



# Standards in Scotland's Schools etc. Act 2000

2000 asp 6

## *School Boards*

### **26 Role of School Board in raising standards and improving quality of education**

In section 1(2) of the 1988 Act (which assigns functions to a School Board established in accordance with that Act), at the end there shall be added “and they shall exercise those functions with a view to raising standards of education in the school and shall support the endeavours of those managing the school to secure improvement in the quality of education which the school provides.”.

### **27 Election to School Board after school ceases to be self-governing**

In section 2A of the 1988 Act (which makes provision as respects elections for members of School Boards), after subsection (3) there shall be inserted—

“(3A) In the case of a school which, by virtue of section 17 of the Standards in Scotland's Schools etc. Act 2000 (asp 6), ceases to be a school which is a self-governing school, the first election for members of the School Board shall be held as soon as practicable after pupils first attend the school following that change in status of the school.”.

### **28 Vacancies for parent members of School Board**

- (1) In the event of a vacancy arising for a parent member of a School Board—
- (a) a by-election shall not be held to fill the place unless, within two months after the vacancy occurs, the education authority receive a request in writing for such a by-election from whichever is the lesser of—
    - (i) thirty parents of pupils in attendance at the school; or
    - (ii) a number of such parents equal to at least a quarter of those who were entitled to vote at the most recently held regular election of parent members; and

- (b) the education authority shall, as soon as practicable, take such steps as appear to the authority to be reasonable to inform the parents of the pupils in attendance at the school—
  - (i) that the vacancy has arisen; and
  - (ii) of what paragraph (a) above provides.
- (2) In the event of a lesser number of parent members being elected than is necessary to make up the number for the time being prescribed for the purposes of section 2(1)(a) of the 1988 Act (which relates to the composition of a School Board), a by-election shall not be held to fill the place.
- (3) Schedule 1 to this Act (which contains amendments to that Act consequential on subsections (1) and (2) above) shall have effect.

## **29 Restriction on councillor's membership of School Board**

- (1) For subsection (2) of section 5 of the 1988 Act (which prevents councillors from being members of certain School Boards) there shall be substituted—
  - “(2) A councillor for an electoral ward which falls wholly or partly within the catchment area of a school shall be entitled to attend, and to speak at, any meeting of a School Board for the time being established for that school; but no councillor shall be a member of a School Board for the time being established for a school situated within the area of the council.”.
- (2) The amendment made by subsection (1) above shall have no effect as respects a councillor whose election was held before this section came into force.

## **30 Involvement of School Board in preparing short leet for appointment of headteacher etc**

In Schedule 2 to the 1988 Act (which relates to the appointment of headteachers, deputy headteachers and assistant headteachers), for paragraphs 9 to 13 (and their headings) there shall be substituted—

### *“Preparation of short leet*

- 9 Subject to paragraph 10 below, the authority shall prepare the short leet and send it to the appointment committee; and the committee shall consider it and make their recommendation under paragraph 16 below.
- 10 The authority shall prepare the short leet in consultation with, and taking account of the views of—
  - (a) the School Board, if the post to which the short leet relates is that of headteacher of a school for which such a Board is established; and
  - (b) the headteacher, if the post is that of deputy headteacher or assistant headteacher.”.

## **31 Delegation of education authority's functions to School Board**

In Schedule 3 to the 1988 Act, paragraphs 2 to 13 (which relate to the delegation of an education authority's functions to a School Board on the Board's initiative) are repealed.