

EES for Schools Clerking Agency (the “Clerking Agency”) offer to maintained schools and academies

Standard and Premier Service Level Agreement Descriptors

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 against the national framework.

The Clerking Agency **Standard Service Level Agreement** offers excellent value for money when benchmarking against similar providers.

Delivery

The Clerking Agency is flexible in meeting the needs of individual schools and academies. The Service Level Agreement secures a professional permanent clerk to the governing board¹ and/or its committees.

The service offers:

- support for the governing board and its committees
- 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 Clerking 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 governing board and/or its committees
- prepare the agenda for meetings of the governing board and/or its committees
- 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 governing board and/or its committees, as appropriate, within the agreed timescales

- maintain appropriate communications with the chair to ensure that the service is delivered effectively and within agreed timescales
- ensure that meetings are quorate
- attend the meetings of the governing board and/or its committees 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 headteacher, for information
- undertake distribution of the 'unconfirmed' minutes to the governors² as soon as the draft minutes are 'cleared' by the chair
- maintain membership records on individual 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 to be published on its website
- maintain records of any committee membership and their terms of reference
- alert the governing board and/or appointing bodies in advance of any impending membership considerations
- maintained the official minute book
- advise on procedural and legislative matters both before and after as well as during the meeting as and when necessary
- attend clerks' training and briefing sessions on a regular basis
- act as the first point of contact for governors with queries on procedural matters
- draw to the attention of the governing board all information received relating to current developments and legislation affecting the governance of maintained schools and academies, as appropriate

Administrative procedures

The working arrangements between clerks, governing boards 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 governors with their addresses, telephone numbers (home and work), e-mail addresses, current governing board responsibilities (i.e. committee chair, training link governor), dates of appointment and who appointed them. If the governing board has associate members³ similar information will be required for each person in post.

- a list of current staff and their responsibilities
- the headteacher'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 governing board 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 WebFiling⁴ and GIAS⁵ (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 governors by email⁶. If the school requires the clerk to use direct post the clerk should be supplied with first and second class postage stamps.

Filing

Governors should have an area within the school 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 governing board 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 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 year⁷.

Photocopying

When it is requested that the clerk photocopies paperwork for 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 governors.

In addition to the elements of the clerking service within the Standard Service Level Agreement, the following enhanced clerking services are included in the

Premier Service Level Agreement:

- where requested to do so, the clerk will facilitate access to advice on matters relating to HR and finance and source information to support governing board discussions
- 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 governors taking on new responsibilities such as chair and vice chair (chair and vice chair of committee)
- the clerk will produce a yearly planner, which includes an annual calendar of meetings and the cycle of agenda items of meetings of the governing board and/or its committees
- the clerk will take responsibility for any correspondence which is generated in relation to the governing board's work
- the clerk will maintain the governing board policy schedule and ensure that all statutory policies are in place
- the clerk will with support of the chair (or training link governor) send new governors induction materials and ensure they have access to appropriate documents
- the clerk will provide guidance on the governing board succession planning and facilitate further advice where necessary
- the clerk will provide advice with regard to elections of parent and staff governors
- the clerk will help to conduct skills audit and advise on training requirements and the criteria for appointing new 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 governors² and governors' residential addresses
 - single alternative inspection location (SAIL)
 - register of gifts, hospitality and entertainments
 - register of people with significant control (PSC)

Additional services

The Clerking Agency believes in a flexible approach and promotes working together and is therefore happy for clerks to undertake additional duties. However, any additional duties must be discussed with both the clerk and the Clerking Agency prior to any agreement being reached as additional charges will apply.

¹ governing board/board of directors/trustees

² governors/ directors/trustees

³ maintained schools only

⁴ company secretary duties only

⁵ additional duty assumed by the clerk

⁶ or uploaded to governors' zone/platform

⁷ 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

STANDARD Service Level Agreement

£360 per Full Governing Board meeting (Board of Trustees meeting)

£240 per Committee meeting

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

£231 per additional project

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

Cancellations

If a Full Governing Board (Board of Trustees) 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 governing board and the Clerking Agency will continue until the contract is ended in writing. A notice period 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 governing board shall not directly or indirectly employ or engage any clerking services from the Agency clerk for a period of 12 months following the termination or expiration of the agreement.

If the governing board breaches this provision it will incur a compensation fee, which the parties agree in 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

PREMIER Service Level Agreement

£408 per Full Governing Board meeting (Board of Trustees meeting)

£288 per Committee meeting

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

£231 per additional project

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

Cancellations

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Ending the contract

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Clerking Agency

Company Secretary Duties

£541 per year (annual subscription)

£240 per General Meeting/Annual General Meeting

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