

EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE: 30 JANUARY 2007

RESPONSE TO “THE DRAFT PARENTAL INVOLVEMENT IN HEAD TEACHER AND DEPUTY HEAD TEACHER APPOINTMENTS REGULATIONS 2007 – A CONSULTATION DOCUMENT”

Report by Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1** To inform the Education Committee of the response to the Scottish Executive’s consultation document: “The Draft Parental Involvement in Head Teacher and Deputy Head Teacher Appointments Regulations 2007”.

2. BACKGROUND

- 2.1** The consultation document “The Draft Parental Involvement in Head Teacher and Deputy Head Teacher Appointments Regulations 2007” outlines the Scottish Executive’s proposals for ensuring that the parental role in the appointments process is extended to ensure meaningful involvement in various specified key stages of the process.
- 2.2** The consultation document contains the statutory instrument detailing specific regulations, as well as a commentary providing further information on the process.

3. COMMENTS ON CONSULTATION DOCUMENT

- 3.1** A working group has been established to review the overall Head Teacher and Depute Head Teacher appointments procedures within East Ayrshire. This group is chaired by Gillian Hamilton, CPD Co-ordinator. The group have prepared the response to the consultation document which is attached as Appendix 1.
- 3.2** The main points within our response to the consultation document are as follows:
- We welcome the increased involvements of parents within the appointments process.
 - We would wish a consistency of approach to Head of Establishments across all sectors. This is not clear within the consultation document as Early Years Establishments are not included.
 - There is the potential for conflict over the job description between the Local Negotiating Committee for Teachers and Parent Council. Clarification is required on this matter.

- Clarification is also required regarding representatives of the Parent Council. The proposal does not clarify the purpose and nature of such representatives.
- We welcome the proposal for the composition of appointment panels and meaningful engagement of parents within the process.
- We have pointed out the East Ayrshire already operates good practice in this area.

3.3 The working group is now reviewing the appointments procedures within the authority. The revised procedures will be discussed fully with the relevant trade unions and processed accordingly. It is the intention to have the new appointments procedures in place for August 2007.

4. LEGAL/POLICY/FINANCIAL IMPLICATIONS

4.1 Nil

5. COMMUNITY PLAN IMPLICATIONS

5.1 This proposal contributes to the theme of Improving Opportunities.

6. RECOMMENDATIONS

6.1 The Education Committee is recommended to:

- approve the response to the consultation document
- note the preparation of revised appointment procedures for Heads of Establishment for August 2007 and;
- otherwise note the contents of this report

Graham Short
Executive Director of Educational and Social Services

JMcC/JW
January 2007

LIST OF BACKGROUND PAPERS

- The Draft Parental Involvement in Head Teacher and Deputy Head Teacher Appointments Regulations 2007 – The Scottish Executive – November 2006

Members wishing further information should contact John McCarney, Head of Service: Schools Support (01563 576126) or Gillian Hamilton, CPD Co-ordinator (01563 555650)

Implementation Officer: John McCarney, Head of Service: Schools Support

EAST AYRSHIRE COUNCIL**DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES****RESPONSE TO THE DRAFT PARENTAL INVOLVEMENT IN HEAD TEACHER AND DEPUTY HEAD TEACHER APPOINTMENTS REGULATIONS 2007 – A CONSULTATION DOCUMENT****1. Introduction**

East Ayrshire Council is committed to involving parents in Head Teacher and Depute Head Teacher appointments and has done so for many years. We welcome the regulations and support SEED's proposals that parental involvement in this process should be extended to ensure meaningful involvement in various key stages of the process. We are currently revising our own appointment procedures to ensure that this is the case.

2. Background

We welcome the fact that it is for each local authority to establish local guidelines on selection panels which meet the legal requirements of parental involvement as set out in the draft regulations. East Ayrshire already has guidelines in place and, as previously stated, these are currently being revised in light of the regulations.

3. Regulation 3 – appointment process

Regulation 3 states that the appointment process for filling any post of Head Teacher or Depute Head Teacher, other than on an acting basis, must satisfy the requirements set out in the regulations. We are clear as to how this applies to our Primary, Secondary and Special Schools, but would welcome clarification as to how the regulations will affect Early Years Establishments, as they are not required to have Parent Councils. Thus, there is the potential for inconsistencies in appointments processes for Early Years posts.

4. Regulation 4 – consultation with Parent Council

We are concerned about the language used in the commentary relating to regulation 4: *“Parental involvement should not however hold up the appointments process: it does not mean co-ownership – rather the intention is to enhance communications with parents.”* We feel that the choice of language in this paragraph is contrary to the spirit of partnership central to the process.

There are also concerns regarding the influence of the Parent Council on job and person specifications. Currently, job descriptions for all teaching posts are agreed by the Local Negotiating Committee for Teachers (LNCT), sometimes on a generic basis regarding the essential qualities and experience required for such posts. However, if parent representatives wish to make substantial changes to the specification, this could lead to a conflict

with the LNCT. This, clarification is required regarding the power of the Parent Council in this aspect of the process.

5. Regulation 5 – procedures for shortleeting

Regulation 5 states that *“The Parent Council can choose to participate or, if it wishes, to use the powers under section 14(3) of the Act to request assistance from a person who is not a member of the Parent Council, whom they might consider better equipped to undertake such duties”*. This statement is vague, and we would welcome further clarification and detail. As the regulations are aiming to extend meaningful involvement of parents, we are concerned that this may, in fact, lessen the involvement of parents in both the short-leeting procedures and the interview process. It would also be helpful to have specific examples of who such a person may be.

We would also be concerned if an elected member who is a parent of the school was put forward to participate in the process. This could lead to a conflict of interest and should not be permitted.

6. Regulation 6 - appointment panel

Regulation 6 states that *“different schools may require different size of appointment panel and it should therefore be a matter for local determination.”* We disagree with this statement, as we feel that there is a need for common procedures and equality of experience. In East Ayrshire we have the same size of panel regardless of school size, and would wish to continue this practice.

This regulation also states that representation should be drawn from different communities of interest i.e. parents, educational professionals and local authority professionals. We agree that this is important, and this practice is already in place in East Ayrshire.

We agree that the guaranteed minimum proportion of membership should be one-third.

We note that *“the invitation for the Parent Council to participate in the process is obligatory, although the requirement for them to accept is not.”* We would welcome further clarification on procedures to follow if parents choose not to accept the offer. However, we note that supplementary guidance will be published in this area.

We agree that all the necessary paperwork should be received by all members of the Appointment Panel at the same time, a procedure already in place in East Ayrshire.

7. Regulation 7 – chairing of appointment panel

Regulation 7 establishes who shall chair the panel and who should have the casting vote. We agree with the proposals in this section. East Ayrshire already operates this practice.

8. Regulation 8 – conflict of interest

We agree that no person who has a material interest in the appointment should take part in the short leet procedure or sit on the appointment panel.

9. Further guidance

The commentary details areas where further guidance will be published. These further guidelines will be welcomed, as they may clarify some of the points we have raised in this paper. We suggest that this guidance is provided as soon as possible as education authorities will be already reviewing their procedures in preparation for August 2007.

John McCarney
Head of Service: Schools Support
12 January 2007