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Welsh Government

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Governing body clerk training in Wales

Guidance for local authorities and governing bodies of
maintained schools



Guidance

Guidance document no: 115/2013

Date of issue: August 2013

Governing body clerk training in Wales

Audience	Governing bodies of all maintained schools in Wales; local authorities; diocesan authorities; Governors Wales and any other provider of clerk training.
Overview	The subject matter of this guidance relates to provisions in the Government of Maintained Schools (Clerk to a Governing Body) (Wales) Regulations 2013.
Action required	Local authorities and any other training provider must have regard to the content of this guidance document when producing their mandatory programme training for governing body clerks.
Further information	Enquiries about this document should be directed to: Schools Management and Effectiveness Division Department for Education and Skills Welsh Government Cathays Park Cardiff CF10 3NQ Tel: 029 2082 6051 Fax: 029 2082 6109 e-mail: SMED2@wales.gsi.gov.uk
Additional copies	This document can be accessed from the Welsh Government's website at www.wales.gov.uk/educationandskills
Related documents	The Government of Maintained Schools (Clerk to a Governing body) (Wales) Regulations 2013

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Overview

This document sets out the content of governing body clerk training.

Governing body clerks will be expected to undertake training as contained in this document. The training is intended to support the acquisition of suitable knowledge and skills for persons to attain the standards required for a clerk to the governing body.

The training programme will cover the following areas.

A. Statutory duties of the governing body clerk as set out in Regulation 43 of the Government of Maintained Schools (Wales) Regulations 2005

1. Statutory duties of the governing body clerk may be summarised as follows:
 - Convene meetings of the governing body at least once every school term.
 - Attend meetings of the governing body and ensure minutes of the proceedings are produced.
 - Maintain a register of members of the governing body and report any vacancies to the governing body.
 - Maintain a register of governors' attendance at meetings and report on non-attendance to the governing body.
 - Give and receive notices of vacancies and appointments, removal of governors, resignation of Chair and vice-Chair, convening of meetings, notification of disqualification.
 - Report to the governing body as required on the discharge of his or her functions.
 - Perform other such functions as may be determined by the governing body from time to time.
 - May provide the governing body with advice on its functions and procedures where they have the necessary skills.

B. Key roles, duties and responsibilities of the governing body and governing body Chair, including appointment and/or election of governors, Chairs and clerks and the establishment of committees

1. The powers and duties of the governing body

- **Providing a strategic view** – setting the framework within which the headteacher and staff run the school; setting the aims and objectives; agreeing policies; targets and priorities for achieving these objectives; monitoring and evaluation.
- **Acting as a critical friend** – providing support and challenge to the headteacher and staff, seeking information and clarification.
- **Ensuring accountability** – explaining the decisions and actions of the governing body to anyone who has legitimate interest.

2. Core responsibilities of the governing body

- **Standards** – ensuring the school promotes high standards of educational achievement and attendance and behaviour including the rigorous review of published performance data.
- **Targets** – setting targets by which progress for pupil achievement and outcomes can be measured.
- **Determining the aims, policies and priorities of the school** – involvement of the governing body in discussions on the School Development/Improvement plan, School Self Evaluation; renewal and approval of statutory policies and documents.
- **Finance** – determining and monitoring the school's budget.
- **Curriculum** – ensuring that all learners have access to a broad and balanced curriculum and that statutory requirements are met.
- **Providing parents with information regarding the school** – e.g., via annual report to parents and statutorily required meetings with parents.
- **Staffing**¹ – deciding the number of staff, the pay policy and making decisions on staff pay, staff appointments, suspension, disciplinary issues and dismissal, grievances, performance management and matters affecting the work/life balance of the headteacher and staff all with due regard to the School Teachers' Pay and Conditions Document (STPCD).
- **Inspection preparation and follow up** – including producing an action plan and monitoring progress following an Estyn inspection.
- **The wellbeing and safeguarding of learners** – including the promotion of healthy eating.

¹ covering the differences between governing bodies' responsibilities for staff and those of local authorities as employer, where appropriate.

- **Awareness of governors' responsibilities in equality matters and where to seek advice.**

3. The main roles of the Chair

- Providing a lead in organising the governing body's work – having a clear view of the priorities for improvement and developing a shared sense of purpose and direction.
- Ensuring all governors are fully informed to make decisions and are fully involved in meetings.
- Ensuring that the governing body works as a team.
- Making good use of skills and expertise of members and encouraging members to make the most of training and development opportunities.
- Arranging for new governors to be mentored and inducted.
- Managing meetings effectively.
- Maintaining an effective relationship with the headteacher.
- Maintaining a good work relationship with the clerk.
- Acting as a spokesperson on behalf of the governing body as and when appropriate
- Developing a good knowledge of the school – school performance data, school values and visions.
- Liaising with other agencies to support school improvement.
- Undertaking functions delegated to the Chair in cases of urgency.
- Keeping up to date and promoting awareness (as appropriate) of initiatives such as collaborative working/federation.
- Knowing the parameters of the Chair's and governing body responsibilities.

4. Key relationships

- The clerk's relationship with the governing body, the Chair of the governing body and the headteacher.
- The importance of good teamwork.
- Emphasis that the clerk is not a governor and that a clerk's role is an administrative and advisory one.

5. Governing body business and Statutory Committees

- How a clerk is appointed and the appointment ended.
- How governors are elected or appointed and their term of office ended.
- How the governing body elects a Chair and vice-Chair.

- Quorums, conflict of interest and withdrawal of persons from meetings.
- Statutory and Non Statutory Committees – how the governing body establishes committees, those committees' functions and effective communication between committees and the governing body.

C. The administrative functions of a governing body clerk

Arrange the governing body work plan with the Chair and headteacher t so that it is managed in a timely, efficient and effective manner.

1. Prepare the agenda for governing body meetings and notify governing body members of meetings following the instructions from the Chair or Vice-Chair.
2. Distribute written notice of agendas and relevant supporting papers (including the minutes of the previous meeting) to members of the governing body, headteacher (whether or not he/she is a governor) and the local authority at least 5 days before the meeting.
3. Explain when written notice, agendas and papers can be provided as a matter of urgency with less than 5 days notice. Also that certain agenda items require 7 days notice for a meeting i.e. suspension or removal of a governor or Chair, and that three governors can require a meeting by giving written notice and the clerk must arrange a meeting as soon as possible.
4. Provide accurate and clear minutes of governing body meetings (within a timescale agreed by the Chair) and ensure that pages are numbered and the minutes are signed as a true record of the meeting by the Chair of the governors at the next meeting, remembering to ensure each page is signed by the Chair if minutes are kept in loose leaf format.
5. Arrange for safe storage of minutes and other relevant information.
6. Keep records of governing body business interests at the schools and key documents such as:
 - Dates of governing body meetings if these have been agreed in advance.
 - Individual governors' contact details.
 - List of governor vacancies.
 - Categories of governors and terms of office.
 - Governing body correspondence.
 - Governors' annual report to parents.
 - Membership of governing body committees.
 - Terms of reference of governing body committees.
 - Minutes of committee meetings.
 - Membership of any working parties.

- Governors' conflicts of interest.
 - Register of policies approved by the governing body.
 - Record of governor attendance at meetings.
 - Record of training undertaken by governors.
7. Communication and liaison with other persons on behalf of the governing body and drafting of correspondence for the Chair to sign.
 8. Produce draft correspondence for the governing body as requested.
 9. Arrange for the election of a Chair and vice-Chair of the governing body at the first meeting of the academic year and act as a Chair at the meeting until a new Chair has been elected [understanding that in this role a clerk cannot vote].
 10. Inform the governing body of any governing body vacancies.
 11. Inform the local authority of any change to the governing body membership ie new governors and vacancies.

D. The advisory role of a governing body clerk

1. Meeting procedures including quorums, attendance and deadlines.
2. Legislation on governing body powers, duties and constitution.
3. Governing body policies.
4. The business that a governing body needs to deal with at set times of the year, and the production (normally in conjunction with the Chair) of an annual Governing Body Year Planner; this is to include such items as (the list is not exhaustive):
 - appointment of Chair, Vice-Chair, and particular governor positions e.g., Special Needs governor, setting up committees.
 - review/update of register of governors' business interests.
 - head teacher's performance review.
 - annual report to parents.
 - meetings requested by parents.
 - rolling programme for review of school policies.
5. Identifying and advising on conflicts of interest and understanding what constitutes a conflict or pecuniary interest.
6. The powers of the governing body Chair to make emergency decisions.

7. Ability and knowledge to challenge the governing body Chair and head teacher assertively if necessary regarding incorrect or illegal procedures.

8. Sources of information that governing bodies need to know about e.g. the School Governors' Guide to the Law, Governors Wales Handbook, Governors Wales publications and information on school performance data and the All Wales Core Data Set, "Cadwyn" newsletter.

E. Sources of advice and help

- Local authority Governor Support Officers.
- Diocesan authorities.
- Governors Wales helpline.

F. Satisfactorily completing the clerk training

The Government of Maintained Schools (Clerk to Governing Body) (Wales) Regulations 2013 require clerks to satisfactorily complete the clerk training to the standard set out in this document.

The person best placed to make an assessment on this is the person who delivers the training. By the end of the training the trainer must assess whether the clerk has satisfactorily completed the training.

In order to have satisfactorily completed the training, in the opinion of the assessor, the Clerk should have a good understanding of the following:

- Statutory duties of the governing body clerk.
- Key roles, duties and responsibilities of the governing body and governing body Chair, including appointment and/or election of governors, Chairs and clerks and the establishment of committees.
- The administrative functions of a governing body clerk.
- The advisory role of a governing body clerk.
- Where to find sources of advice.

It will be for the trainer to determine how best to assess that the Clerk has a good understanding of the above points. The trainer may think it useful to ask the clerk to take part in exercises during the training session. Discussing these exercises will help trainers to measure a clerk's understanding of a particular issue.

Once the training has been completed and the trainer is content that the clerk has completed it to a satisfactory standard, the trainer should issue the clerk with written confirmation of this so that the clerk can show their governing body.