

Guidance Leaflet for Clerk Recruitment in Bucks Schools

“High quality professional clerking is crucial to the effective functioning of the board. The clerk should be the boards’ ‘governance professional’.

Governance Handbook DFE January 2017

Forthcoming changes within Buckinghamshire Learning Trust now mean that many schools in Bucks will need to make new arrangements and to recruit a clerk to their Board for September 2018.

This brief guide will give you information to help you to make the necessary decisions and Clerking arrangements for your Board. It outlines the options you have and signposts you to links to further information that you may need.

“Their role is not only about good and effective organisation and administration, but also, and more importantly, about helping the board understand its role, functions and legal duties and supporting the chair to enable and facilitate strategic debate and decision making”

Governance Handbook DFE January 2017

Options

The independence and professionalism of the clerk are crucial factors for Boards to consider so that Clerks can fulfil their role in an inclusive and effective manner.

For these reasons careful thought must be given to the

Recruitment process	Contractual arrangements
Payment arrangements (Tax, NI etc)	Reporting arrangements
Performance Management	Training and support for the clerk

There are three recruitment options you can consider

1. Contract with a clerk who is working on a self-employed basis
2. Contract with a ‘group practice’ who provide a clerking service
3. Employ a clerk directly for your school.

10 Key things to consider before engaging your Clerk

1. You will need to decide what personal qualities and level of experience you are looking for from your clerk and include this in a job and personal specification. This will be informed by the National Competency Standards for clerks
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609971/Clerking_competency_framework.pdf
and can include a job description based on these – This can be accessed from the NGA (National Governance Association Web site here
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609971/Clerking_competency_framework.pdf
2. If you are engaging your clerk under option 1 or 2 above you will need a contract/service level agreement with your clerk and you will need to decide what it needs to include. As a minimum you will need to include numbers of meetings, scope of the administrative support, notional hours per meeting etc- and the costs. An example of a service level agreement is available in the Hampshire document appendix 1
<http://documents.hants.gov.uk/governors/LAClerkingServiceTermsandConditions2018-2019.pdf>
3. If you plan to employ your clerk you will need to advertise the clerking post and appoint to the position in your school with an employment contract as for other staff. The appointment panel should be chaired by the chair of governors. If you are a Bucks maintained or VA school (as opposed to an academy) you will need BCCs HR’s job evaluation for a clerking position so as to know where on the Bucks Pay scale to advertise and appoint your clerk.

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4. Bear in mind that any salary, fee basis or rate per meeting will need to include an allowance of time for agenda preparation, minutes, advice to the chair and Board crucially time for the clerk to keep up to date and participate in training and network support.
5. You will need to make sure that your clerk has good access to professional support, networking and training. The NGA offers training for clerks <https://www.nga.org.uk/ConsultancyandTraining/Governance-training/For-clerks.aspx> and BLT will be continuing a local clerks support service. (See BLT brochure and information posted on Governor Hub) . If your clerk is working for several Bucks schools it may be sensible to share the cost of any payment to BLT for clerk support across those schools.
6. The contracting of a named clerk to school arrangement and employment route provides continuity so that you have the same clerk over time with whom you develop a relationship and who builds up a good knowledge of your Board's working and your school.
7. It will be helpful to find out if your clerk has any reciprocal arrangements with other colleagues should he/she be ill or unable to clerk a meeting on a particular date. BLT will still provide an 'emergency clerk' service
8. Consider what additional support your clerk can offer should you need it- eg clerking for additional meetings, exclusion panels, disciplinary or parent complaint hearings.
9. You will need to make the relevant arrangements for performance .. management of your clerk.
10. If you decide to employ your clerk the clerk should report to the Board and chair of governors, **NOT** the headteacher. This is VERY IMPORTANT to enable your clerk to work as independently as possible and avoid any conflicts of interest that might arise.

Additional Notes

Types of schools. This general guidance applies equally to Governors of MAT Boards, voluntary, maintained schools and academies. The roles will be adapted accordingly and reflected in the details of engagement, the Job description, Person specification, level of experience required and by the Articles of Association for Academies.

Payment of Clerks: Current Inland Revenue rules (IR35) mean that clerks are regarded as 'officers' of the school (Maintained, VA and some academies) and consequently attract Tax and NI on their earnings. Further information is available at <https://www.gov.uk/guidance/check-employment-status-for-tax> and the BASG web site <http://bucksgovassoc.co.uk>. The school business manager can access the relevant forms and further guidance on Schools Web if payment is being made through BCC.

Training and networking- BLT plans are to continue to provide training and networking support for clerks. This is purchased via an individual school so if your clerk is working for several Bucks schools you may wish to discuss which school purchases the training and support package and make appropriate financial sharing arrangements)

Finally

"Boards should set demanding standards for the service they expect from their professional clerk and assure themselves that they are employing a clerk with suitable skills, training and knowledge..... This is crucial in helping the board exercise its functions expediently and confidently, so that it can stay focused on its core functions."
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This leaflet and any further updates and links to relevant information and advice will be posted on Bucks Association of School Governors website

<http://bucksgovassoc.co.uk>