Clerk to Governors
Recruitment Pack
Contacts for further support

Governor Support Service

The Governor Support Service provides statutory and non-statutory training and support to maintained and academy school governing bodies.

We help governors, clerks and headteachers to be effective in their statutory governance duties and the three core strategic governance functions which are defined in law as:

- ensuring clarity of vision, ethos and strategic direction
- holding the headteacher to account for the educational performance of the school and its pupils
- overseeing the financial performance of the school and making sure its money is well spent.

How to contact us

Ron Fowler, Governor Support Service Manager
Melanie Wright, Governor Programme Manager

☎ 01895 717321
☎ 07881 238127 (out of hours support)

Office@Governor.Support
What does the clerk to governors do?

- Provide professional advice to the governing body on governance, constitutional and procedural matters. The 2013 regulations require governing bodies to have regard to advice from the clerk in regards to exercising the governing body functions.
- Provide effective administrative support to the governing body and its committees including minute taking and convening meetings.
- Ensure the governing body is properly constituted.
- Manage all governing body information effectively in accordance with legal requirements.
- Provide support the governing body in order to meet all of its statutory duties.

A detailed job description is vital to ensure that the clerk to governors is clear in their role and so that the governing body can ensure that all their needs are met in terms of legal functions, organisation and governing body membership. A model job description is included in this guidance document.

The importance of professional clerking

It is vital that governing bodies understand the reasons for employing an effective and professional clerk, and that appropriate time and remuneration is given to the post holder to allow the full role to be undertaken and performed effectively.

Clerks are non-teaching members of staff of the school, and as such, should be entitled to annual performance reviews and increments within their grade. The clerk is employed by the governing body to work for the governing body.


A good clerk ensures that the governing body operates properly within legal frameworks, prepares and presents vital data, and provides professional support. Written evidence from NCOGS stated that a clerk “needs to be independent of the school and not a member of the school staff”.

An effective clerk is vital to the success of a governing body. The evidence clearly indicates that this should be a professional role — similar to a company secretary.

Extracts from articles written by the National Governors’ Association (NGA)

There is considerable diversity among the experience, skills and legal expertise of clerks to governors, and what people understand by and expect of clerking.

All clerks must undertake high quality and ongoing professional development so they can confidently provide accurate advice and guidance, and practical support which can transform the effectiveness of a governing body.
Who appoints the clerk to governors?

The regulations place the legal requirement on the whole governing body to appoint a clerk to governors. It is not the duty of the headteacher to lead this process.


Regulation 6 (3) **The governing body must appoint a clerk** with a view to ensuring their efficient functioning and must have regard to advice from the clerk as to the nature of the governing body’s functions.

This appointment function cannot be delegated. However the governing body may convene a committee or working group and delegate functions such as reviewing the job description, advertising, short listing and interviewing candidates for the post. The working group or committee must then bring the recommendation back to the governing body for formal appointment.

The regulations

The legal detail behind the requirement to appoint a clerk and the clerk's functions can be found in The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013. [http://www.legislation.gov.uk/uksi/2013/1624/contents/made](http://www.legislation.gov.uk/uksi/2013/1624/contents/made)

**Regulation 6: Functions of the governing body**
(3) The governing body must appoint a clerk with a view to ensuring their efficient functioning and must have regard to advice from the clerk as to the nature of the governing body’s functions.

**Regulation 10: Appointment and removal of the clerk to the governing body**
(1) This regulation is without prejudice to any rights and liabilities which the clerk may have under any contract with the governing body or with the local authority.
(2) In fulfilling their duty under regulation 6(3) the governing body must ensure that the clerk is not—
(a) a governor; or
(b) the head teacher of the school.
(3) Notwithstanding regulation 6(3), the governing body may, if the clerk fails to attend a meeting of the school, appoint any one of their number (who is not the head teacher) to act as clerk for the purposes of that meeting.
(4) The governing body may remove the clerk to the governing body from office.
(5) If at any time the school does not have a delegated budget, the local authority may remove the clerk to the governing body and appoint a substitute, provided the local authority consults the governing body before taking such action.

**Regulation 11: Functions of the clerk to the governing body**
The clerk to the governing body must
(a) attend meetings of the governing body and ensure minutes of the proceedings are produced in accordance with regulation 15(1);
(b) maintain a register of members of the governing body and of associate members and report any vacancies to the governing body; and
(c) perform such other tasks as may be determined by the governing body from time to time.

**Regulation 13: Convening meetings of the governing body**

1. The governing body must hold at least three meetings in every school year.
2. Meetings of the governing body are to be convened by the clerk to the governing body and in exercising this function the clerk must comply with any direction given by—
   (a) the governing body; or
   (b) the chair, so far as such direction is not inconsistent with any direction given under sub-paragraph (a).
3. The clerk of the governing body must give written notice of the meeting and a copy of the agenda for the meeting at least seven clear days in advance to
   (a) each governor;
   (b) the head teacher (whether or not that person is a governor);
   (c) any associate member; and
   (d) the local authority, where an agenda item for the meeting involves consideration of a change of school category.

**Regulation 15: Minutes and papers**

1. The clerk to the governing body (or the person appointed to act as clerk for the purpose of the meeting in accordance with regulation 10(3)) must ensure that minutes of the proceedings of a meeting of the governing body are drawn up and signed (subject to the approval of the governing body) by the chair at the next meeting.
2. Subject to paragraph (3), the governing body must, as soon as reasonably practicable, make available for inspection by any interested person, a copy of
   (a) the agenda for every meeting;
   (b) the signed minutes of every such meeting; and
   (c) any report or other paper considered at any such meeting.

**Regulation 23: Clerks to committees**

1. This regulation is without prejudice to any rights and liabilities which the clerk may have under any contract with the governing body or with the local authority.
2. The governing body must appoint a clerk to each committee established by it, who must not be the head teacher of the school.
3. Notwithstanding paragraph (2), the committee may, if the clerk fails to attend a meeting of theirs, appoint any one of their number (who is not the head teacher) to act as a clerk for the purposes of that meeting.
4. The governing body may remove any clerk appointed to any of their committees from office at any time.
5. A clerk appointed to a committee of the governing body must
   (a) convene meetings of the committee;
   (b) attend meetings of the committee and ensure that minutes of the proceedings are drawn up; and
   (c) perform such other tasks with respect to that committee as may be determined by the governing body from time to time.
Writing the job description and person specification

A model job description based upon a model from the National Governors' Association (NGA) can be found later on in this guidance document. We have also produced a person specification based upon the NGA guidance.

Do's and Don'ts

The things the governing body should do

• Ensure that the governing body has full input into the process of the recruitment of the clerk. Any governors delegated to work on this must report back to the governing body on their actions and decisions.
• Consider how many hours the previous clerk carried out for the role. Do the hours need increasing or reducing?
• Take a model job description as a starting point and review it completely. Then change it so that it meets the needs of your governing body. Every governing body is different. One model does not necessarily suit all schools.
• Remember that pay must reflect what is in the job description and the skill level required. If you leave anything out you may end up paying extra for those duties you have not included at some point in the future.
• Ensure that an annual review of the clerking post takes place, as with any other member of school support staff. Make sure that this is clarified in writing so that applicants know from the offset.
• Ensure that a probationary period and initial review is built into the role and followed up.
• Ensure that professional development is a requirement of the post, provided and paid for by the school. Take up of this should be monitored.
• Consider having the job description and person specification professionally evaluated. This process can be carried out by your school's HR provider.
• Consider what expenses the clerk may incur in the course of their duties and clearly detail how these will be met by the school.

The things the governing body should not do

• Do not expect the headteacher to write the job description and person specification. The headteacher is not the clerk's line manager.
• Write the job description and person specification with a particular an applicant in mind.
• Expect that a member of school staff will take on the post.
• Write the clerking post into part of any other staffing post within the school. It should be kept as a separate role to avoid complicated HR issues.
• Do not underestimate the amount of hours the clerk will need to work in order to meet the rising demands of the role. Factor this into budgets and pay.

Eight elements of good governance - NGA

These should be considered as the clerk will have an input into these points.
1. Right people round the table
2. Understanding role and responsibilities
3. Good chairing
4. Professional clerking
5. Good relationships based on trust
6. Knowing the school: the staff, the parents, the children, the community
7. Committed to asking challenging questions
8. Confident to have courageous conversations in the interests of the children and young people
Advertising the clerking post

Placing the advert
Who is your school's HR provider? It may be that your school is covered for such advertising costs through the contract or service level agreement you have with your school's HR provider.

Governing bodies could consider approaching HR or student services of local further education establishments (Brunel, Uxbridge College, etc) as they may have students on legal or business courses that this post would be of interest to. These establishments could advertise the post to students through their intranets and networks.

Advertise on your school's own website.

Ask local businesses for their support of a local school by putting up a flyer/advert for clerk in their windows, office notice boards, or reception areas.

Corporate HR teams at large companies may have administrative staff who are part time, may be interested, and have suitable skills for the post so it could be worth approaches such local businesses.

Ask local small businesses for their support by putting up an advert for clerk in their public waiting room/area, e.g. doctors surgery, dental surgery, vets surgery, MOT/car repair workshops hairdressers, etc.

Advertise at your local libraries, job centres, and church notice boards.

Newspaper advertising can be very expensive but effective.

Advertise at any school fetes or public events.

The advert
Schools will want to ensure that they advertise the post as widely as possible so that the opportunity to apply is fair and open to all interested parties. This is in line with equal opportunities.

The advert should contain the following details as a minimum:
• Name, phase and category of school
• School address
• Job title
• Description of role
• Rate of pay
• Where to obtain the job description and person specification
• Closing date and time for applications
• Format of applications - CV or application form?
• Indicate the week in which interviews will be held
• Safeguarding statement about undergoing a DBS check
• Who to contact for further information
Remuneration for clerks

There are no national set rates of pay for clerks to governors. Schools must carefully consider payment in line with the job description, person specification and the needs of their governing body. Schools pay for clerks out of their own budget.

Scales and hourly rates
From 1st January 2015 to March 2016 Main Grade Post (local authority) pay rates are given below as guidance.

The hourly rate is calculated by $\frac{\text{Annual Salary}}{365} \times \frac{7}{36}$

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<th>Hourly Rate</th>
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Market Factor Supplements
There are certain circumstances where it might be necessary to have to pay a salary that is over and above the job evaluated rate of pay for the job. One example of this is where there are skills shortages for particular specialist or hard to fill jobs that result in the pay for those jobs being inflated.
Market Factor Supplements (MFS) should only be awarded to jobs that meet this description. The employer has to be able to justify applying a Market Factor Supplement. Payments must be reviewed annually to ensure that they are still appropriate.

In the case of clerking a governing body, a MFS could be applied due to the unique nature of the post and skills that an experienced professional clerk would bring to the job. A MFS would make the post more attractive to those who have relevant experience and skills in clerking.

Where a school requires an experienced clerk as soon as possible, for example a school that is deemed to ‘require improvement’ or deemed to be ‘Inadequate’ by Ofsted, and leadership and management need to be supported and improved in a specific timeframe, then a MFS could be applied to attract a skilled professional to the clerking role that could provide the right support to the governing body in improving their impact and Ofsted judgement.

There are no set rates or scales for MFS. The employer must consider how much would be sufficient in line with expectations and how much is available within their budget.

**Quotes from good and outstanding schools’ Ofsted reports 2014**

Although the role of clerk is not specifically named in these quotes, these quotes show that an organised and effective governing body can achieve these judgements largely with professional and effective clerking. All of the quotes below are from schools deemed good or outstanding.

*The governing body is well organised and highly effective in carrying out its role.*

*Governors have a detailed understanding of their role in supporting and challenging the school. They use their expertise to ensure that all their responsibilities are carried out effectively in a way that fully supports school improvement.*

*Governors carry out their statutory duties very diligently as a result of the training they have undertaken.*

*Governance is highly effective and all legal responsibilities are fully carried out.*
Model Job Description
Adapted from the NGA Model Job Description

Post Title: Clerk to the Governing Body

Pay Grade: xxxx

Responsible to: the Governing Body of xxxx School / Federated Schools

Contacts

**Internal**
- Chairman of Governors
- Vice Chairman of Governors
- Individual Governors
- Headteacher
- Senior Leadership Team
- School Staff
- Chairmen of Committees
- Clerks to Committees
- Associate members of the governing body

**External**
- Parents
- Visitors to governing body meetings
- Local community groups
- The Local Authority
- External consultants
- Governor Support Service
- Ofsted
- Department for Education (DfE)
- Other local schools and educational establishments
- Schools that have a religious foundation must have contact with the founding body and local church groups, e.g.
  - London Diocesan Board of Education
  - Diocese of Westminster

Attendance
The hours for this post are irregular due to the duties and nature of the post. Therefore the post holder must be flexible in their approach to the post and able:
- to attend evening meetings
- to attend early morning and/or daytime meetings at the school
- to attend ad hoc panel meetings
- to visit the school regularly to carry out some administrative duties
- work at home on their own initiative to meet deadlines set by law and the governing body.

Purpose of the Job
The clerk to the governing body is a statutory post. The clerk to the governing body must work effectively with the chairman of governors, with the headteacher and all other members of the governing body.

_The clerk to the governing body will:_
- Provide advice to the governing body on governance, constitutional and procedural matters. The new regulations require governing bodies to have regard to advice from the clerk in regards to exercising the governing body functions.
- Provide effective administrative support to the governing body and its committees.
- Ensure the governing body is properly constituted.
- Manage information effectively in accordance with legal requirements.
Main responsibilities and tasks

The clerk to the governing body will:

Provide advice to the governing body
- Advise the governing body on governance legislation and procedural matters where necessary before, during and after meetings;
- Act as the first point of contact for governors with queries on procedural matters;
- Have access to appropriate legal advice, support and guidance, and where necessary seek advice and guidance from third parties on behalf of the governing body;
- Inform the governing body of any changes to its responsibilities as a result of a change in school status or changes in the relevant legislation;
- Offer advice on best practice in governance, including on committee structures and self-evaluation;
- Ensure that statutory policies are in place, and are revised when necessary, with the assistance of staff;
- Advises on the annual calendar of governing body meetings and tasks;
- Send new governors induction materials and ensure they have access to appropriate documents, including any agreed Code of Practice; and
- Contribute to the induction of governors taking on new roles, in particular chair or chair of a committee.

Effective administration of meetings
- With the chair and headteacher prepare a focused agenda for the governing body meeting and committee meetings;
- Liaise with those preparing papers to make sure they are available on time, and distribute the agenda and papers as required by legislation or other regulations;
- Ensure meetings are quorate;
- Record the attendance of governors at meetings (and any apologies – whether they have been accepted or not), and take appropriate action in relation to absences, including advising absent governors of the date of the next meeting;
- Draft minutes of governing body meetings, indicating who is responsible for any agreed action with timescales, and send drafts to the chair and (if agreed by the governing body), the headteacher
- Circulate the reviewed draft to all governors (members of the committee), the headteacher (if not a governor) and other relevant body, such as the local authority/diocese/foundation/trust as agreed by the governing body and within the timescale agreed with the governing body; and
- Follow-up any agreed action points with those responsible and inform the chair of progress.

Membership
- Advise governors and appointing bodies in advance of the expiry of a governor’s term of office, so elections or appointments can be organised in a timely manner;
- Chair that part of the meeting at which the chair is elected, giving procedural advice concerning conduct of this and other elections;
- Maintain a register of governing body pecuniary interests and ensure the record of governors’ business interests is reviewed regularly and lodged within the school;
- Ensure Disclosure and Barring (DBS) has been carried out on any governor when it is appropriate to do so;
• Maintain a record of training undertaken by members of the governing body; and
• Maintain governor meeting attendance records and advise the chair of potential disqualification through lack of attendance.
• Advise the governing body on succession planning (of all roles, not just the chair.)

Manage Information
• Maintain up to date records of the names, addresses and category of governing body members and their term of office, and inform the governing body and any relevant authorities of any changes to its membership;
• Maintain copies of current terms of reference and membership of any committees and working parties and any nominated governors e.g. Child-protection, SEND.
• Maintain a record of signed minutes of meetings in school, and ensure copies are sent to relevant bodies on request and are published as agreed at meetings;
• Maintain records of governing body correspondence; and
• Ensure copies of statutory policies and other school documents approved by the governing body are kept in the school and published as agreed, for example, on the website.

Personal Development
• Undertake appropriate and regular training and development to maintain his/her knowledge and improve practice;
• Keep up-to-date with current educational developments and legislation affecting school governance;
• Participate in regular performance management.

Additional Services
The clerk may be asked to undertake the following additional duties:
• clerk any statutory appeal committees/panels the governing body is required to convene: if the clerk is not contracted to set up and clerk these panels, the governing body will have to make an alternative arrangement;
• assist with the elections of parent and staff governors;
• participate in, and contribute to the training of governors in areas appropriate to the clerking role;
• maintain a file of relevant Department for Education (DfE), local authority and church authorities (if appropriate) guidance documents;
• maintain archive materials;
• prepare briefing papers for the governing body, as necessary;
• conduct skills audits and advise on training requirements and the criteria for appointing new governors relevant to vacancies;
• conduct skills audits and advise on training requirements and the criteria for appointing new governors relevant to vacancies;
• perform such other tasks as may be determined by the governing body from time to time.
# Model Person Specification

*This model adapted from Consortium 52 and DfE Model.*

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<th>Post Title</th>
<th>Clerk to the Governing Body</th>
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<tr>
<td>Pay Grade</td>
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## Sections

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<tr>
<th>Competencies</th>
<th>Essential</th>
<th>Desirable</th>
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1 **Skills, knowledge and aptitudes**

- The Clerk should be able to provide evidence of the following:
  - excellent listening, oral, grammar and literacy skills;  
  - writing agendas and accurate concise minutes;  
  - ICT including keyboarding skills and use of email and internet;  
  - organising their time and working to deadlines;  
  - organising meetings and co-ordinating people;  
  - record keeping, information retrieval and dissemination of governing body data/documentation, to the governing body and relevant partners;  
  - speaking skills, especially in front of groups and able to articulate well;  
  - developing and maintaining contacts with outside agencies e.g. departments of the LA, Church authorities and DfE;  
  - knowledge of governing body procedures;  
  - knowledge of educational legislation, guidance and legal requirements;  
  - knowledge of the respective roles and responsibilities of the governing body, Headteacher, church authorities and the DfE;  
  - knowledge of equal opportunities and human rights legislation;  
  - knowledge of data protection legislation.

2 **Qualifications and training**

- The Clerk should:
  - be able to demonstrate a willingness to attend appropriate training;  
  - have already attended or make a commitment to attend the National Training Programmes for Clerks or equivalent training offered by the LA or other organisations.

3 **Experience**

- Clerks should be able to produce evidence of:
  - relevant personal and professional development;  
  - working in an environment where experiences included taking initiative and self motivation;  
  - working as a member of a team.

4 **Personal attributes**

- The Clerk must:
  - be a person of integrity;  
  - be able to maintain confidentiality;  
  - be able to remain impartial;  
  - have a flexible approach to working hours;  
  - be sympathetic to the needs of others;  
  - have an openness to learning and change;  
  - have a positive attitude to personal development and training;  
  - be able to confidently address groups of people and individuals;  
  - have an excellent interpersonal skills.

5 **Special requirements**

- The Clerk must:
  - be able to work at time convenient to the governing body inc evening meetings;  
  - be able to travel to meetings;  
  - be available to be contacted at mutually agreed times;  
  - have regular access to a PC, printer and internet facilities.