

EES for Schools Clerking Agency (the “Clerking Agency”) offer to Multi Academy Trusts

Service Level Agreement Descriptors for Multi Academy Trusts (MATs)

The Clerking Agency has been providing an efficient and effective clerking service to all governing boards including Academies, Free Schools and Management Committees for over 25 years. All our clerks are trained and regularly briefed on new developments and current issues and their performance and quality of work is rigorously monitored.

The Clerking Agency offer to Multi Academy Trusts (MATs) offers excellent value for money when benchmarking against similar providers.

Delivery

The Clerking Agency is flexible in meeting the needs of individual trust boards and its local governing bodies. The Service Level Agreement secures a professional permanent clerk(s) to the trust board and/or local governing bodies.

The service offers:

- support for the trust board and its committees
- support for local governing bodies
- support for members’ general meetings, if requested to do so
- ongoing clerks’ training programme, professional advice and copies of all relevant reference materials to enable the clerk to effectively carry out his/her role
- a concerted effort to provide a substitute clerk, when necessary
- a prompt response to all queries received
- performance management of clerks and resolution of any issues or areas of concern as escalated to the Agency by either the clerk or the governing board
- provision of replacement/alternative clerk to a governing board should this be required following escalation

The Clerking Agency will provide a dedicated clerk who will:

- respect confidentiality of the trust board and/or local governing body
- prepare the agenda for meetings of the trust board, its committees and/or local governing bodies
- liaise with those preparing supporting papers to ensure they are available for timely distribution
- ensure the distribution of the agenda and any supporting papers to members of the trust board, its committees and/or local governing bodies, as appropriate, within the agreed timescales

- attend the meetings of the trust board, its committees and /or local governing bodies and take accurate minutes
- write, produce and submit draft minutes of the meetings to the chair within 10 school working days of any clerked meeting, with copies to the executive headteacher or head of school, as appropriate, for information
- undertake distribution of the 'unconfirmed' minutes to the trustees or local governors where appropriate, as soon as the draft minutes are 'cleared' by the chair
- maintain membership records of individual trustee's and local governor's attendance and term of office
- ensure a register of pecuniary and personal interest is maintained and reviewed annually
- provide the school with relevant updates on what is legally required on its website
- maintain records of any committee membership and their terms of reference
- alert the trust board and/or appointing bodies in advance of any impending membership considerations
- maintain the official minute book
- advise on procedural and legislative matters both before and after as well as during the meeting as and when necessary
- where requested to do so, facilitate access to advice on matters relating to the work of the trust board, its committees and/or local governing bodies
- attend clerks' training and briefing sessions on a regular basis
- act as the first point of contact for trustees and/or local governors with queries on procedural matters
- where requested to do so, the clerk will contribute and advise on the design of governance and committee structures
- the clerk will give advice and support to trustees/governors taking on new responsibilities such as chair and vice chair
- the clerk will provide guidance on the trust board and/or local governing bodies succession planning and facilitate further advice where necessary
- help to produce a yearly planner, which includes an annual calendar of meetings and the cycle of agenda items for meetings of the trust board, its committees and/or local governing bodies
- draw to the attention of the trust board or local governing bodies all information received relating to current developments and legislation affecting academies governance

Benefits

Our clerks are trained and well supported to provide your trust board and/or local governing body with a tailor made clerking service to meet the governance model for your particular MAT.

We aim to reduce the administrative burden placed on executive headteachers, heads of school, chairs of trustees, chairs of local governing bodies and schools thereby assisting the trust board and/or local governing body to carry out its duties and responsibilities efficiently and effectively. This will be in line with current legislation and best practice.

If there are additional services the MAT would like, we would be happy to discuss including these within the clerking service offer.

Administrative procedures

The working arrangements between clerks, trust boards, local governing bodies and schools will vary from one establishment to another. It is not proposed to set down prescriptive details of how the day to day business of clerking should be conducted within each school. However, the following recommendations are based on the practical experiences of those who have been undertaking this role for some years.

The clerk will require the following information in order to be effective:

- a list of current trustees/governors with their addresses, telephone numbers (home and work), e-mail addresses, current trust board and/or local governing body responsibilities (i.e. committee chair, training link governor), dates of appointment and who appointed them.
- a list of current staff and their responsibilities
- the headteacher's/head of school's contact telephone number (for urgent use only)
- the school improvement/development plan and copies of previous agendas and minutes, as appropriate
- details of the times that the school is open and when administrative and finance officers are on duty
- any other information as agreed at the expectations meeting

The trust board/local governing body will ensure that:

- meetings do not exceed 3 hours
- any papers to be considered at a meeting, including committee minutes, are available to the clerk in time to go out with the agenda
- approved minutes are returned to the clerk within agreed timescales
- appropriate communication is maintained with the clerk to enable him/her to fulfil his/her duties effectively
- clerk has access to WebFiling¹ and GIAS² (if required)
- clerk is not asked to assume duties outside this agreement without mutual consent
- day to day performance issues are discussed with the clerk informally in the first instance and will escalate any unresolved issues to the Clerking Agency as appropriate

- annual evaluation of the service is completed as requested

Stationery

Schools are expected to provide stationery for the clerk. Individual requirements will vary according to the facilities available to the clerk and school's requirements.

Postage

The clerk will send all paperwork to trustees/governors by email³. If the school requires the clerk to use direct post the clerk should be supplied with first and second class postage stamps.

Filing

Trustees should have an area within the registered office where papers and reference material may be kept and are readily accessible at any time. A further secure area is needed to file confidential minutes and associated papers.

The clerk will ensure that trust board/local governing body papers are filed in school as agreed at the expectations meeting. Electronic versions of the paperwork for school website will be provided by the clerk.

It is not the clerk's responsibility to set up or maintain the trustees'/governors' resource library on-line or to upload paperwork to the school website.

The clerk will keep electronic copies of governing board papers including minutes but only for the current academic year and the full previous academic year⁴.

Photocopying

When it is requested that the clerk photocopies paperwork for trustees/governors he/she must have access to the school's photocopier at mutually convenient times for both the clerk and the school's administrative staff.

The school will incur an additional charge for clerk's attendance to photocopy paperwork for trustees/governors.

Company secretary duties

Some academies may wish their clerk to carry out some work usually associated with that of company secretary. Where this is required the clerk will undertake the following company secretary duties:

- to prepare notice and agenda for general members' meeting, attend the meeting (whether physical or by telephone), take minutes, prepare the minutes, obtain the chair's agreement to the minutes, circulate the minutes to

the attendees of the meeting and prepare resolutions for filing at Companies House (if required)

- to prepare notice and agenda for Annual General Meeting (AGM), attend the meeting, take the minutes, prepare the minutes, obtain the chair's agreement to the minutes, circulate the minutes to the attendees of the meeting and prepare resolutions for filing at Companies House (if required)
- to draft and distribute written resolutions, file written resolutions at Companies House (if required)
- to draft proxy forms
- to review the annual report and accounts including the governors' report
- to liaise with the auditors on filing of audited accounts at Companies House
- to prepare and submit annual confirmation statement
- to maintain the following statutory registers including recording of any changes and filing them at Companies House as required:
 - register of members
 - register of secretaries
 - register of trustees and trustees' residential addresses
 - single alternative inspection location (SAIL)
 - register of gifts, hospitality and entertainments
 - register of people with significant control (PSC)

¹ company secretary duties only

² additional duty assumed by the clerk

³ or uploaded to secure zone/platform

⁴ paper copies of governing board documentation including minutes must be kept in the school and remain the school's responsibility and not that of the clerk

Clerking Agency

Multi Academy Trust Service Level Agreement

£408 per Trust Board meeting

£360 per Local Governing Body meeting

£288 per Committee meeting

NB Meetings in excess of 3 hours may incur additional charges.

£231 per additional project

£116 per each visit to the school to carry out printing and collating of agenda and supporting documents

Cancellations

If a trust board, local governing body or a committee meeting is cancelled after an agenda has been produced there will be a charge of £72. Cancellations notified prior to the distribution of the agenda will not be charged.

Ending the contract

The agreement between the MAT and/or the local governing body will continue until the contract is ended in writing. A notice of one full term is required from either party with the intention to end the contract.

The clerk is engaged by the Clerking Agency at all times. The MAT and/or the local governing body shall not directly or indirectly employ or engage any services from the Agency clerk for a period of 12 months following the termination or expiration of the agreement.

If the MAT and/or the local governing body breaches this provision it will incur a compensation fee, which the parties agree is a genuine pre-estimate of the financial loss the Clerking Agency would incur in recruiting and training a new clerk.

Contact

Clerking Agency Helpdesk 033301 38100 or clerking@EESforschools.org

Clerking Agency

Company Secretary Duties

£541 per year (annual subscription)

£240 per General Meeting/Annual General Meeting

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