

RESPONDENT INFORMATION FORM:

REF. NO 523

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: ALAN J. BLACKIE, DIRECTOR OF EDUCATION + CHILDREN'S SERVICES

Postal Address: EAST LoTHIAN COUNCIL, JOHN MuIR HOUSE, HADDINGTON

1. Are you responding: (please tick one box)

- (a) as an individual go to Q2a/b and then Q4
- (b) **on behalf of** a group/organisation go to Q3 and then Q4

INDIVIDUALS

2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish Executive website)?

- Yes (go to 2b below)
- No, not at all We will treat your response as confidential

2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (**please tick one** of the following boxes)

- Yes, make my response, name and address all available
- Yes, make my response available, but not my name or address
- Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation **will be** made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your **response** to be made available?

- Yes
- No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

- Yes
- No



(B)

523



East Lothian Council

Our Ref : AJB/CT
Your Ref :
Direct Line : 01620 827588

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3 June 2005

Mr Colin Reeves
Head of Schools Division
(Parental Involvement Bill Consultation)
Area 2-B North
Scottish Executive Education Department
Victoria Quay
EDINBURGH
EH6 6QQ

Dear Colin

MAKING THE DIFFERENCE – IMPROVING PARENTS' INVOLVEMENT IN SCHOOLS

Following the publication of the consultation paper and draft Bill on 1 March 2005, our Authority has been involved in a series of consultation events during April and May of this year.

The Council Committee for Education considered the draft Bill at its meeting on Tuesday 31 May 2005 and I now enclose the Authority's response to the consultation for you to consider.

The debate which has been stimulated by the publication of the draft Bill has been both interesting and thought provoking and I am sure that the Bill team will give all of the responses due consideration in taking this important legislation forward.

I would be pleased to meet with you or any of the Bill team to discuss our response in more detail if you thought that would be helpful.

With best wishes,

Yours sincerely

Alan J Blackie
Director of Education and Children's Services



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EDUCATION & CHILDREN'S SERVICES

REPORT TO: Council Committee For Education
MEETING DATE: 31 May 2005
BY: Director of Education and Children's Services
SUBJECT: Consultation on the Parental Involvement Bill

1 PURPOSE

- 1.1 To inform the Committee about the responses to the two Consultation events held in East Lothian.
- 1.2 To ask the Committee to debate the content of the Bill and the Consultation questions. A copy of the Consultation document has been lodged in the Members' Library
- 1.3 To have a clear view on the Authority's response to the Consultation to submit to the Scottish Executive by 7 June 2005

2 RECOMMENDATIONS

- 2.1 The Committee is asked to consider the contents of the Bill, discuss the questions contained in the Consultation document and authorise me to finalise a response for submission to the Scottish Executive by the due date which is 7 June 2005.

3 BACKGROUND

- 3.1 The Committee will recall my report to the last meeting on 22 March 2005 which briefly described the Parental Involvement Bill and the process of consultation which I was authorised to undertake.
- 3.2 I can confirm that the Authority has been involved in two separate consultation events on 20 and 28 April 2005 both of which were well attended primarily by representatives of School Boards and Head Teachers as well as Officers from the Authority.

3.3 Both events addressed the questions contained in the Bill and also expressed very clear views about the Bill's apparent intentions and proposals for change. The remainder of this report will cover these matters in detail.

3.4 RESPONSES TO THE CONSULTATION – GENERAL COMMENTS

3.4.1 Overall the opportunity to discuss and comment on the Bill was welcome. However, there was clear concern expressed about the closed nature of some of the questions contained in the Consultation Document and also a strong reaction from School Boards and from some members of the Education Committee in relation to the repeal of the School Boards Act 1988. In other words the School Boards Act 1988 itself should not be repealed until it is absolutely clear what will replace it. Nevertheless, it is recognised that the draft Bill does offer opportunities to review, update and modernise the approach to the involvement of parents by schools and Education Authorities and to broaden the strategies for such involvement.

3.4.2 There is, however, a need to recognise that currently the more formal structure of School Boards does enable a significant number of parents to make a very important and valuable contribution to the work of Schools and Education Authorities and it would seem sensible for the positive aspects of this to be retained as part of any new arrangements.

3.4.3 The removal of the requirement for Authorities to run very formal elections for School Boards would be welcomed although there will need to be some kind of system for setting up bodies such as Parent's Forums, perhaps akin to an Annual General Meeting of similar community organisations which operate within an approved and recognised constitution.

3.4.4 There is a clear need in any legislation, and any subsequent guidance, for models to be set out which can support Authorities and Schools in setting up such bodies as Parent's Forums.

3.4.5 It should be recognised that pupils, parents, school staff, the local community, local Elected Members and Officers of the Authority all have a part to play in the life of a school. Therefore, the notion of a Parent's Forum, its remit and its composition needs very careful consideration to ensure that it works for the benefit of the school, its pupils and the whole community.

3.4.6 The remit, composition and responsibilities of bodies such as a Parent's Forum need to be clearly set out. This relates to paragraph 4.4 above.

3.4.7 In relation to the proposal that Education Authorities should have a strategy for parental involvement, this is to be welcomed. Any such strategy would need to take a broad look at a wide range of approaches to the involvement of parents, not simply at a body such as

a Parent's Forum. Once again clear guidance following on from the Act would be required.

3.4.8 Many parents do want to be involved in their children's education and to contribute to the life of their local School but they have no wish to be serving on a committee. Many parents also want to influence what happens in a School and to accomplish change and improvement in partnership with the School, the community and the Education Authority. Therefore, the idea of a Partnership Forum is worth serious consideration.

3.5 **RESPONSES TO THE CONSULTATION – THE QUESTIONS**

3.5.1 **Question 1 - Do you agree with the placing of a new duty on Education Authorities to promote parental involvement?**

The overall view on this was that the proposed new duty would be welcomed and carried out responsibly by Education Authorities; it is felt that in East Lothian this is done by Schools and by the Education Authority at present.

3.5.2 **Question 2 – Do you agree that Education Authorities should be required to prepare new Strategies for Parental Involvement (SPIs)?**

Yes – this would constitute good practice and should be done in conjunction with and following any guidance produced either by the Scottish Executive or the Education Authority itself. There are potential legal requirements and obligations involved in this and there needs to be clarity in relation to the role and responsibilities of parents, the Head Teacher and Officers of the Authority. The contractual implications for Head Teachers need to be taken account of in relation to their role within a body such as a Parents' Forum.

3.5.3 **Question 3 – Do you agree that incorporating these Strategies in existing Annual Statements of Education Improvement Objectives and School Development Plans (as set out in the 2000 Act) is the right way for Education Authorities to set out their intentions? Or should this be done in some other way?**

Yes, it would seem logical for this to happen. There are concerns, however, regarding workload and initiative overload on Schools and Education Authorities which need to be considered in relation to the proposals in this Bill.

3.5.4 **Question 4 – Do you agree that the current system of parental representation, i.e. School Boards should be replaced by a more flexible system of parent forums, as decided locally by the parents, in a way which suits them and their school best?**

There are a variety of views on this. School Board members are clear that they operate well at present, often on partnership with PTA's, the Education Authority and the wider community. However, there are also

clear views from other stakeholders which state that Schools Boards are too formal, inflexible and bureaucratic; in addition only a relatively small number of parents actually get involved in and through the School Board so there does need to be a more flexible system of partnership in place with a number of different models which would meet the needs of small schools in rural areas, larger schools in towns and very large primary and secondary schools wherever they may be located.

Work needs to be done on models, remits, structures and responsibilities to assist in setting up some form of body to involve parents and others. In addition, there is strong support for continuing the involvement of parents, as well as Officials and Elected Members in selecting Head Teachers although a recognition that this needs to be modernised and updated too.

- 3.5.5 **Question 5 – The Bill does not prescribe the means of appointment to the new forums (elections to Boards are mandatory) but provides for parents to decide this locally. Do you agree?**

Yes – this is linked to the previous answer too. However, there would be a need for the Education Authority to provide clear and firm guidance and models to suit the different circumstances and needs of different Schools.

- 3.5.6 **Question 6 – Do you agree that Education Authorities should have a new duty to promote the establishment of a parent forum in each school and to support their operation?**

Yes - although it has to be recognised that, if there is flexibility it may be that the new duty should simply be to promote the involvement of parents in the school rather than to prescribe a way of achieving that. The proposed Strategy for Parental Involvement (SPI) would, in any case, cover this duty.

- 3.5.7 **Question 7 – Should the Bill provide for “composite” parent forums where this is the preferred option of parents in each school in a combined school or cluster of schools?**

No – there should not be provision for composite models – if they are desired then they should be set up as a result of local decisions. Ideally each school would have its own arrangements in place and the possibility of a cluster approach or joint school approach where this is deemed to be best should be possible within an Act which promotes flexibility and local responses to local needs.

- 3.5.8 **Question 8 – Do you agree with the proposals for the involvement of Education Authorities to get the initial parent forum off the ground? If not, what alternative would you suggest?**

Yes, it would be absolutely vital – although it is important to see this in the context of the answers to Questions 6 and 7.

- 3.5.9 **Question 9 – The draft Bill leaves the forum’s “constitution” to be determined locally, either by the parents or initially under the Education Authority scheme. Do you agree with this approach? If not, what alternative would you suggest and why?**

Yes – however, whatever the arrangements are it is clear that there is a vital and significant role for the Education Authority in setting up any new arrangements in partnership with the School and the community.

- 3.5.10 **Question 10 – Do you agree that membership of a parent forum should be confined to parents (the broad definition) of children attending the school or individuals co-opted by the parent forum? Should parents always be in the majority?**

There is a strong view that the membership should be inclusive and should not be restricted to parents. This would enable staff, pupils, Elected Members, the community and – importantly – the Head Teacher – to be involved in a kind of partnership forum, all working together for the benefit of the pupils. The issue of whether parents should always be in the majority is one for local determination.

On the matter of involving pupils – it is surprising that the draft Bill made no mention at all of this. The Education Committee feels strongly that pupils should have both a place and a say in the business of running a School.

- 3.5.11 **Question 11 – Do you have a view as to how the needs of looked after children should be addressed and catered for in the Bill?**

Since Schools are inclusive organisations and take account of the 2000 Act and the forthcoming ASL Act, the needs and interests of looked-after and accommodated children (LAAC) should be incorporated in the definition of parents. Perhaps Education Authorities should have a duty – within the Act – to promote carer involvement. There are resource issues too in relation to LAAC.

- 3.5.12 **Question 12 – Do you agree that the Bill should not result in parent forum members being subject to automatic disclosure checks but that members, like any other parent, should only be checked when engaging in activities defined under the Protection of Children (Scotland) Act 2003?**

Yes – there is agreement that the Bill should definitely not result in automatic disclosure checks.

- 3.5.13 **Question 13 – On balance, do you agree that “rights of attendance” for certain non-members of a parent forum should not be part of the new arrangements? In other words do you agree that non-members of the parent forum should attend only by invitation or do you believe the Head Teacher should have the right to attend, with the Councillor or other individuals by invitation?**

The response to this question needs to state that the question itself is predicated upon there being a body called a Parent Forum. If there is to be flexibility then there may be something different which still involves parents. Whatever arrangements are put in place it is imperative that the Head Teacher be entitled to attend and it would also make sense for the local Councillor to have a place. In addition, in order for the Forum to be truly inclusive, there needs to be a place for staff, pupils and members of the local community.

3.5.14 Question 14 – Do you consider the functions detailed in the Bill to be appropriate to parent forums? Would you suggest removing or adding any, or making some obligatory and others optional?

There is a view which suggests that the proposed functions are not specific enough to comment upon and, in any case, this will very much depend on local models, needs and circumstances as well as the Education Authority's individual Strategy for Parental Involvement (SPI). However, from the suggestions in the Bill it is thought that the first six functions are appropriate and there are reservations about the last two.

3.5.15 Question 15 – The Bill has been drafted to allow the parent forum to find out and report the views of parents in the school on any matters which are of interest or concern to them Do you agree with this open-ended provision or would you suggest defining the areas of interest more restrictively?

Once again this would be heavily dependent on what the "constitution" of a forum looked like. However, it would be helpful and positive for a forum to have a wide remit whilst at the same time ensuring that there was a restriction on matters of confidentiality concerning individual children and staff members. The Parent Forum's role should not extend to matters such as admissions policy, timetabling, assessment of pupils, school closures/amalgamations – although the views of parents on these matters should be sought and taken account of.

3.5.16 Question 16 – Do you agree that the Bill should designate parent forums as "agents" of the Education Authority for the purpose of their dealings with third parties, and that the issue of insurance should be looked into further? Or do you take an alternative view?

It is thought that this whole issue needs further exploration. Nevertheless there does need to be some sort of formal link between the Education Authority and whatever local forums or partnerships are set up. It would seem to make sense too that there should be some sort of insurance cover for "volunteers" who are working in partnership with schools and the Authority.

- 3.5.17 **Question 17 – Are the statutory duties listed in the document appropriate obligations to place on Education Authorities in relation to their working with parent forums?**

Yes – the proposed statutory duties are appropriate.

- 3.5.18 **Question 18 – Do you agree with the provisions requiring Education Authorities to provide financial support or support in kind to parent forums or would you suggest alternative arrangements?**

Yes – these are the arrangements which are currently in place and they work well.

- 3.5.19 **Question 19 – Do you agree with the proposed duty on Education Authorities to provide advice and information to individual parents on request, on matters relating to the education of their children?**

These arrangements are currently in place so there is not a need for new arrangements.

- 3.5.20 **Question 20 – Do you agree that Education Authorities should be enabled to replace the current system of appointing Head Teachers and Depute Head Teachers with more modern, flexible processes and procedures?**

Yes – it would be sensible to review, update and overhaul the current arrangements, although it is vital that all stakeholders are involved in the selection process.

- 3.5.21 **Question 21 – If you do not agree that the principle of parental involvement should be retained by the involvement of parent forums in the new senior appointments processes, please give your reasons.**

The principle of parental involvement is not in question. However, the appointment processes need to be seriously overhauled and updated. In addition, Elected Members and Officers of the Authority need to be given a full say in any new arrangements.

- 3.5.22 **Question 22 – Do you agree with the proposal to require Education Authorities to establish complaints procedures in relation to the way they exercise their functions under the Bill?**

Yes, there should be a complaints procedure and it should also contain an appeals procedure.

4 POLICY IMPLICATIONS

- 4.1 There are no immediate policy implications although there clearly would be when any new Act comes in to being.

5 RESOURCE IMPLICATIONS

- 5.1 Financial – None known at present.
- 5.2 Personnel - None known ay present.
- 5.3 Other – None.

6. BACKGROUND PAPERS

- 6.1 Consultation document "Making the Difference – Improving Parents' Involvement in Schools"

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