at the same time?

Yes. There are no limits to the number of Boards a person can be a member of providing they meet the membership criteria

43. Can a husband and wife sit on the same Board at the same time?

Yes.

44. Does a Board deal with complaints?

A Board may not accept or investigate complaints about a particular school, its pupil, staff or parents. Complaints should always be referred to the Headteacher in the first instance. All education authorities have procedures for dealing with such matters. Please contact your school or education authority for more information.

45. Can a Board “hire and fire” staff?

The Board may nominate members to sit on an appointment committee for the purpose of considering a short list of candidates provided by the education authority and for making recommendations to the authority for the appointment of persons to fill Headteacher and Deputy Headteacher posts.

The Board has no role in dismissing staff, which is a matter for the education authority.

46. Does the School Board receive a budget?

Boards receive a budget from the education authority to meet administrative expenses. This includes the costs for the services of a Clerk to the Board, where he/she is not a Board member, and the expenses of training Board members. The education authority has a discretionary power to pay travelling and subsistence allowances to Board members for attending Board meetings or for doing any approved things connected to the discharge of the Board’s functions.

47. Does the Board have any say in how the School budget is spent?

The Board must be consulted on and can discuss the Headteacher’s plans for spending the budget for books and equipment allocated to a school by the education authority. The Board’s approval is necessary before any such funds are spent. All other areas of the budget are administered by the Headteacher under the terms of the scheme of devolved school management

A Board is also entitled to make representations to the education authority concerning the financial statements of the authority for the previous financial year in respect of the running costs of the school and capital expenditure related to that school.

48. What happens to any surplus funds at the end of the financial year?

The education authority will make any surplus funds available to the School Board at the end of the financial year. Any surplus funds must be used for the benefit of the school and spent once any views of the Headteacher of the school have been taken into account. Surplus funds might be used to buy additional books or classroom equipment, for example.

49. Are education authorities required to establish School Boards for special schools and for special units for children permanently excluded from secondary school?

Education authorities have a statutory obligation to establish a School Board for each school in their area. “School” is defined as a public school, other than a nursery school. It therefore includes education authority managed special schools. The authority/the school must seek their own legal advice on whether the two units in question are classed as schools.

50. Is there a period of time after disestablishment that a Board must wait before requesting re-establishment?

There is nothing in legislation that specifies a period between disestablishment and requesting re-establishment. The Board can be re-established when either the minimum number of parent members required for the Board request it; or during the next election period.



School
Officers
Network
Board

ISBN 0-7559-2499-1

