



## DEVON COUNTY COUNCIL

### Job Description

<b>Position Title</b>	<b>Clerk to Governors</b>
<b>Location</b>	FLAG Federation-Lamerton and Gulworthy Primary
<b>Reporting to</b>	Chair of Governors
<b>Position Number(s)</b>	
<b>Grade</b>	D
<b>Directorate/Section/School</b>	CYPS/School

#### **The Role of the Clerk to Governors**

The clerk to governors plays a key role in governor involvement in school improvement and accountability. S/he is responsible for advising the governing body on constitutional matters, duties and powers and will work within the broad current legislative framework. S/he will secure the continuity of the governing body's business and observe confidentiality requirements. The post holder will be accountable to the governing body, working effectively with the chair of governors, head teacher and other governors.

#### **The Role of the Governing Body**

Governing bodies help schools provide the best possible education for their pupils by:

- thinking and working strategically to help to raise standards and underpin school improvement activity
- monitoring and evaluating progress towards the school's priorities and targets
- supporting the head teacher and staff as well as challenging their expectations and acting as a critical friend
- accounting to all stakeholders for the school's overall performance and for the decisions they have made
- maintaining the strategic overview and management of school finances
- ensuring the school is run in accordance with the legislative framework

#### **Job Purpose:**

- To provide advice to the governing board and its individual members on governance, constitutional and procedural matters, ensuring the board meets its statutory requirements. *Legislation introduced by the Department for Education in 2013 requires governing boards to have regard to advice from the clerk with regard to exercising their functions.*



- To provide administrative support to the governing board, its committees and individual governors to facilitate effective and efficient meetings and strategic governance. To make a key contribution to ensuring a strong evidence base is provided for Ofsted/Audit by through an accurate record of governing board challenge, actions and decisions via concise and accurate minutes.
- To manage information effectively and in accordance with legal requirements, observing confidentiality where necessary.
- To facilitate and co-ordinate the induction process for new governors and promote governor training, succession planning and recruitment based on the skills required to fulfil the governing boards' three key roles.

### Main Duties & Responsibilities:

- **Provide advice to the governing board. In the role of adviser the clerk will act to support, advise and enhance the work of the governing board within the framework in which it operates.**
- Advise the governing board and its individual members on governance legislation, constitutional, legal and procedural matters where necessary before, during and after meetings.
- Act as the first point of contact for governors and associate members needing information or advice relating to their statutory functions. Research or signpost to answers, including seeking advice from third party organisations. (e.g. Department for Education, Governor Support, Devon County Council, National Governors Association, HR, Finance, Audit, Safeguarding.)
- Assess facts, opinions and situations accurately and exercise sound judgement.
- Remain objective at all times; remain neutral and be the 'constitutional conscience' of the board.
- Demonstrate knowledge of the three main roles of the governing board and of the DfE Governors' Handbook and the relevant governor regulations in the context within which they are working. (e.g. Church schools, federations, co-operative trusts, academy articles, management partnerships, local governing boards.)
- Understand the governor role in school improvement and have knowledge of current Ofsted requirements. Advise on governing board functions and the powers to delegate its functions and proper procedures with respect to committees.
- Ensure the governing board meets its statutory obligations and inform the board of any changes to its responsibilities as a result in a change of school status or changes in the relevant legislation.
- Offer advice on best practice, including committee structures, levels of delegation, terms of reference, quorum, annual cycle of business, policy review cycle, self-evaluation, skills audit, governor training and governance procedures.
- Alert governors where a conflict of interests may be perceived so appropriate action can be taken.
- Have the ability, knowledge and confidence to challenge and intervene. *e.g. the clerk may need to recommend that governors seek advice from an HR adviser of the Local authority on legal matters relating to staffing or health and safety issues before making decisions where they feel governors are at risk of working outside of the legal framework. A specific example might be to ensure governors have attended safer recruitment training before serving on an appointment panel or to ensure that governors follow their policies and/or seek professional advice with respect to staff redundancy.*
- Have an understanding of, and develop skills in, resolving impasse and conflict.
- Advise the governing body on procedures and practice for formal hearings and appeal panels ensuring statutory timeframes and legal requirements are adhered to before, during and after the process, to include attending the hearing to provide advice and accurately minute the proceedings.



- Build effective working relationships with governors, the headteacher, school staff and external agencies as required.
- The clerk is required to work irregular and unsociable hours, often responding to differing requests from a range of sources on an unpredictable basis.
- **To provide administrative support to the governing board. In the role of administrator the clerk will support the work of the board, its committees and individual governors through planning, preparation, research and administration.**
- Work with the chair (or chair of committee) and the head to prepare a focussed agenda for strategic governor meetings and distribute within statutory timeframes: at least seven days before the meeting.
- Liaise with those preparing papers to ensure they are available on time and distribute, including those required by legislation and regulations. (e.g. the heads/principals termly report.)
- Ensure meetings are quorate; record the attendance of governors and apologies, including whether the apology is sanctioned, and any declarations of interest.
- Make notes at the meeting in order to produce minutes to an agreed timescale that are clear and unambiguous. Maintain a record of responsibility and timescale for agreed actions to inform the work of governors between meetings.
- To provide a key contribution to the evidence base for Ofsted/Audit by providing an accurate record of governing board challenge, actions and decisions through concise and accurate minutes.
- To facilitate strategic governance and in consultation with the governing board produce an annual cycle of full board and committee meetings, ensuring statutory requirements are met, there is no duplication between committees and the cycle reflects the point in the academic year by which items must be completed. (e.g. annual School's Financial Value Standard (SFVS) return and safeguarding return)
- Ensure the LA is informed of all governor appointments and elections through the database.
- Co-ordinate the arrangements for additional and emergency meetings e.g. exclusions, staff discipline, complaints.
- **To manage information effectively. In the role of information manager the clerk will establish and maintain good communication systems, in accordance with legal requirements; and positive working relationships, observing confidentiality where necessary.**
- Maintain an accurate record of membership of the Governing Board; advise the board on the expiry of terms of office, potential vacancies and the necessary succession planning for all roles.
- Receive, record and distribute incoming correspondence on behalf of the governing board including the weekly Clerks' Alert, termly Checklist and termly Devon Governor Magazine. Ensure that guidance on new legislation is disseminated to appropriate governors and used to inform governing body meetings. Use appropriate and agreed channels of communication and ensure that communication is effective and 'fit for purpose'.
- Ensure that all governors, including new governors and reappointed governors, complete a Declaration of Eligibility form and ensure DBS checks are carried out as agreed by the board. Ensure that the Disqualification by Association requirements are only applied where appropriate and do not breach the requirements of the Data Protection Act.
- Ensure a register of relevant business and pecuniary interests is maintained, reviewed at least annually, is on every agenda, drawn to governors' attention at all meetings and published on the school website.
- Maintain relevant filing for the Governing Body including a complete set of approved minutes of all Governing Body and Committee meetings (where appropriate) and all other associated paperwork. Ensure part two (confidential) minutes are dealt with appropriately so confidentiality is maintained. Be aware of requirements under a Freedom of Information access request.



- Co-ordinate compliance of the governing board with relevant regulatory, statutory and administrative requirements, advising on responsibilities and liaising with third parties as required. Ensure that the board have published all legally required information on line.
- Ensure that statutory/legally required policies are in place and that records are maintained of all school policies and other school documents approved by the Governing Board. Advise the governing board of the dates on which policies are due to be reviewed by maintaining a policy cycle.
- Co-ordinate all the information required to comply with legislation and regulations and ensure it is of high quality.
- **To facilitate and co-ordinate the induction process for new governors and promote governor training. In this role the clerk will assist the governing board to identify skill gaps and training requirements and cater for future needs through succession planning.**
  - Identify, encourage and promote governor training, accessed through Governor Support, online and in-house and book services required on behalf of the governors.
  - Keep accurate and up to date training records as evidence for Ofsted.
  - Co-ordinate a regular skills audit to identify training requirements.
  - Co-ordinate the induction process for new governors. Provide all new governors with a school based induction pack, offer support and advise on statutory and best practice requirements as required, highlighting relevant training opportunities.
  - Keep abreast of developments in school governance including legal developments by attendance at training events, via the Governor Support team and through other relevant media in order to provide pro-active support to the Governing Body.
  - Undertake appropriate and regular training and development to improve practice, maintain and extend knowledge, skills and expertise.
  - Advise the governing board on the process and procedure for the election of the chair (and vice-chair); chair the meeting for the election of the chair.
  - Manage the appointment and election of all governors, in accordance with the guidance in the Governors' Handbook and Governor Support recommended good practice. Liaise with the appropriate appointing body (eg diocese, trust) as appropriate.
  - Liaise with third parties (e.g. SGOSS) to help identify potential future governors, with appropriate skills.
  - Ensure that associate members are appropriately supported and informed in order to effectively contribute to the committees on which they serve.

From The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 published in January 2014: <https://www.gov.uk/government/publications/school-governance-regulations-2013>

*'22. High quality professional clerking is crucial to the effective functioning of the board. Clerking is not only about good organisation and administration, but also, and more importantly, about helping the board understand its role, functions and legal duties. This is crucial in helping the board exercise its functions expediently and confidently, so that it can stay focused on its core functions.*

*23. Boards should set demanding standards for the service they expect from their clerk and assure themselves that they are employing a clerk with suitable skills and training. Consequently, they should expect to pay an appropriate amount commensurate to the professional service they expect their clerk to deliver.'*



**Person specification:**

Attribute	Essential	Desirable	Method of Assessment
Skills, knowledge and aptitudes	<ul style="list-style-type: none"> <li>• Good listening, oral and literacy skills</li> <li>• Ability to organise time &amp; work to deadlines</li> <li>• Using the internet to access relevant information</li> <li>• Ability and willingness to work individually, using own initiative</li> <li>• Ability to work in an organised and methodical manner</li> <li>• Ability to work as a team member</li> <li>• </li> </ul>	<ul style="list-style-type: none"> <li>• Knowledge of governing body procedures and/or experience which demonstrates the ability to gather and analyse information for research purposes</li> <li>• Experience of writing agendas and accurate, concise minutes</li> <li>• ICT including keyboard skills</li> <li>• Developing and maintaining contacts with outside agencies e.g. Governor Support</li> <li>• Knowledge of educational legislation, guidance &amp; legal requirements</li> <li>• Knowledge of the respective roles and responsibilities of the governing board, head, the LA &amp; the DfE</li> <li>• Awareness of data protection legislation to handle information securely in a confidential &amp; impartial manner</li> <li>• Experience of organising meetings</li> <li>• Experience of record keeping</li> </ul>	Application form & interview
Qualifications & training	<ul style="list-style-type: none"> <li>• NVQ Level 3 in Business Administration or equivalent experience</li> <li>• Demonstrate a willingness to attend training &amp; development opportunities</li> </ul>		Application form & interview
Experience	<ul style="list-style-type: none"> <li>• Experience of taking initiative and self-motivation</li> <li>• Evidence of working as a member of a team</li> </ul>	<ul style="list-style-type: none"> <li>• Evidence of relevant personal and/or professional development</li> </ul>	Application form & interview
Personal qualities	<ul style="list-style-type: none"> <li>• Demonstrate &amp; maintain integrity, impartiality &amp; confidentiality</li> <li>• Have a flexible approach to working hours</li> </ul>		Application form & interview



	<ul style="list-style-type: none"> <li>• Ability to demonstrate commitment to equal opportunities</li> <li>• Have good interpersonal skills</li> <li>• Have an openness to learning and change</li> <li>• Be sympathetic to the needs of others</li> </ul>		
Special requirements	<ul style="list-style-type: none"> <li>• Ability to work at times convenient to the governing board, including evenings</li> <li>• Ability to travel to meetings</li> <li>• Available to be contacted at mutually convenient times</li> </ul>		Application form & interview



### 1. Supervision / Management of People:

- The role does not entail supervision or management of staff.

### 2. Creativity and Innovation:

- There is no blueprint for how a governing body should conduct its business, indeed the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 state: *'Boards of governors are, in general, best placed to decide for themselves how they operate.'* This means that the clerk has to interpret and adapt their practice to meet statutory requirements but also work within the framework their particular governing board prefers.
- The clerk has to overcome challenges which arise from the complexity of school governance, along with the potential diversity of governors on the board and the wide range of issues school governing can cover.
- The clerk is often required to respond to differing requests from a range of sources on an unpredictable basis. Governing boards can be very diverse – in their capabilities, experience, expertise, insight, age, gender, motivation, wisdom and background. In addition they are all volunteers and typically have busy lives outside school governing. The clerk needs to respond appropriately and in a timely manner to a broad range of queries and requests.
- Members of the governing board may start out with a very sketchy understanding of what governance entails, or may indeed have an inappropriate view of their role; they may have a lot of learning to do to become excellent governors, the clerk is pivotal in enabling governors to understand and fulfil their role effectively.
- Governors only serve for a maximum of a four year term of office at one time, so there can be a continual turnover of membership. Clerks are key in developing succession planning for the governing body to ensure all the necessary skills are available within the membership.
- Each individual school has their own constitution, which varies from school to school. The clerk needs to work within the constitutional framework, or advise on possible reconstitution and restructuring within the legal parameters applying to their category of school. The constitution is further complicated as schools become involved in a greater number of partnerships, such as Federations, Trusts, Management Partnerships, Multi Academy Trusts with local governing bodies and collaborations. An individual school may be engaged in more than one of these arrangements at the same time, with the resulting requirement for representation from different stakeholder groups, including the diocese in a church school. The clerk needs to ensure that governors and associate members understand the basis on which they are on the board, and what their constitutional delegated powers and voting rights (if any) are.
- The business of governing a school, or group of schools, can be very complex. The issues are often very thorny; a significant number of governing matters are not clear cut, with a range of different dimensions to them and lots of different aspects. The clerk has to seek clarity, through a range of sources, for their governors and advise appropriately.

### 3. Contacts & Relationships:

- Provide the first port of call for governors seeking advice and information, often on a range of diverse and complex issues relating to their governance role.
- Build good relationships with a diverse range of individuals and stakeholders who form the governing board, related committees and working parties including – in particular – the chair and the head / principal. Individual governors' term of office is a maximum of four years at a time; the chair may be in post for a period as short as one year and the head may not be in post throughout the clerks' tenure. This means these relationships will be constantly changing.



- Be the 'face' of the governing board, and is often the first point of call for anyone who wishes to make contact with the chair or the governors. The clerk must provide a timely, welcoming and professional response to all such enquiries on behalf of the governing board.
- Liaise with Governor Support on a regular basis, both by email and telephone, maintaining the statutory information relating to their governors, booking training on behalf of governors and for themselves, and researching information on behalf of their governing board.
- Communicate on a very regular basis with members of the governing board and its committees. This may be through email, telephone contact, uploading documents onto a secure area of a website, or cloud storage and providing printed materials. The nature of the contact will need to be adapted according to the individual needs and requirements of the governing board and its members; some governors do not use email, so paper copies will need to be provided. The clerk needs to ensure all communication is effective and 'fit for purpose'.
- Build relationships with administrative support staff in the school, particularly where communications need to be issued from the governing board to the parents at the school and for the processes of electing parent and staff governors.
- The clerk is pivotal in enabling governors to understand and fulfil their role effectively through the initial and on-going induction process; ensuring appropriate training is accessed on their behalf and advising them appropriately in order to enable them to understand and fulfil their core functions and strategic role.
- Liaise with a range of outside agencies relating to the appointment of differing categories of governor e.g. the Local Authority, the Diocese, Co-operative Trust, Ted Wragg Trust etc, as appropriate for their school.
- Communicate on behalf of the governing body to a range of agencies and stakeholders, for example writing to people who have been involved in a formal proceeding hearing or appeal such as a complaint against the school – or a member of its staff; an admissions appeal; a disciplinary procedure etc. Any such communication will need to meet appropriate requirements and timelines, as laid down by policy or statute.
- Encourage good relationships and team building by active listening, exercising tact and discretion; and enhancing the effectiveness of the Chair.
- Clerks can help to resolve conflict through effective management and application of proper processes and secure frameworks for procedure. This will support a 'containing environment' in which (strong) feelings can be expressed, worked with and transformed into productive energy.
- There will be occasions when the clerk needs to be very assertive with some strong-minded people. Good heads and chairs do not hold these positions unless they have quite a bit of 'personal power'. There will be occasions when the clerk needs to 'tell it like it is' and be ready to do that, not by getting into an argument, but by drawing on their authority and being clear about the point they are making to prevent the governing board 'breaking the rules'.
- The clerk may need to seek advice from a range of sources on an urgent basis, for example if there is a potential safeguarding incident within the school.
- Establish a range of communication networks to support their role and be familiar with websites and helplines where information can be accessed, clarified and verified. For example: through The Governor Support Team; GEL (Governor e- learning); the NGA (National Association of Governors); DAG (The Devon Association of Governors); SGOSS (School Governors One Stop Shop) for assistance with recruiting skilled governors; the Diocese; The Devon Safeguarding Children Board; The Department for Education website; Ofsted website; weekly Clerks' Alert; 'Checklist' publication and Devon Governor Magazine; The Governors' Handbook; Roles, Procedures and Allowances Guidance; DfE 'What School's Must Publish Online'; The Education Funding Agency (EFA) etc.
- Clerks' frequently need to maintain high levels of confidentiality in their work.

#### **4. Decisions – Discretion:**

- Determine whether the governing body is acting within a legal framework to ensure governors are meeting statutory duties and are compliant with the law.



- Be proactive in managing the business of the governing body and needs to initiate the setting up of relevant meetings and follow through as appropriate.
- Look ahead to foresee the end dates of terms of office of governors and take appropriate action well in advance.
- Determine which items of correspondence should be distributed to which members of the governing body to maintain confidentiality and/or avoid any legal challenge over process of information (e.g. relating to complaints/disciplinary processes). Clerks' frequently need to maintain high levels of confidentiality in their work and decide which members of the governing board should be notified of confidential matters and where this would not be appropriate due to potential future action.
- Determine the content and structure of governing body meeting agendas to ensure focused effective meetings.
- Determine the level of detail required and contents of minutes to provide an evidence base for Ofsted, Audit, County, stakeholders and to provide a legal record for formal proceedings (e.g. exclusions; admissions; appeals; complaints; redundancy.)
- Persuasion, influence and tact are also required. There is a need to foresee possible consequences of different courses of action and give advice based on this.

#### **5. Decisions – Consequences:**

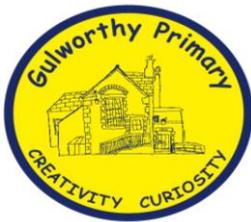
- The clerk has a pivotal role in ensuring good governance. It is crucial for the clerk to understand the governing board they are working with and to respond accordingly.
- A good clerk can help a governing board overcome challenges resulting from the way school governing is constructed and help to ensure it runs properly and correctly.
- The clerk needs to recognise and understand the impact of educational policies (e.g. performance management) on the school(s) where they are working and also provide clarity on the potential impact of any changes.
- The clerk needs an understanding of the governing board's role in school improvement and to have knowledge of the current Ofsted requirements in order to accurately evidence the impact the governors have had in school.
- The clerk has a responsibility to ensure that the governing board is properly constituted.

#### **6. Resources:**

- The post holder is responsible for ensuring that all governor records are correct and maintained on the database through regular contact with Governor Support (and the diocese/trust/LA as necessary).
- Minutes and paperwork relating to governing body meetings need to be maintained by the clerk and published on school website/noticeboards as agreed. An archive record of all meetings must be maintained.
- Confidential minutes and paperwork relating to governing body meetings and formal proceedings must be maintained and stored in a secure location in accordance with the provisions of the Data Protection Act 1998.
- If the post holder may be working from home s/he must ensure that any electronic files are regularly backed up and deposited at the school. These files are the school's intellectual property.

#### **7. Work Demands:**

- The post holder needs to be able to manage and prioritise his/her own workload and to work flexibly.
- S/he needs to be available at short notice and may have to take on unplanned additional work unexpectedly and immediately, e.g. for formal proceedings and Ofsted inspections.
- The post holder will need to work within statutory deadlines e.g. agendas 7 days in advance



for maintained schools, 14 days in academy schools; notice periods for convening meetings for formal proceedings and appeals.

- If the clerk has another role in school (e.g. administrator) the conflicting demands of each role has to be prioritised by the post holder. The post holder needs to be clear about which tasks are allocated to each role and be firm with governors and the head / principal about the appropriate use of their time in each of their roles.

#### **8. Physical Demands:**

- Normal lifting and carrying requirements only e.g. files, folders and documents

#### **9. Working Conditions:**

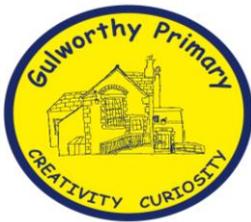
- The clerk may often be required to work from home.
- The clerk may be required to share desk space / facilities with other members of staff in the school.
- Meetings are often held outside school hours, typically in the early evening.

#### **10. Work Context:**

The work involves minimal risk to personal safety.

#### **11. Knowledge and Skills:**

- NVQ Level 3 in Business Administration or equivalent experience.
- A high level of both written and oral communication skills, including IT skills.
- Excellent planning, preparation and administrative skills, with attention to detail.
- Research skills to seek information and clarification on governing matters.
- Ability to produce clear, concise, accurate and high quality minutes.
- Good personal organisational skills to manage annual cycles of work, policy cycles, governor terms of office and vacancies, terms of reference and statutory timelines.
- Ability to work both under their own initiative and under direction.
- The ability to reflect on their own performance and a commitment to on-going training and professional development to enhance their role.
- A good working knowledge of the legal framework relating to governance of schools and current developments in education and the ability to access / signpost to detailed legislation.
- Awareness of important / sensitive issues and a commitment to maintaining confidentiality when appropriate.
- Ability to build professional, effective working relationships with a diverse range of individuals.
- Excellent time-management skills to work within statutory deadlines and plan ahead.
- Ability to assess facts, opinions and situations accurately and exercise sound judgement, remaining objective at all times.
- Ability to manage conflicting work pressures and organise priorities.
- The ability, knowledge and confidence to challenge and intervene when necessary, for example in order to prevent the governing board from acting inappropriately or illegally.
- An ability to establish and maintain good communication and reporting systems enabling clear accountability and transparency.
- Persuasion, influence and tact are required. There is a need to foresee possible consequences of different courses of action and give advice based on this.



**Health & Safety:**

<b>Potential Hazards</b>	<b>Applicable to this job? (✓)</b>	<b>Action to be taken</b>	<b><i>Examples of action to be taken (this list is not exhaustive)</i></b>
Display Screen Equipment	✓	DSE risk assessment	<i>Conduct regular workstation assessments through Oshens software</i>
Electricity – fixed / portable			<i>Ensure PAT<sup>1</sup> certificates are up-to-date</i>
Manual handling			<i>Ensure J/H attends appropriate training</i>
Verbal / physical abuse			<i>Ensure J/H is familiar with appropriate policies &amp; procedures</i>
Work equipment			<i>Ensure J/H is familiar with all equipment and its proper usage and maintenance</i>
Fire			<i>Ensure J/H is familiar with evacuation procedures and use of fire-fighting equipment (if appropriate)</i>
Environmental			<i>Wear appropriate PPE<sup>2</sup></i>
Isolation / lone-working	✓		<i>Ensure J/H is familiar with appropriate policies &amp; procedures</i>
Slips, trips & falls	✓		<i>Ensure J/H is familiar with appropriate policies &amp; procedures</i>
Chemical			<i>Ensure J/H is familiar with appropriate policies &amp; procedures and wears PPE if required</i>
Working with Vulnerable persons			<i>Ensure J/H is familiar with appropriate policies &amp; procedures</i>
Premises related			<i>Ensure J/H is familiar with appropriate policies &amp; procedures</i>
Transport risks			<i>Ensure J/H is familiar with operation of vehicle(s) and safety procedures</i>
Working at heights			<i>Ensure J/H wears appropriate PPE and follows safe system of work</i>
Other hazards not identified above			<i>Deal with on an individual basis,</i>

<sup>1</sup> Portable appliance test

<sup>2</sup> Personal protective equipment



**Signatures:**

I, the manager, confirm this is a true and accurate reflection of the job. This job description has been written in conjunction with the post holder (where applicable) who is aware that the post is being submitted for evaluation.

**Job Description agreed by:**

**Job Holder (if in place):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Line/Originating Manager:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Head of Service/Head teacher** \_\_\_\_\_ **Date:** \_\_\_\_\_