

**Oxfordshire County Council  
Governor Services**

**Clerking Service**

**Service Level Agreement 2022/23**

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## **CLERKING SERVICE SERVICE LEVEL AGREEMENT 2022/23**

### **1. Introduction**

- 1.1. The Clerking Service provides Governing Boards with a professional Clerk, trained, and supported.
- 1.2. The standard subscription provides the services of a Clerk for 60 hours per academic year which covers:
- 1.3. The Clerking of 6 full board meetings for the year (10 hours per meeting).
- 1.4. The Clerking of additional meetings remains an option. Further details are provided on page 11.
- 1.5. Our children deserve the best possible education. Everyone involved in governance, whether sitting on a board or providing Clerking services to it, must strive for the highest professional standards.
- 1.6. Oxfordshire County Council Governor Services are champions for high quality school governance and aim to ensure that governors and governance professionals have the necessary skills to delivery it.
- 1.7. We take an active interest in the quality of governance in schools. We encourage and support high standards, recognising where a school could improve and enabling boards to do so.
- 1.8. The Department for Education (DfE) recognises that professional-quality Clerking is critical to the effectiveness of a governing board in fulfilling its core strategic functions. (DfE: Clerking Competency Framework 2017) [Department for Education \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/department-for-education-clerking-competency-framework-2017)
- 1.9. Boards subscribing to, or leaving, the Service part way through the financial year are charged or refunded proportionately, after allowing for the relevant notice period. The charges are reviewed each year.
- 1.10. Full details of the charges relating to the different options available through the Service are contained in Appendix 1.
- 1.11. The Clerking of discipline committees, pupil exclusions, and other panel meetings is not included as part of the standard service, if a Clerk is needed to undertake this type of work the board must contact the Service for further advice.

## 2. Professional Clerking to enable effective governance:

### 2.1. Strategic Leadership

Professional Clerking supports and challenges the chair to ensure the board focuses on strategic rather than operational decisions and flags up where the board is overstepping or deviating from its role. This enables the board to focus on its strategic role and to exercise its functions effectively and confidently. High-quality administration is critical to the efficient functioning of the board as the strategic decision-making body for the organisation.

Professional Clerking supports the chair to ensure that meetings are planned efficiently over the course of the school year; that papers are received in a timely manner; and that minutes contain a clear record of debate and decisions.

### 2.2. Accountability

Professional Clerking plays a crucial role in supporting the board to hold the executive leaders to account. It provides guidance to the chair and board to help them identify the information they require and the questions they should ask of senior leaders. It works with senior leaders to provide the information and data that the board requires about education standards and financial performance in a timely manner. This gives the board the opportunity for detailed scrutiny of data before discussions and facilitates challenge of executive leaders about current performance and strategic priorities. Professional Clerking also informs the board's accountability to others through minutes that provide evidence of challenge and scrutiny of the executive, and the board's overall ability and capacity to govern the organisation well.

### 2.3. People

Professional Clerking supports the board to recruit, induct and train individuals with the right set of skills. It reports on vacancies and appointments; maintains a comprehensive register of members; and gives efficient notice of removal and other procedural matters. This supports the board's succession planning, can encourage members of the board to move on when appropriate to do so and allows the board to act quickly to recruit when a vacancy arises. In addition, professional Clerking builds and maintains strong and effective working relationships with the chair and others to give the board confidence in the advice and guidance they provide.

### 2.4. Structures

Professional Clerking ensures that the board is properly constituted. It involves recording the structure, membership, and terms of reference of each committee and ensuring these are available to everyone involved in governance. This helps the organisation to avoid the lack of clarity or the duplication of responsibilities that can so easily lead to dysfunctional or ineffective governance arrangements.

Professional Clerking includes the provision of impartial advice and support to the chair and board on appropriate governance structures and scheme of delegation.

### 2.5. Compliance

Professional Clerking provides knowledge and confident support to the board to ensure compliance (and an understanding of the consequences of non-compliance) with the relevant legal frameworks, contractual obligations, and governance requirements of the organisation. This includes ensuring that proper processes are followed, decisions are correctly made, statutory policies are in place and that a record of policies; along with copies and procedural documents approved by the board are maintained and accessible as required.

## 2.6. Evaluation

Professional Clerking provides an audit trail to contribute to any review of the effectiveness of the board's governance. This includes comprehensive minutes of meetings that record the board's discussions and decisions, and records of individuals' attendance and the actions that have been taken to address any skills gaps.

## 3. The Clerking Service responsibilities

The Service will:

- 3.1. Provide a Clerk who is suitably qualified by virtue of in-service training, and ensure their ongoing professional development
- 3.2. Provide training, mentoring and access to all relevant reference materials to enable the Clerk to effectively carry out their role
- 3.3. Endeavour to provide cover for the Clerk where they are unable to attend a meeting
- 3.4. Provide an alternative Clerk, as soon as practicable, if the Clerk is unable to continue with their duties (the Clerk is required to give notice)
- 3.5. Liaise with the chair, the Clerk and the school on any changes to these terms and conditions.
- 3.6. Provide the administrative and payroll functions relating to the recruitment and employment of the Clerk
- 3.7. Continually review the effectiveness of the Service
- 3.8. Process charges and refunds in line with the policy in appendix 1
- 3.9. The Clerk is employed by Oxfordshire County Council. The school or academy shall not directly or indirectly employ or engage any services from their Clerk. If the school or academy breaches this provision it may be liable for a compensation fee. The fee is a genuine pre-estimate of the financial loss that The Service would incur in recruiting and training a new Clerk.

## 4. The Clerk's responsibilities

- 4.1. The Clerk will:
  - 4.1.1. Attend an introductory meeting, with their headteacher and Chair when assigned to the board.
  - 4.1.2. Establish, with the Chair, a timetable for full board meetings for the academic year
  - 4.1.3. Clerks will report to the Clerk to Governors Team Lead for line management purposes
  - 4.1.4. Clerks will attend initial training and induction on appointment. Clerks will then be expected to attend mandatory training (for which reimbursement will be provided) throughout the academic year.

- 4.1.5. Clerks will participate in Oxfordshire County Council's performance appraisal scheme (12:3:2). These sessions will be either telephone, MS Teams or face to face sessions. Arrangements will be made to ensure the conversations are held at a mutually convenient date, time, and location.
- 4.1.6. Advise the Clerk to Governors Team Lead of any additional hours agreed to work on an ad-hoc basis, so that the school can be invoiced accordingly
- 4.1.7. Keep an accurate record of any additional work undertaken, promptly submit an additional work form to [agendas.minutes@oxfordshire.gov.uk](mailto:agendas.minutes@oxfordshire.gov.uk)
- 4.1.8. Notify the board and the Clerk to Governors Team Lead, as soon as possible, if they are unable to attend a meeting, so that a substitute Clerk can be arranged, where possible
- 4.1.9. Provide the board and Clerk to Governors Team Lead with as much notice as possible if they wish to resign as a Clerk (to allow time to find a replacement or put in cover arrangements)
- 4.2. **Advice and guidance**  
The Clerk provides independent and expert advice to the governing board on its duties and functions, contributing to the efficient conduct of the board.
  - 4.2.1. Advising the board on its core functions and DfE governance advice, including the Governance Handbook, Competency Framework for Governance and Academy Trust Handbook.
  - 4.2.2. Advising the governing board on relevant legislation and procedural matters where necessary, before, during and after meetings.
  - 4.2.3. Informing the governing board of any changes to its responsibilities because of a change in school status or changes in the relevant legislation
  - 4.2.4. Advising the board on the regulatory framework for governance (instruments of government and articles of association and relevant Acts)
  - 4.2.5. Offering advice on governance best practice, including on committee structures and self-evaluation
  - 4.2.6. Informing the board of statutory policies
  - 4.2.7. Ensure new governors have access to appropriate documents, including any agreed code of conduct and access to GovernorHub if appropriate
- 4.3. **Organisation and administration of meetings**  
The Clerk prepare for and administrates meetings, allowing the board to make effective use of their time and focus on strategic matters. The Clerk supports the smooth and effective running of meetings by:
  - 4.3.1. Working with the chair and headteacher to prepare a focused agenda for governing board meetings
  - 4.3.2. Liaising with those preparing papers to make sure they are available on time, and distribute the agenda and papers as required by legislation

- 4.3.3. Ensuring meetings are quorate, inclusive, and well structured.
- 4.3.4. Recording the attendance of governors at meetings on GovernorHub (including any apologies, minuting whether they have been accepted or not), and take appropriate action in relation to absences.
- 4.3.5. Drafting minutes of meetings, indicating who is responsible for any agreed actions with time scales, and send to the Chair and Headteacher within 7 working days of the meeting
- 4.3.6. Circulating the reviewed minutes to all governors/members of the committee, the executive leader and other relevant bodies within the timescale agreed with the governing board
- 4.3.7. Following up on any agreed action points with those responsible and informing the chair of progress
- 4.4. **Governing board membership**  
Effective boards need members with the right skills, experience, qualities, and capacity. To support the board's proper constitution, it is the responsibility of the Clerk to:
  - 4.4.1. Advise governors and appointing bodies in advance of the expiry of a governor's term of office and the impact of this on the board's capacity, diversity, and skills mix.
  - 4.4.2. Establish, in discussion with the board, open and transparent vacancy filling processes and efficient procedures for election and appointment.
  - 4.4.3. Maintain GovernorHub and ensure correct publication of information about governors such as pecuniary interests.
  - 4.4.4. Remind the board of their responsibilities regarding Disclosure and Barring Service (DBS) and other relevant checks and ensure updates are recorded on GovernorHub.
  - 4.4.5. Maintain GovernorHub so that meeting attendance records are accurate and advise the chair of potential disqualification through lack of attendance.
  - 4.4.6. Advise the governing board on succession planning for all governing board roles.
- 4.5. **Managing Information**  
The Clerk supports the board in maintaining records of policies and procedural documents.
  - 4.5.1. Maintain GovernorHub ensuring up to date records are kept of the names, contact details and category of members and their terms of office. Inform the governing board and the relevant authority of any changes to its membership.
  - 4.5.2. Signed copies of confidential minutes are kept securely within a restricted folder on GovernorHub and stored separately from the public minutes.

#### 4.6. **Safeguarding**

The Board must be committed to safeguarding and promoting the welfare of children. The Clerk will remind the Governing Board of its safeguarding responsibilities:

- 4.6.1. A safeguarding Governor must be appointed
- 4.6.2. Governors must read and understand the latest version of Keeping Children Safe in Education (KCSiE) and ensure they comply with their duties in legislation.
- 4.6.3. All governors receive appropriate safeguarding and child protection training.
- 4.6.4. Safeguarding is included on every agenda.
- 4.6.5. Governors have completed a DBS and section 128 check
- 4.6.6. Staff safeguarding is in place

## 5. The Governing Board's responsibilities

### 5.1. The Governing Board will:

- 5.1.1. Ensure that meetings are held at times and dates convenient for their Clerk. If a meeting needs to be re-arranged, it will check the Clerk's availability before agreeing the revised date
- 5.1.2. Make every effort to ensure meetings do not exceed 2 hours
- 5.1.3. Ensure that the Clerk is not asked to assume duties outside of their agreement without mutual consent
- 5.1.4. Ensure any papers to be considered at a meeting, including committee minutes, are available to the Clerk in time to go out with the agenda
- 5.1.5. Look after the well-being of their Clerk
- 5.1.6. Discuss any day-to-day performance issues with the Clerk informally and advise the Clerk to Governors Team Lead
- 5.1.7. Formally refer to the Clerk to Governors Team Lead any day-to-day performance issues it cannot resolve locally.
- 5.1.8. Take part in the annual Quality Assurance process and submit feedback to the Clerk to Governors Team Lead, including example of minutes
- 5.1.9. Provide a term's notice, by email to The Clerk to Governors Team Lead and their Clerk, if it wishes to:
  - Withdraw from the Service
  - Reduce the contracted hours for the year (boards are unable to subscribe to less than 6 full board meetings per year)

The change will be effective from the first day of the following term as per the chart below. This is to allow the Service time to find the Clerk alternative work with other boards to offset the reduction in their hours.

Change notified to Clerking Service	Effective date change
Summer term	1 <sup>st</sup> January
Autumn term	1 <sup>st</sup> April
Spring term	1 <sup>st</sup> September

5.2. The Chair will:

- 5.2.1. Attend an introductory meeting, with their headteacher and Clerk, when a new Clerk is assigned to the board
- 5.2.2. Return the approved minutes to the Clerk within 7 days of receipt of the draft
- 5.2.3. Maintain appropriate communications with the Clerk to enable them to fulfil their duties effectively and to agreed timescales
- 5.2.4. Look after the well-being of their Clerk
- 5.2.5. Discuss any day-to-day performance issues with the Clerk informally and advise the Clerk to Governors Team Lead
- 5.2.6. Formally refer to the Clerk to Governors Team Lead any day-to-day performance issues that cannot be resolved locally.
- 5.2.7. Take part in the Quality Assurance process submitting feedback, examples, and evidence where appropriate to the Clerk to Governors Team Lead.
- 5.2.8. Complete an evaluation of the Service when requested

## 6. Administrative procedures

Whilst the working arrangements between Clerks and boards will vary from one setting to another, to ensure effectiveness and consistency both the Clerk and the Governing Board/School will be expected to provide a baseline service:

### 6.1. Background information

New Clerks will need the information below to help them be effective in their role. All such information will be treated as confidential.

- Details of the board's committee structure, committee chairs and membership
- A list of current staff and their responsibilities
- A note of any door entry
- Information relating to photocopying/printing systems.
- Details of the times that the school is open
- Any other information by mutual agreement
- Electronic copies of:
  - The agenda and minutes of the last two meetings.
  - The board's standing orders and code of conduct.
  - The terms of reference of the board's committees.
  - The school improvement plan.
  - Instrument of Government (Maintained Schools)

- Scheme of delegation (Academic/Free Schools)
- Articles of Association (Academies/Free Schools)

## 7. Stationery, postage, and equipment

- 7.1. The Clerk is an employee of Oxfordshire County Council (OCC) and therefore will be provided with an OCC laptop
- 7.2. The Clerk will use GovernorHub to store electronic files (minutes, agendas, reports etc)
- 7.3. Schools will be expected to provide limited amounts of stationery (paper/envelopes etc) where necessary and appropriate to enable the Clerk to fulfil their role.
- 7.4. The expectation is that use of postal communications will be kept to a minimum and that where possible all governance business will be managed electronically (via GovernorHub, a GDPR compliant information management system).
- 7.5. If paperwork is to be posted, and it is not going from the school, the Clerk should be supplied with stamps.
- 7.6. The Clerk will keep postage records in a format agreed with the school, where appropriate.
- 7.7. The Clerk will take responsibility to file electronic versions of minutes, agenda, correspondence and supporting reports on GovernorHub.
- 7.8. The school must ensure that signed, official minutes are held at the school and are available upon public request
- 7.9. Electronic versions of the paperwork can be provided to the relevant member of staff to add to the school's website.
- 7.10. It is not the Clerk's responsibility to set up or maintain the governors' resource library or update the school website.

## 8. Correspondence

- 8.1. The Clerking Service works on the premise of paperless governance, the Clerk will, wherever possible send correspondence and papers for meetings to the Governing Board by GovernorHub.
- 8.2. Mutually agreeable arrangements should be made for the distribution of correspondence received at the school for governors, particularly any items marked 'urgent' or 'confidential'.
- 8.3. The Clerk will prepare a correspondence list, where required, to go out with the full board meeting agenda.

## 9. Photocopying and printing

- 9.1. Although paperless governance is the preference, where photocopying and/or printing is required, the school's equipment should be used.

- 9.2. The school will reimburse the Clerk if they must use a commercial photocopier. However, such facilities should only be used when documents need to be copied as a matter of urgency. Where the Clerk does pay for copying, they must obtain an invoice or receipt to reclaim the money from the school.

## 10. Additional Clerking functions not covered by the standard service

The following functions can be provided at an additional cost as add-ons to the standard service. Full details of all the charges relating to the different options available for the current year are shown in appendix 1.

### 10.1. The administration and minuting of additional full governing board meetings

10.1.1. Additional Full Governing Board meetings will be charged at **£316**.

10.1.2. The Clerking of additional Full Governing Board meetings must be arranged by mutual agreement between the Clerk and the board.

10.1.3. Once agreed the Chair will need to contact the Clerk to Governors Team Lead to confirm the increase to their service.

### 10.2. The administration and minuting of committee meetings

The service can be extended to cover the Clerking of committee meetings. It is up to the board to decide which committees it wants to include in the arrangement.

10.2.1. Clerking for committee meetings will be charged at **£255**.

10.2.2. The Clerking of committee meetings must be arranged by mutual agreement between the Clerk and the board.

10.2.3. Once agreed the Chair will need to contact the Clerk to Governors Team Lead to confirm the increase to their service.

## 11. Clerking for complaints, pupil exclusion, staff grievance/disciplinary hearings

11.1. The Chair or Headteacher must contact the Clerk to Governors Team Lead before the Clerking arrangements are finalised with the Clerk.

11.2. The level of service for these meetings only includes setting up the meeting, sending our pre-prepared pack (not the collating or checking of the paperwork to be included in the pack), attendance at the meeting to take notes, preparation of the minutes and sending out the decision letter for pupil discipline and parental complaint cases. The expectation is that Education Personnel Services or the board's HR advisor will produce the decision letter for staffing cases.

11.3. 9 hours are allocated to these hearings at a cost of **£367**, additional hours will be charged at **£41** per hour

11.4. The invoice will be raised upon receipt of the Clerk submitting their work form.

## 12. Maintained Schools

Oxfordshire County Council has statutory duties in respect of the governance of its maintained schools. To comply with these there is an assumed requirement for us to hold a database of governors contact details. In addition:

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*30 (3) Education Act 2002 The governing body of a maintained school shall provide the local education authority with such reports in connection with the discharge of the functions of the governing body as the authority may require (either on a regular basis or from time to time) for the purposes of the exercise of any of the authority's functions.*

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To enable compliance OCC pays the GovernorHub subscription for all its maintained schools, all we ask is that maintained schools use GovernorHub to hold the data Boards are legally required to store and allow OCC visibility of it. For maintained schools with an LA Clerk this is mandatory and by signing this SLA Boards agree to provide OCC with this level of visibility through the GovernorHub system.

## 13. Signatures

Please sign and return this to [Clerking.Service@Oxfordshire.gov.uk](mailto:Clerking.Service@Oxfordshire.gov.uk)

X

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Chair of Governors

X

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Clerk/Governance Professional

X

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Clerk to Governors Team Lead

## Contact details

Tel: 07922 848530

Email: [Clerking.Service@Oxfordshire.gov.uk](mailto:Clerking.Service@Oxfordshire.gov.uk)

The Clerking Service, Governor Services  
Learning and School Improvement, 4<sup>th</sup> Floor  
County Hall  
New Road  
Oxford  
OX1 1ND

## Appendix 1: Invoice & costs for the options provided through the Clerking Service 2022/23

There has been no change to the following costs since 2019/20.

### **Standard Clerking Service**

60 hours. 6 full board meetings, membership records, administration, advice/guidance. **£1,769**

Part 1 (5 months) invoice will be raised November 2022: £737.08  
Part 2 (7 months) invoice will be raised June 2023: £1,031.92

### **Additional Full Board Meetings**

10 hours. The administration and minuting of additional full board meetings. **£316**

The invoice will be raised upon receipt of the Clerk submitting their work form.

### **Committee Meetings**

7 hours. The administration and minuting of committee meetings. **£255**  
The invoice will be raised upon receipt of the Clerk submitting their work form.

### **Complaints, pupil exclusion, staff grievance, disciplinary hearings.**

9 hours are allocated to these hearings at a cost of **£367**, additional hours will be charged at **£41** per hour

The invoice will be raised upon receipt of the Clerk submitting their work form.

### **Payment terms**

Payment terms are: Within 28 days due net.

Failure to make payment within these terms could result in interest charges being incurred.

### **Refunds**

Following the relevant notice period refunds will be made as soon as practicably possible. Where a board is leaving the service, the refund will be on a pro-rata basis based on the standard service subscription.

Where a refund is due because the Service could not provide the contracted service, it will be made at £21 per hour for the relevant number of hours.

Where a board cancels a meeting, no refund will be made.

Where a board changes the date of a meeting to one that their Clerk cannot make and the Service cannot supply a cover Clerk, no refund will be made.