



## CONSTITUTIONS MADE EASY

### Some helpful hints for Parent Councils and Parent Teacher Associations/Parent Staff Associations

#### What makes a good constitution?

A good constitution provides an important framework for a parent organisation. It needs to be kept current and relevant to the business of the Parent Council or Parent Teacher Association (PTA)/Parent Staff Association (PSA), so it is worth reviewing periodically to make sure everyone involved understands it, and that it works for your group.

**The main function of a constitution is simply to describe your organisation and how it will carry out its objectives.** To be useful, a constitution should be **as simple and flexible as possible** and cover the things that matter to your own organisation. The constitution should be drafted by your parent group and adopted by the Parent Forum. The Parent Forum is the name for all parents/carers at your school/nursery.

#### **The main benefits of a constitution are that it will:**

- set out clearly the aims/objects of your organisation
- ensure that the organisation runs smoothly, regardless of changes in the committee
- provide a framework for settling disagreements
- help to make sure that the finances are looked after properly.

**The constitution should not make it difficult for the Parent Council or PTA/PSA to work effectively. For example, it should not limit topics for discussion or types of activity. Some of the important things that should be covered are:**

- **name:** the group does not have to be called a Parent Council/PTA or PSA; what about 'Friends of...' or 'Parent Partnership'?
- **the aims and objectives:** eg the organisation works to support the school, improve home-school links and promote equality and fairness. Parent Councils might wish to consider the [Parental Involvement Act Guidance](#) as they draft their constitution
- **who the members are:** both the Parent Council and the PTA/PSA should be aware of, and try to represent, all the parents and carers in the school – including minority groups. The membership of the **PTA or PSA** can be all parents/carers and include staff at the school. The PTA/PSA committee runs the PTA/PSA on behalf of the members. **Parent Councils** are accountable to all the parents/carers in the school (the Parent Forum).

- **how the PC/committee is elected**, including the number of people who can serve: it is better to give a minimum number and not to worry about a maximum. Even if you are lucky enough to get 20 or more volunteers, not all of them will be at every meeting
- **co-opting people onto the PC/committee**: co-opted PC/committee members can bring specific skills or perspectives to the parent group (eg community partners). Co-opted members do not have a vote
- **how nominations for office-bearers are made** and the election arrangements
- **voting procedures**: the Chair usually has the casting vote in the event of a tie; in the absence of the Chair, this can fall to the Treasurer or Vice Chair, but it is up to your group how it wants to plan for this
- **the need for an annual inspection of accounts and financial report**: this does not need to be done by a professional auditor; however, 'an independent examiner' is required to sign off the accounts eg a local resident who has some financial knowledge
- **how often the PC/committee should report to parents** ie at least once a year at the Annual General Meeting (AGM)
- **arrangements for calling general meetings** eg the AGM or an Extraordinary General Meeting (EGM) if changes to the constitution need to be made during the year. We recommend stating in your constitution that meetings can take place online and/or in person. If your Parent Council or PTA/PSA is a charity, and including the option for online meetings is the only change to your constitution, then email the updated version to OSCR
- **arrangements for ordinary meetings**: to be held monthly or termly, online and/or in person
- **how the constitution can be changed**: at an Annual General Meeting (AGM) or an Extraordinary General Meeting (EGM)
- **winding up procedures**: if the Parent Council or PTA/PSA ceases to exist, this sets out what parents want to happen eg to any remaining funds.

It is a good idea to think about what you would do if a member of the Parent Council or PTA/PSA Committee brings the PC/committee (or perhaps the school) into disrepute and what measures you would take eg consider a Code of Conduct which sets out procedures openly for removing someone from the PC/committee. Think about adopting a Complaints Procedure too.

This pack contains a model constitution (with some options) - a straightforward example which will be a starting point for most Parent Councils or PTAs/PSAs. Connect's model constitution can be adapted to suit the needs of individual groups. It is important that your own group's circumstances are reflected in your constitution.

## Equality and Fairness

The Equality Act 2010 applies to membership groups such as your Parent Council or PTA/ PSA. Your PC/committee has the responsibility to protect the rights of volunteers, families, children, and staff. Connect has an [Equality and Fairness Pack](#) which includes a guide to equality and fairness and a template policy; have a look at these on our website. Connect has also produced an [Equality and Equity Toolkit](#) with funding from the Scottish Government's Learning Together Equalities and Equities Fund.

## Charitable status

Some Parent Councils and PTAs/PSAs have Charitable status. If your organisation wants to consider applying for charitable status, it needs to apply to the Office of the Scottish Charity Regulator ([OSCR](#)). The wording of the aims and objectives clause is extremely important for charitable status. You should submit your constitution to OSCR before it is adopted by your parent group and before you circulate it to parents/carers. Each case is considered by OSCR on its own merits, so we cannot guarantee that charitable status will be given just by following our advice. Please refer to our other resource [Thinking about becoming a charity](#).

## Standing Orders/Policies

There are, of course, other procedures that you might want to have to ensure the smooth running of the organisation. These can be in the form of standing orders or policies which can be changed, when necessary, by the Parent Council or PTA/PSA committee. These might include Data Protection, Equality and Fairness, a Complaints Procedure and Policy and Code of Conduct, template policies can be found at [www.connect.scot](http://www.connect.scot)

## Finances

*It is advisable to set out procedures for counting and holding money. Useful advice and guidance can be found in [Money Matters for Parent Groups and Treasurers](#)*

*For example:*

- at least two PC/committee members should always count money following an event and sign off a record of takings
- banking arrangements – where the bank account is held and the need for **at least** two signatures on cheques or two people certifying online banking transactions eg by countersigning invoices for payment or countersigning expenses payments. **For Connect Members, two signatories are required for membership-linked insurance purposes.**

It can be helpful to have a simple procedure set out for spending money raised through fundraising, perhaps above a certain amount. You might wish to consider the role and reporting of sub-committees too, eg they need to abide by the constitution and report to the PC/committee regularly.

You are welcome to use information from this resource. However, if you do, please acknowledge Connect. We welcome your comments and feedback.

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Connect, Mansfield Traquair Centre, 15 Mansfield Place, Edinburgh, EH3 6BB

Contact us at [info@connect.scot](mailto:info@connect.scot)



ConnectScot

Website: [www.connect.scot](http://www.connect.scot)



@connect\_scot