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Review of clerks' performance

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Review of clerks' performance

- Audience** Governing bodies and headteachers of maintained schools in Wales; local authorities; diocesan authorities, Governors Wales, and other national and local bodies concerned with education in Wales.
- Overview** This research report by Miller Research establishes the different models of school governing body clerking practice in Wales, and reviews the performance of clerks in fulfilling their roles. It also considers what training and support is available for clerks in Wales, and provides a tool to evaluate clerk performance.
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Contents

1.	Executive summary	1
1.1	Strategic review	1
1.2	Governing body clerking activity	2
1.3	The role and performance of governing body clerks	3
1.4	Guidance and support for governing body clerks	4
1.5	Monitoring and accountability	4
1.6	Training for clerks	5
1.7	Conclusions and recommendations	5
2.	Introduction	8
2.1	Approach	8
3.	Strategic review	10
3.1	Introduction	10
3.2	School governance regulation	10
3.3	Clerking policy in practice	12
3.4	Summary of main points	21
4.	Governing body clerking activity	22
4.1	Introduction	22
4.2	Local authority clerking service provision	22
4.3	Cost of clerking	28
4.4	Summary of main points	32
5.	The role and performance of governing body clerks	34
5.1	Clerking performance overview	34
5.2	Models of clerking activity	34
5.3	Contractual arrangements and service delivery	35
5.4	Secretarial functions	38
5.5	Knowledge and guidance	42

5.6	General skills	49
5.7	Perspective and objectivity	49
5.8	Summary of main points	51
6.	Guidance and support for governing body clerks	52
6.1	Strategic level	52
6.2	Local level support	53
6.3	Summary of main points	54
7.	Training for clerks	55
7.1	Responsibility for clerk training	55
7.2	Provision of training for clerks	56
7.3	Evaluating clerk training	59
7.4	Future approaches to training and support for clerks	61
7.5	Summary of main points	63
8.	Monitoring and accountability	63
8.1	Responsibility for clerk performance monitoring	63
8.2	Monitoring of clerking arrangements	65
8.3	Approaches to monitoring clerking performance	67
8.4	Development of an evaluation tool	69
8.5	Summary of main points	70
9.	Conclusions and recommendations	70
9.1	Models of clerking practice	71
9.2	Performance monitoring	72
9.3	Guidance for governing bodies and clerks	73
9.4	Training and support for governing body clerks	73
10.	Annex 1: Evaluation tool	75
10.1	Part 1: Evaluation tool for governing body chairs	75
10.2	Part 2: Self-evaluation tool for governing body clerks	76

Figures

Figure 1 Local authority clerking provision (2005)	15
Figure 2 Extent of local authority clerking provision	22
Figure 3 Proportion of take up of clerking SLA at a primary and secondary level	24
Figure 4 Clerk Survey respondents by type of clerk	25
Figure 5 Provision of local authority clerking	26
Figure 6 Region by clerk type	27
Figure 7 Clerk type vs. language	28
Figure 8 Provision of guidance for employing independent clerks	31
Figure 9 Performance in secretarial functions by clerk type (clerks survey)	39
Figure 10 Performance in secretarial functions by clerk type (chairs survey)	39
Figure 11 Clerk performance of any 'other functions as determined by the governing body' (chairs survey)	42
Figure 12 Provision of guidance by clerk type (clerks survey)	44
Figure 13 Provision of guidance by clerk type (chairs survey)	45
Figure 14 Understanding of law of school governance by clerk type (chairs survey)	47
Figure 15 Understanding of broader educational policy and law by clerk type (chairs survey)	48
Figure 16 Provision of clerk training by local authority type	57
Figure 17 Local authority awareness of proportion of school/community clerks	66
Figure 18 Local authority awareness of proportion of school/community clerks (by local authority type)	66
Figure 19 Monitoring of non-local authority clerk performance by clerk type	68

1. Executive summary

In 2009 the National Assembly for Wales' Enterprise and Learning Committee collated evidence on a number of issues relating to school governors¹. The committee recommended a detailed review of school governing body clerks' performance, including training and support for governing body clerks'. As a consequence the Department for Children, Education, Lifelong Learning and Skills (DCELLS) of the Welsh Assembly Government (WAG) commissioned Miller Research (UK) Ltd to undertake the review and to identify ways in which training and support for clerks could be improved.

The approach to this review has included a strategic examination of past research, qualitative interviews with key stakeholders, and a quantitative web-survey of both clerks and chairs, alongside qualitative research with governing bodies, clerks and local authority Governor Support Unit (GSU) officers.

1.1 Strategic review

The strategic review summarises the statutory requirements for school governing body clerks alongside recent research evidence relating to clerking arrangements, and training and support for clerks in Wales. This included reports from both the Enterprise and Learning Committee and the All Wales Centre for Governor Training and Research. Previous research into governing body clerking arrangements revealed that clerking practices vary considerably across local authorities in Wales. Only some local authorities offered clerking services through a Service Level Agreement (SLA) with the governing body, and of those that did, some offered a more extensive service than others. Similarly, not all governing bodies took up the SLA (where it was offered); in these cases the clerk may be a member of the non-teaching school staff (for example the school clerk or bursar), or somebody from the local community. Between 2005 and 2008 the number of local authorities *not* offering a local authority clerking service rose from seven to eleven, meaning that by 2008 (two years prior to this current review) a clerking service was offered by only half of all local authorities in Wales. The comparative merits of each of these models were considered. Through research by the All Wales Centre for Governor Training and Research, it was found that insufficient staffing was the main reason why some local authorities did not provide a clerking service or provided a limited service only. Whilst it was suggested that local authority clerks are often better placed to offer clarification on policy and procedures, and to identify problems that are common to other governing bodies, it can also be an advantage to have somebody independent from the local authority who is not clerking multiple governing bodies. By comparison, there was some concern expressed on the effects of governing bodies clerked by individual officials in some local authorities and their lack of impartiality or divided loyalties.

¹ *The Role of School Governors* National Assembly for Wales, Enterprise and Learning Committee July 2009.

It was also revealed the level of support and training opportunities provided to and taken up by governing body clerks varied widely. Unsurprisingly, previous studies concluded that not all governing body clerks perform the required duties set out in The Government of Maintained Schools (Wales) Regulations 2005 to the same standard.

1.2 Governing body clerking activity

The objective of this research has been to establish how these different models of clerking work in practice, to examine the performance of clerks in fulfilling their roles, to review the extent and nature of support and training available for clerks and ultimately, to provide an evaluation tool which can be used to evaluate clerking performance, and to identify ways in which training and support for clerks could be improved.

The review has included an extensive programme of both qualitative and quantitative research. Two bilingual surveys were run for clerks and chairs of governing bodies with a response rate of 261 (clerks) and 301 (chairs). Roughly 11% of respondents to each survey answered the questions in Welsh.

Of all local authorities across Wales, 9% offer clerking service to all schools, 41% offer the service to some schools, and 50% do not offer the service at all. However, some local authorities that do not offer a regular SLA will offer a temporary clerking service in certain situations, such as during amalgamations or to schools facing difficulties. Geographically, local authority clerking provision dominates in South East Wales and to a lesser extent in West and South West Wales. None of the local authorities in North Wales offers a clerking service. The number of local authority staff members working as clerks to governing bodies varies widely, from only three in one local authority to 18 in another. In most authorities, clerking is undertaken by members of the GSU team. However, almost a fifth of GSUs offering the SLA utilise staff from other divisions within the local authority to provide the service.

It remains the choice of the individual governing body whether or not they wish to take up the SLA and in some authorities where the SLA is provided, there are significant numbers of governing bodies being clerked through alternative means. Fifteen percent of respondents to the chairs' survey came from local authorities where an SLA was offered, but were actually supported in their role as chair by either a clerk from within the school or from the community

Feedback from more than one Welsh medium school governing body points to an insufficient supply of Welsh medium clerks in some parts of the country.

Financial and geographic issues are perceived to be the overriding factors preventing some local authorities from providing a clerking service. The basic cost of clerking provision is neither consistent nor transparent, and the charge for a clerking SLA or the size of the honorarium paid for clerking varies widely across Wales. Amongst those local authorities offering a clerking SLA, the cost of the service varies considerably. Nevertheless, the amount paid to non-local authority clerks can be even more differentiated and is generally far less transparent. In some authorities where some or all governing bodies appoint a non-local authority clerk, the GSU still

provides guidance on the amount clerks should be paid and is involved in processing the payment. Even in areas where the GSU provides a standard job description and/or is involved in recruitment of clerks however, there can be considerable inconsistency in the amount of time independent clerks actually spend on their role. The actual cost for clerking that is independent from the local authority differs from school to school, and in some cases clerking is being provided at no cost to the governing body.

1.3 The role and performance of governing body clerks

All stakeholders identified the clerking role as being “two-fold” in terms of their secretarial functions and the advisory role they play in offering advice to the governing body on “procedural and constitutional issues”. However, there were extensive differences in the way the latter function was interpreted.

During Estyn inspections the best examples of support have been identified in local authorities providing a central clerking practice. Numerous governors from several different authorities pointed to the security offered by an SLA, in addition to the existing knowledge base of the clerk and their position within the local authority. Nevertheless, many commentators had concerns about local authority clerks being responsible for a large number of governing bodies on the grounds that this could limit the level of commitment to individual governing bodies. Inconsistency of personnel was also identified as being an issue with local authority clerks and there was widespread agreement that there needs to be continuity of clerking. It was felt that clerks who have been recruited independently can have more time and be more focused on the individual governing body and that school-based clerks have an opportunity to know more about the individual schools. However, it is more difficult to maintain consistent standards of clerking, and performance monitoring can be limited.

Most respondents to the clerks’ survey rated themselves fairly highly in the main secretarial aspects of their work, although across all aspects of work, community clerks rated themselves lower than local authority and school based clerks. Local authority clerks evidently perceive themselves as being as good as school-based clerks or better in all functions, except for sending out advance paper-work with sufficient notice. In the chairs’ survey, local authority clerks were rated higher than community clerks in every aspect and there were no examples in the qualitative research of critical feedback on the secretarial functions of the local authority clerk from governors actually taking up the SLA.

In terms of providing advice and guidance, it was suggested by several stakeholders and numerous governors that an effective clerk has good knowledge across a wide range of areas. However views on what the advisory capacity encompasses vary considerably within different GSUs and amongst governing bodies, and in one local authority the view within the GSU was that clerks should not be expected to steer the governing body. Some felt that the ambiguous wording of providing a governing body “with advice on its functions and procedures”² set down in the 2005 regulations

² Government of Maintained Schools (Wales) Regulations 2005.

accounted for different interpretations of the clerk's role. Local authority clerks are perceived, and perceive themselves, to be better prepared in terms of providing advice and informing governors. For the most part, local authority clerks were perceived to be necessarily impartial, although more than one governor expressed concern that things could change if local authorities were required to condense the clerking service, which could put clerks in a difficult position if they are consequently required to devote less time to clerking.

Moreover, whilst having contextual knowledge of the school was recognised as an advantage, to some extent several commentators suggested that "it can make it more difficult to remain objective."

1.4 Guidance and support for governing body clerks

Both the 2005 Government of Maintained Schools (Wales) Regulations and the Welsh Assembly Government's (WAG) School Governors' Guide to the Law are the main sources of documentary guidance for governing body clerks at a national level. The support and resources offered by Governors Wales is also an important information source, although the organisation serves governors as well as clerks. Local authority level support and guidance was commonly perceived to be the most valuable for clerks, although there is similarly widespread recognition that provision is by no means consistent. The feedback from most clerks suggests that informal advice and guidance provided by the GSU over the phone and via email is the most widespread and ultimately the most important.

1.5 Monitoring and accountability

Stakeholders were not aware of any formal monitoring approach that was consistent across Wales, "apart from Estyn's monitoring of governing bodies." An informal approach to monitoring clerking performance was found to be fairly widespread. A significant proportion of commentators (including governors) felt that the governing body should accept responsibility for appraising governing body clerks, even in the case of where an SLA has been taken up. Half of local authorities offering SLAs to some schools and only a fifth of local authorities offering SLAs to all schools provided such guidance. However, less than a fifth of those GSUs who do not offer local authority clerking at all provided guidelines for governing bodies to monitor the performance of their clerk themselves.

Of those authorities offering a SLA most perform the procedure via an annual service review completed by governing bodies. In some authorities the GSU manager makes an annual monitoring visit to a meeting of each clerk and most GSUs retain records of minutes. Whilst local authorities keep records of non-local authority clerks, these records are by no means extensive. Monitoring of non-local authority clerks is undertaken by just under half of all the local authorities in Wales, and the monitoring which takes place is far from rigorous. However, there is by no means a universal opinion that current approaches to monitoring are defective, and that a more robust system is needed.

1.6 Training for clerks

The majority of stakeholders and governors felt that the responsibility for clerk training lies with the local authority, in part if not entirely. A significant number of stakeholders, GSU officers and governors felt that whilst it is primarily the duty of local authorities to provide training, there is also a role for governing bodies to stimulate demand and enable their clerks to attend. Some governors felt that clerks themselves need to take responsibility for attending training. There was considerable support for WAG to make training for clerks mandatory and some suggested that this could also encompass performance monitoring.

Most stakeholders were uncertain about the prevalence of training for clerks. However, in reality, only one local authority in Wales is not currently offering clerk training (a GSU offering the clerking SLA to all schools). Issues limiting provision and take up of training include cost (to the GSU for delivery), time and logistics. Across all 22 local authorities, by far the most common type of training is informal and unaccredited – most commonly in group sessions. In local authorities with high levels of take-up of the clerking SLA, it is easier and cheaper to train local authority clerks in-house. Collaboration with other local authorities in delivering clerk training is not widespread. Most governing bodies evaluate training sessions for clerks in some form, primarily through post-training feedback forms completed by clerks, and feedback is generally positive. However, most commentators had difficulty identifying specific examples of the impact that training has had upon their clerk's or their own performance. It was noted that the most prevalent benefit of training was seen to be the opportunity to network and discuss practice with other clerks. The majority of commentators felt that consistency was most important in future training and support for clerks. In addition to training, the need for comparable and detailed job descriptions was seen as key to ensuring effective clerking performance.

1.7 Conclusions and recommendations

Models of clerking practice

Whilst there are some significant causes for concern in terms of the variation in clerking performance, one of the strongest messages from this review is that governors do not want a radical change to the clerking system. Most governors included in the qualitative research felt that their respective model worked very well. Logistically, it would be difficult to introduce an SLA model in all local authorities. Moreover given the marked lack of transparency over the actual cost of governing body clerking, the financial implications of introducing a single model (particularly the SLA model) are hard to estimate, and particularly impractical in light of public sector budgetary cuts.

It was beyond the scope of this review to provide recommendations on whether the broad models of governing body clerks need to be amended. There are undoubtedly strengths and weaknesses of each of the approaches, and the fiscal arrangements currently involved in the provision of clerking would need to be explored in more depth before any course of action were taken.

Performance monitoring

However, the review has brought to light a number of critical matters, which need to be considered in the near future. The lack of an efficient and consistent approach to monitoring clerking performance is a concern that underpins most of the issues identified during the research. Without sufficient scrutiny of clerking performance – both in terms of what they are doing and how well they are doing it – it becomes very difficult for local authorities to identify poor practice, prioritise training or provide appropriate guidance. What the review has identified is the need for a more formal approach to monitoring clerking performance at a local authority and potentially a national level, given the lack of universal appraisal and strategic benchmarking. Part of this commission has involved the creation of an evaluation tool for clerks to appraise their own performance and for governing bodies to appraise their clerk's performance. This tool has been designed based on the functions set down in the 2005 Regulations, and informed by appropriate indicators intended to assist clerks and chairs in making a rational appraisal. Designing and distributing the assessment tool is not all that is needed and local authorities, governing bodies and clerks need to take responsibility for completing and collating the self-assessments. GSUs need to use the aggregated evaluations to identify causes for concern or major discrepancies between governing bodies' and their respective clerk's appraisals. Local authorities could consider running the system on-line allowing for electronic analysis, reporting and subsequent offer of training.

Guidance for governing bodies and clerks

There are other issues relating to accountability and transparency that contribute to this lack of scrutiny. Whilst some local authorities provide job descriptions to governing bodies, this is not universal, and there is no formal procedure for ensuring clerks and governing bodies are even aware of the minimum functions required from a governing body clerk. This goes hand in hand with the issue of monitoring, given that without a clear idea of what the necessary functions are, it becomes very difficult to appraise performance in the role of clerk. Whilst recommendations from previous research led to the development of a standard job description and clerk training programme, it appears that use (and even knowledge) of these resources is limited, despite continuing demand from governors and clerks to have greater strategic direction. Making job descriptions available to local authorities does not mean that they are necessarily used or that they reach the intended audience (ie: governors and clerks). Nevertheless where the job description has been used (or adapted), it has been met with approval. This needs to become universal across all local authorities where governing bodies are employing clerks independently. If it became a requirement for local authorities to disseminate a standard job description for clerks (albeit with some variation in content to account for local differences in context), this would help to raise standards amongst clerks collectively.

Training and support for governing body clerks

Whilst a minority of commentators were not particularly in favour of making training for clerks a compulsory requirement for the role, the prevailing view is that an element of mandatory training is needed to ensure all clerks are delivering on the necessary functions. New approaches need to be considered so that forums can be

universally accessible. Many clerks have expressed an interest in on-line forums, that could potentially be delivered at a national level allowing for sharing of skills and experience from a far larger number of clerks working in very different contexts.

There may come a time in the future when GSUs are unable to provide the breadth of clerking service currently offered in some local authorities. In this case, the role of induction training and efficient monitoring will become even more crucial to ensure non-local authority clerks are performing to a sufficient standard.

2. Introduction

In July 2009, the National Assembly for Wales' Enterprise and Learning Committee collated evidence on a number of issues relating to the role of school governors³. The Committee's summary report concluded with a number of recommendations, including several that referred specifically to clerks to governing bodies. One of these recommendations was:

'Given the crucial role that clerks have to play, we recommend that their performance in fulfilling their functions appropriately and to a sufficiently high standard should be reviewed, and innovative ways of providing training and support explored.'

In response to this recommendation, the Department for Children, Education, Lifelong Learning and Skills (DCELLS) of the Welsh Assembly Government (WAG) commissioned Miller Research (UK) Ltd to conduct a review of school governing body clerks' performance, and training and support for them. The purpose of this review has been to answer the following questions:

What do clerks need to do well to be effective?

What do they currently do well and what do they do less well?

What can be done to improve their performance?

This report presents the main findings from the work, which has included quantitative and qualitative research with clerks and chairs to school governing bodies, in addition to a survey of Governor Support Units across each of the 22 local authorities in Wales. The research with practitioners has been informed by a full literature review and qualitative interviews with key stakeholders from organisations such as Governors Wales, Estyn, Wales Local Government Association and The All Wales Centre for Governor Training and Research.

2.1 Approach

A quantitative web-survey of all local authority Governor Support Units (GSUs) was run in the early stages of the research to identify which authorities offer a clerking Service Level Agreement (SLA) and the level of take-up by governing bodies in these areas, as well as other factors such as cost and scope of clerking SLAs, and provision and take-up of training for clerks.

In order to obtain statistically valid information on clerking performance across Wales, two quantitative surveys, of school governing body chairs and school governing body clerks respectively, were carried out to assess views on clerking arrangements and performance from both a "supply" and "demand" perspective. To achieve a statistically valid response, all maintained schools across Wales were included in the survey. Two bilingual surveys were run for clerks and chairs of

³ *The Role of School Governors National Assembly for Wales, Enterprise and Learning Committee July 2009.*

governing bodies with a response rate of 261 (clerks) and 301 (chairs). Roughly 11% of respondents to both surveys answered the questions in Welsh.

More in-depth research was undertaken with 16 governing bodies selected from six local authorities located in each of the four regions of Wales. Governing bodies were identified using a sample selection framework which ensured coverage of a number of important variables, including:

English/Welsh medium governing bodies;

Primary/secondary governing bodies;

Governing bodies with clerks who are school employees/local authority employees/other persons;

Governing bodies with a clerk who is school employee/other person but located in a local authority *offering* an SLA / governing bodies with clerks who are school employee/other person but located in a local authority *not offering* an SLA;

Governing bodies with clerks who have/have not received training support from the local authority.

3. Strategic review

3.1 Introduction

A review of regulatory documentation and relevant research reports was undertaken at the outset of the commission to clarify the existing evidence base and to inform subsequent elements of the work. The following section summarises the statutory requirements for school governing body clerks alongside recent research findings, and identifies issues relating to clerking arrangements, and training and support for clerks in Wales. This review considers:

Current regulations for governing bodies and clerks set out in The Government of Maintained Schools (Wales) Regulations 2005;

Existing guidance for governing bodies;

Previous research regarding the performance of school governing body clerks in fulfilling their functions; and

Previous research on the provision of training and support for clerks.

3.2 School governance regulation

Governing bodies

The Education Act of 2002 stated that all maintained schools in Wales must have a governing body. School governing bodies play a pivotal role in promoting high standards of educational achievement, and areas of governor responsibility⁴ include:

The strategic direction of the school, by setting aims and objectives, policies to achieve the aims and objectives and targets for achieving the aims and objectives;

Scrutinising its performance, by monitoring and evaluating progress towards the school's aims and objectives and reviewing the strategic framework the governors have created ; and

Good governance, including compliance, the budget and staff.

Governing Bodies are required to meet certain regulations, as set out in the Government of Maintained Schools (Wales) Regulations 2005 which came into force in October 2005 (hereafter referred to as the 2005 regulations). School governors are unpaid volunteers and the required composition of school governing bodies is determined by the size and type (primary/secondary) of the school, and includes a minimum number of parent governors, Local Education Authority governors, teacher governors, staff governors⁵ and community governors⁶. In addition to these

⁴ As referenced in *The Role of School Governors National Assembly for Wales, Enterprise and Learning Committee* July 2009

⁵ For primary schools with fewer than 100 pupils, it is optional whether to have staff governors.

⁶ There are also other types of governors that can be appointed but these are the mandatory categories.

categories a governing body must include a chair, a vice-chair and a clerk. The head-teacher of the school can choose to be a member of the body and also has a right by law to attend governing body meetings and to provide advice.

Governors can be in post for a maximum of four years from the date of their appointment, although they are free to resign at any point and can be reappointed for a further term. Governors can only be removed through the procedures set down in the 2005 regulations.

Governing body clerks

The 2005 regulations state⁷ that a governing body must appoint a clerk who cannot be a governor, a non-governor member of any committee of the governing body or the head-teacher of the school. Under current legislation only full governing body meetings and meetings of statutory committees⁸ *must* be clerked.

The 2005 regulations state⁹ that the clerk of a governing body must:

- Convene meetings of the governing body;

- 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 in accordance with:

 - Notification of vacancies and appointments;

 - Resignations;

 - Removal of governors;

 - Resignation of chair or vice-chair;

 - Convening meetings; and

 - Notification of disqualifications.

- Report to the governing body as required on the discharge of his or her functions; and

- Perform such other functions as may be determined by the governing body from time to time.

⁷ Under regulation 43, part (1).

⁸ i.e. staff dismissal committee, staff dismissal appeals committee, pupil discipline committee, and admissions committee.

⁹ Under regulation 43, part (1).

In addition to these required functions, the regulations also maintain that the clerk to a governing body *may* provide advice and guidance on its functions and procedures (emphasis added)¹⁰.

The distinction between the functions in part 1 (which are mandatory) and part 2 (which is optional) relates directly to one of the key factors of interest to this research, which is to look at differences in the performance of governing body clerks in their respective secretarial and advisory capacities. The fact that this latter role is set down as a discretionary function in the 2005 regulations is likely to have influenced variations in the way it has been interpreted and, in turn implemented by governing bodies and their clerks.

Guidance on the role of clerk to the governing body

The Welsh Assembly Government (WAG) provides a guide¹¹ for prospective and existing governors, which serves as a useful reference for them on their roles and legal responsibilities, including specific guidance on the 2005 Regulations. The main purpose of this publication is to help governors practise more effectively, and in keeping with requirements set down by regulation.

The document includes a section specifically on school governing body clerks which is in essence a summary of the 2005 Regulations on the appointment and removal of clerks and their functions. The guidance also provides a brief outline of the role and essential attributes of a clerk¹². Significantly, the clerk to the governing body is listed first in the recommended sources of advice for governors in the introduction to the guide¹³.

3.3 Clerking policy in practice

Introduction

This section summarises some of the main findings from previous research into governing body clerking arrangements, clerking performance and training for clerks across Wales.

Governing body clerking practices vary considerably across local authorities in Wales. Some offer clerking services to all schools through a Service Level Agreement (SLA)¹⁴, some offer the service to some schools only and others do not offer a service at all. Take-up of the service is also variable across Wales, and some

¹⁰ Under regulation 43, part (2).

¹¹ *School Governors Guide to the Law*

¹² This includes having the ability to work effectively and collaboratively, having skills and expertise in constitutional and procedural matters, providing impartial advice, and remaining accountable to the governing body.

¹³ Other sources, in order that they appear in the guide, include officers of the local authority, Governors Wales; the diocesan authority and/or the foundation body (for denominational schools and/or foundation schools); and independent legal advice, such as a solicitor.

¹⁴ The costs within this agreement are based on the number of meetings clerked, the type of school (primary/secondary) amongst other factors. Therefore SLA charges vary considerably between and within local authorities.

governing bodies choose to appoint a clerk from within the school or from the local area, in lieu of contracting a local authority clerk through a SLA. Similarly in cases where the service is not provided at all, governing bodies are obliged to recruit clerks independently.

Whilst the 2005 Regulations set out the individual functions of governing body clerks, evidence from previous research¹⁵ revealed that the level of service provided by clerks can range from simply coordinating meetings and taking minutes to the provision of crucial advice on procedural matters. In the case of local authority clerks particularly, the service was also found to encompass guidance on legal issues which may not strictly fall within the SLA. Moreover, the researchers suggested that local authority clerks are often better placed to offer clarification on policy and procedures, and to identify problems that are common to other governing bodies.

The role of school governors

An inquiry by the National Assembly for Wales' Enterprise and Learning Committee in 2009 into school governors led to the publication of *The Role of School Governors* (referred to previously). This work stemmed from an inquiry undertaken earlier in the same year into the implementation of the Teacher Workload Agreement, which identified a range of concerns in relation to the role of school governors. Areas of particular interest included: communication between governing bodies and both the local authority and WAG, the relationship between governors and head teachers, governor training and whether it should be mandatory; and causes and extent of governor vacancies.

The evidence presented by the Enterprise and Learning Committee came from consultation with a range of stakeholders¹⁶, and the report aimed to present a coherent verdict on the role of school governors in Wales.

Governing body clerking arrangements

The Committee looked specifically at the role of governing body clerks¹⁷, and the different clerking arrangements in place across Wales, citing various stakeholder views on the merit of these arrangements. Governors Wales recognised the problems facing some local authorities in providing a clerking service to all schools, particularly in rural areas, but also pointed to the difficulty that governing bodies can face in recruiting a clerk independently. The Welsh Local Government Association (WLGA) had also expressed concern about some schools experiencing difficulties in recruiting clerks to governing bodies, and the risk that where clerks are also employed by the school under a separate contract there can be "a blurring of the divisions of roles."

¹⁵ *Governing Body Clerking Services in Wales*, All Wales Centre for Governor Training and Research 2005.

¹⁶ Including the (then) Minister for Children, Education, Lifelong Learning and Skills and her officials; Governors Wales; the Association of School and College Leaders and the National Association of Head Teachers; the Welsh Local Government Association; the Association of Directors of Education in Wales; and Estyn.

¹⁷ Both in terms of acting as secretary to the governing body, and also in providing procedural and legal advice.

In recognition of the absence of a comprehensive picture of the various clerking arrangements and their effectiveness in practice, the Committee's recommendation was to review the performance of clerks and to explore innovative ways of providing training and support, a recommendation that was supported in the Ministerial response, and which subsequently led to the commissioning of this research.

Monitoring and evaluation

The Committee expressed concern about the length of time between school inspections, and recommended that local authorities have an enhanced responsibility for monitoring and evaluating the work that goes on in their respective schools, potentially through the role of governing body clerks. In their response to the Committee, the WLGA commented that if the role of the clerk were to be developed into a suitably qualified role, it should be paid appropriately. The Committee concluded that it would be difficult to give additional responsibilities to clerks for managing the business of the governing body without employing a paid professional and this would require resource from WAG.

The Minister accepted this recommendation in principle, in recognition of the importance of identifying and addressing weaknesses quickly. However, the Minister did not accept that local authorities required additional powers of intervention, or in turn warranted additional funding to monitor school performance and intervene where necessary. Moreover, whilst the minister agreed that there may be a role for governing body clerks to play in performance monitoring of governing bodies, and in some cases the respective school, concern was expressed about *"putting clerks in the position of being, or appearing to be, the eyes and ears of local authorities when they are in fact the appointees and servants of the governing body."* Thus the Minister advised reserving judgement regarding any new role for the clerk until further research had been undertaken– ie: following this review.

Training and support for governing bodies

The Committee report referred to recent research¹⁸ into the level of governor support and training available within local authorities, which identified a relationship between differing levels of dedicated, governor support officer time and the capacity of the local authority to deliver a compulsory training programme.

The WLGA commented that some clerks feel unable to take on an advisory role on complex matters but instead rely upon the advice provided by local authorities and the Governors Wales helpline. The WLGA also made the point that joint training between governing body chairs and clerks is effective in terms of allowing each party to gain "a useful understanding into their respective roles and boundaries."

Citing the findings from this recent research, the Committee commented that in most local authorities there was already an annual governor training programme, including

¹⁸ *Local Authority Training Provision for School Governors in Wales*, All Wales Centre for Governor Training and Research, 2008

the WAG funded training programmes for chairs and clerks¹⁹. However, whilst attendance (of governors) at training events was found to be generally good, this was also recognised as something which could be improved and in some local authorities a correlation was identified between the highest attending governing body and an excellent school inspection.

The Committee concluded that there were 22 different models of local authority training and support to governing bodies and that whilst one approach would not fit all, it was recognised that a core basic model of support could be beneficial. In turn, the Minister commended existing joint governing body practitioner training, and identified a need for local authorities to extend joint training, particularly as the School Effectiveness Framework matures. The Minister referred to the different communication channels for governors that are currently in place²⁰, and urged local authorities to use the existing free training pack for clerks²¹.

In sum, the work undertaken by the Committee and the subsequent responses from the then Minister and other stakeholders considered the role of school governors in a broad sense, but also included issues in relation to clerking arrangements, training and support for governors and clerks, and responsibilities for monitoring governing bodies. This provides a useful and comparatively recent evidence base to inform this review.

Governing body clerking service in Wales

Prior to the work undertaken by the Enterprise and Learning Committee, WAG commissioned research specifically into governing body clerks²². The table below shows the breakdown of local authority clerking provision across the 22 local authorities in Wales, in 2005:

Figure 1 Local authority clerking provision (2005)

Provision	Number of schools
Local Authorities providing a clerking service for all their schools.	4
Local Authorities providing a clerking service for some schools only.	11
Local Authorities not providing a clerking service at all.	7

Within areas where local authority clerking provision was limited (ie: offered to some but not all schools) the researchers identified no consistent rationale either for where clerking services were offered or for where they were taken up by individual schools.

¹⁹ Namely: Role of the Clerk; and Role of the Chair, developed by the Wales Centre for Governor Training and Development.

²⁰ Including the WAG-funded termly newsletter 'Cadwyn', the expanded Governors Wales website and conference programme, as well as consultations and guidance from WAG, local authority newsletters and events, and regional and national conferences formed by Governors Wales' local associations.

²¹ Funded by WAG and produced by the All Wales Centre for Governor Research and Training.

²² *Governing Body Clerking Services in Wales*, All Wales Centre for Governor Training and Research, 2005.

Both provision and take-up were found to be based on a strategic decision within the particular local authority, e.g. offering a clerking service to community primary schools only, or the individual choice of the governing body.

Insufficient staffing was found to be the main reason why some local authorities did not provide a clerking service or provided a limited service only. Furthermore, the majority of those who offered clerking services in 2005 were reliant on support from members of the Education Department outside the Governor Support Unit (GSU), particularly amongst those who offered universal provision²³. In terms of how this translated into the number of individual governing bodies taking up the service, there was also wide variation, although clerks who were members of GSU teams generally clerked more governing bodies than other officials from within the Education Department²⁴.

However, stakeholders consulted through the research expressed concern about the number of governing bodies clerked by individual officials in some local authorities, and the perceived detrimental impact this could have upon the quality and effectiveness of the service. Delays in producing minutes, inaccurate or generic minutes, a lack of impartiality and divided loyalties (towards the local authority) and poor communication with the school were some key complaints made in 2005 in relation to (some) local authority clerks. In light of these findings, the researchers recommended that local authorities limit the number of governing bodies clerked by individual officials, to ensure they had sufficient time to fulfil their clerking role satisfactorily.

Given the complaints made about the variable quality of local authority clerking service, it was concerning that monitoring and evaluation of local authority clerking service to their schools was found to be generally very limited²⁵. The most common methods of monitoring were via evaluation forms completed by governing bodies, and meetings between local authority officers and governing body chairs. A more limited number of local authorities were found to observe meetings or monitor minutes, as a way of evaluating the quality of their clerking service.

When it came to monitoring the performance of non-local authority clerks, those local authorities providing no clerking service at all were found to be more committed than those offering a clerking service to some governing bodies. In both cases monitoring was generally limited to reading governing body minutes and providing ad hoc advice and guidance, although there were a minority of examples of additional monitoring activities²⁶. However, it was evident that very little advice was given to governing bodies on approaches to self-monitoring.

²³ In the case of one authority up to 25 officials were clerking governors meetings.

²⁴ In one local authority for example, officials who are not members of the GSU team clerk 6 meetings on average, while Governor Support Officers clerk 11 or 12.

²⁵ Of the 15 local authorities providing a clerking service, six had no formal methods in place to monitor their provision, while four local authorities used only one method of undertake formal monitoring.

²⁶ For example, one local authority also discusses clerking matters with chairs of governors, whilst a second local authority carries out an annual audit of governors' views.

This 2005 research also included a substantial section on existing training provisions for governing body clerks. The report was intended to provide an information base of current arrangements, and steer the development of a comprehensive clerk training programme for Wales.

At that time, training for clerks was offered by each of the four local authorities offering a clerking service for all governing bodies and by eight of the 11 local authorities providing a clerking service to some governing bodies. Nevertheless provision did not necessarily equate to attendance²⁷, and the researchers concluded that a large number of local authority GSU officers had received no formal training. However, it was also revealed that whilst attendance at formal training sessions could be poor, most local authorities ran “clerks’ forums”, which commonly encompassed informal training, updates on legal changes and discussion of common concerns.

Nine of the 11 local authorities providing a clerking service for some of their schools ran clerk training courses, whilst two passed on information about training offered by other providers. In terms of training for clerks in the local authorities which did not provide a clerking service at all, six out of seven ran clerk training courses whilst one claimed to communicate information about training available from other providers such as other local authorities or the All Wales Centre for Governor Training and Research.

The research also investigated the relative standard of local authority training provision, and found that the quality and suitability of training varied between different areas, with some stakeholders calling for a comprehensive clerk training programme to ensure a consistent and relevant approach to governing body clerk training, a need which was echoed in subsequent recommendations by the researchers.

In terms of services to governing bodies which are not offered, or do not take up local authority clerking services, this commonly involved the provision of job descriptions and/or salary guidelines. However, provision was found to be far more widespread amongst local authority providing no clerking service whatsoever than amongst those who provide some degree of clerking service²⁸.

The research identified a marked differentiation in the provision, content and quality of clerk training and guidance across Wales, as well as variation in attendance at clerk training courses. Overall, 18 out of all the 22 local authorities in Wales offered clerk training in 2005, either to local authority clerks and/or non- local authority clerks.

²⁷ In only nine of the 12 local authorities providing training have GSU officers actually attended sessions.

²⁸ Six of the seven local authorities which do not provide a clerking service provide a job description for clerks, and all of them provide salary guidelines for clerks. However, of the 11 local authorities which provide a clerking service, only 3 provide clerks’ job descriptions for school governing bodies which do take up the clerking service, while only 5 of these local authorities provide salary guidelines.

Having identified a need for high quality, differentiated training for clerks, one recommendation from the research was that that a tiered, national training programme should be produced, to suit both experienced and inexperienced clerks²⁹. At a local authority level, it was recommended that all local authorities hold “clerks’ forums”³⁰, and that they should be made available to all clerks, regardless of whether or not they were contracted through the local authority.

The differentiation in services offered to non-local authority clerks was highlighted as a concern, and prompted the researchers to identify the need for a standardised job description and salary guidelines for clerks to ensure consistency in both the basic level of clerking service and payment to clerks for their work.

More general recommendations for clerking arrangements were that:

Local authorities employ formal procedures to ensure effective monitoring of governing body clerks’ performance either by the local authority or individual governing bodies;

A set of national monitoring procedures should be produced to support local authorities and individual governing bodies;

Local authorities providing a clerking service should limit the number of governing bodies clerked by each official, potentially by increasing the number of local authority officials who clerk governing bodies.

Clearly the evidence from the 2005 research is an important basis for this review of training for governing body clerks and clerking performance across Wales. However, clerking arrangements in Wales have not remained constant since 2005, as revealed through a further piece of research, undertaken three years later, into training and support for governing bodies.

²⁹ They recommended that Level 1 should be aimed at new clerks and should concentrate on their secretarial duties and include such topics as agenda and meeting preparation and arrangement, minute taking and information storage. Level 2 should cover the secretarial and advisory roles of the clerk and include such topics as meetings procedures, deadline meeting, correspondence on behalf of the governing body and the limit of the clerk’s influence.

³⁰ These forums offer the opportunity to receive updates on legislative changes and to discuss matters of common concern and share best practice in areas such as agenda setting, methods of minute taking and keeping records.

Local authority training provision for school governors in Wales

In 2008, research into local authority training provision for governors³¹ was commissioned, and although the work was not specifically in relation to governing body clerks, it identified a number of issues of relevance to this review.

As in 2005, the researchers identified considerable variations in staffing levels of GSUs across local authorities in Wales, with no clear correlation between the size of local authorities' governor populations and the number of staff dedicated to Governor Support³². Moreover, there were other significant variables reported, affecting the level of human resource within different GSUs³³. Allied to this was the fact that the majority of officers in local authority GSUs were found to have other responsibilities³⁴.

Of particular significance is that between 2005 and 2008 the number of local authorities *not* offering a local authority clerking service rose from seven to eleven, meaning that by 2008 (two years prior to this current review) a clerking service was offered by only half of all local authorities in Wales. A marked geographical trend in the provision of local authority clerking service was also identified, in that the service was offered by none of the local authorities in North Wales whilst the majority of local authorities in South Wales offered a clerking service³⁵. Nevertheless, they found little correlation between either the size of the local authority and the number of GSU officers or the size of the local authority and provision of a local authority clerking service.

However, the main focus of the research had been to ascertain the extent and nature of governor training offered by local authorities. The evidence was that governor training³⁶ was only one of several duties of GSU officers, and that with the exception of two local authorities; no GSU officer in Wales spent more than 50% of its time on governor training, whilst 14 of them spent less than 30% of their time on governor training. However, the researchers identified a connection between training and the provision of clerking service, given that only three of the eight officers spending 30% or more of their time on governor training also provided a local authority clerking service for their schools. In other words, those local authorities *not* offering a clerking service were likely to have more time to devote to governor training. The fact that governing body clerking was cited as a time-consuming duty led the researchers to deduce that local authorities providing this service were likely to devote a smaller

³¹ *Local Authority Training Provision for School Governors in Wales*, All Wales Centre for Governor Training and Research, 2008.

³² For example, both Swansea (1,422 governors), and Gwynedd (1,736 governors), had only 2 member of staff in their respective GSU, of whom both individuals in both local authorities had other responsibilities outside the unit. By comparison, Merthyr Tydfil (412 governors), had six members of staff in their GSU and Torfaen (529 governors) had four (and the sole responsibility of two of them is governor support).

³³ For example, the differentiation between part-time and full-time members of staff was significant.

³⁴ Only nine local authorities have staff whose sole responsibility is governor support, whilst, in four local authorities the prime responsibility of all staff in the GSU lies outside governor support.

³⁵ With the exception of Carmarthenshire, Neath Port Talbot, Swansea and the Vale of Glamorgan.

³⁶ The researchers defined 'training' as encompassing organizing, attending or taking individual sessions, analysing data etc, and did not include 'informal' training such as advising governing bodies or individual governors on legal or procedural issues.

percentage of their time to governor training. Furthermore, it was suggested that where a local authority clerking service was provided, formal clerk training sessions might not be deemed necessary.

Nevertheless the researchers acknowledged that this was not a robust conclusion, and the relationship between clerking provision and training provision may well have been more complex than this.

The researchers then went on to look at the nature of training offered to governors by local authorities and identified 22 topics that had been covered by local authorities in Wales between 2006 and 2008. The top five most commonly covered areas³⁷ included Induction for New Governors (all local authorities), Child Protection (21 local authorities), Special Education Needs Issues (20 local authorities), Curricula Issues (20 local authorities), and Finance/Budget Monitoring (20 local authorities). Clerk training was provided by 16 local authorities, which represented an overall decrease in provision since 2005³⁸.

This throws the inferred relationship between clerking provision and training into more doubt, given that between 2005 and 2008 both the number of local authorities providing a clerking service *and* those local authorities offering training for clerks both decreased.

Another factor of interest to this review was that training for clusters of governing bodies³⁹ was found to be increasingly popular, with fourteen local authorities providing this service between 2006 and 2008 with a further two starting in 2008. No local authorities reported that they had provided any form of distance learning between 2006 and 2008, (albeit for *governors*) apart from one which reported placing information on the authority web-site⁴⁰.

All local authorities undertook some form of monitoring and evaluation of training programmes, of which by far the most popular (and indeed universal) method was via evaluation forms completed by attendees at the end of training sessions. Fifteen local authorities used at least one other method of monitoring and evaluating training⁴¹.

Although the research did not focus specifically upon clerks, it provides useful insight of some the issues affecting the provision of governor training offered by local authorities and the correlations this may (or may not) have had with the provision of a local authority clerking service in 2008. It also reveals a decline in the proportion of local authorities offering a clerking service since the previous research, potentially indicating a downward trend in the provision of a local authority clerking service.

³⁷ Covered by 20 or more local authorities between 2006 and 2008 as defined by their appearance in local authority governor training sessions

³⁸ When 18 local authorities in Wales offered clerk training

³⁹ The most common way of providing this type of training was to run sessions for a secondary school governing body and the governing bodies of its Primary "feeder" schools.

⁴⁰ The researchers recognised that it is "questionable" whether this constituted 'training'.

⁴¹ This included: questioning individual governors; local authority wide surveys of governing bodies; feedback from Link governors; use of professional opinion pollsters; and reports of training at governing body meetings from governors who attended training.

3.4 Summary of main points

The strategic review has served several purposes:

It summarizes the statutory requirements for school governing body clerks as set out in The Government of Maintained Schools (Wales) Regulations 2005;

It reviews recent research evidence relating to clerking arrangements, and training and support for clerks in Wales;

It reveals that clerking practices vary considerably across local authorities in Wales, with three main models in place:

Local authority clerks appointed through a Service Level Agreement (SLA) with the local authority;

A member of the non-teaching school staff (for example the school clerk or bursar) working as a clerk; or

Somebody from the local community working as a clerk.

It summarises the comparative merits of each of these models;

It reveals that the level of support and training opportunities provided to and taken up by governing body clerks varies widely.

4. Governing body clerking activity

4.1 Introduction

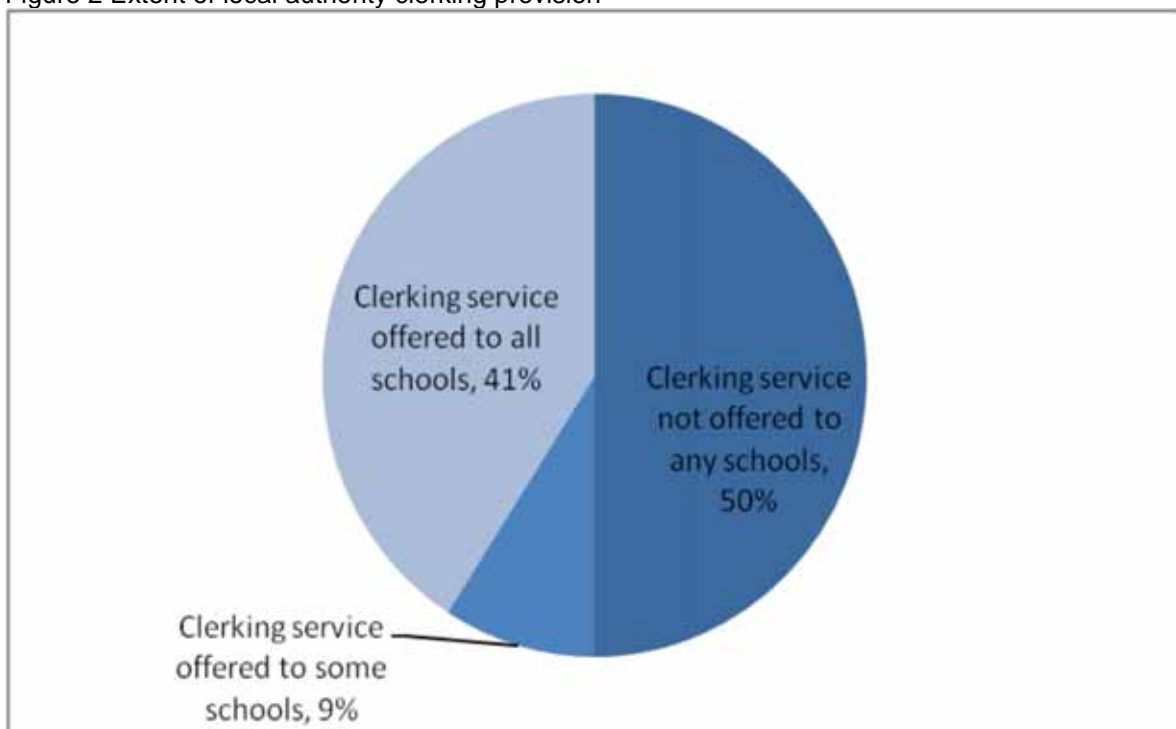
As illustrated above, arrangements for governing body clerking practices have varied widely across Wales in recent years. The objective of this research has been to establish how these different models of clerking work in practice, the performance of clerks in fulfilling their roles, to provide an evaluation tool which can be used to evaluate clerk performance, and to review the extent and nature of support and training available for clerks.

The review has included an extensive programme of both qualitative and quantitative research. Two bilingual surveys were run for clerks and chairs of governing bodies with a response rate of 261 (clerks) and 301 (chairs). Roughly 11% of respondents to each survey answered the questions in Welsh.

4.2 Local authority clerking service provision

The number of local authorities offering a clerking SLA to either some or all governing bodies slightly changed since 2008; two local authorities offer a partial service governing bodies, nine offer the service to all, whilst 11 local authorities do not offer a clerking SLA at all.

Figure 2 Extent of local authority clerking provision



Amongst those GSUs which offer the clerking SLA, the number of local authority staff working as clerks to governing bodies also still varies widely; in one local

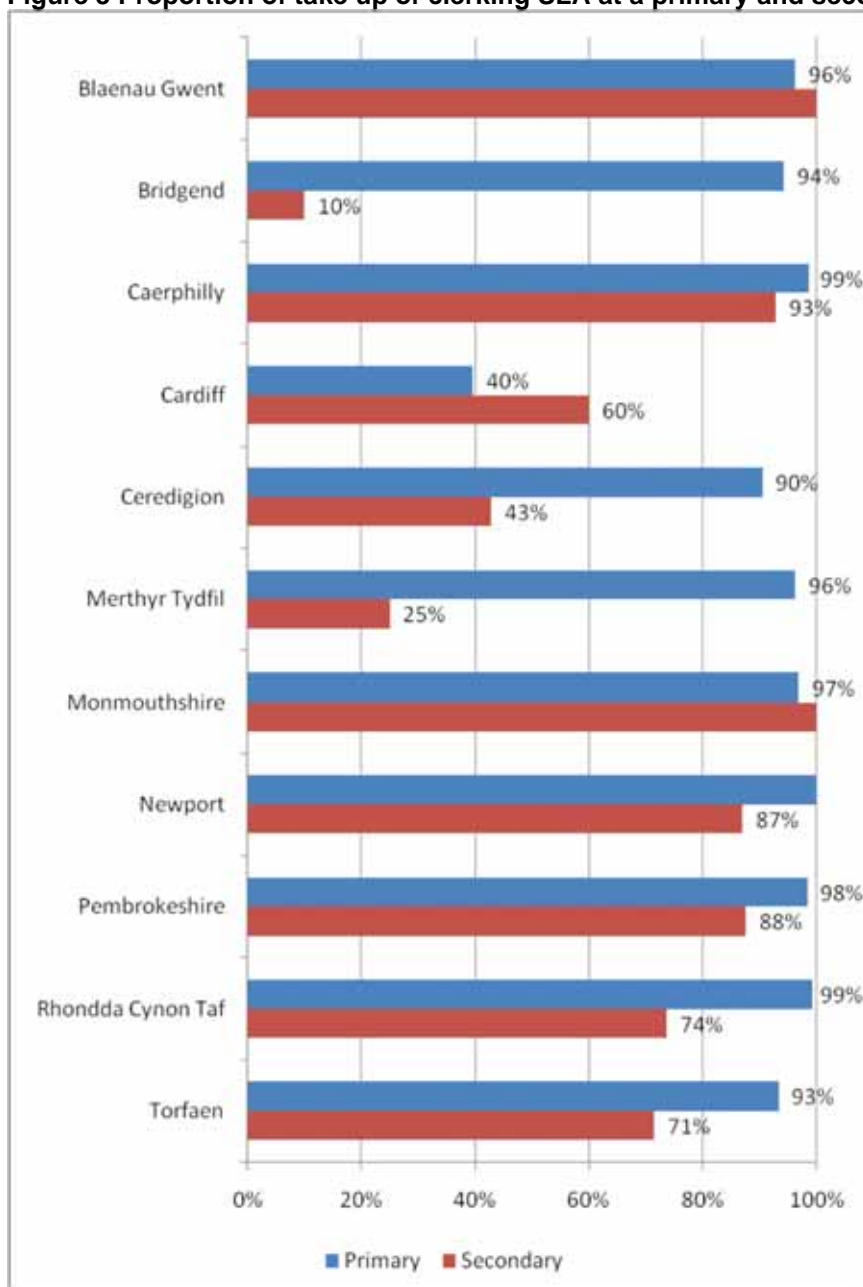
authority there are currently 18 individual⁴² members of staff working as governing body clerks, whilst in another area there are only three local authority staff members providing the service. In most authorities clerking is undertaken by members of the GSU team. However, almost a fifth of GSUs offering the SLA utilise staff from other divisions within the local authority to provide the service. This represents a significant change since 2005, when only three of the fifteen local authorities offering a clerking SLA to some or all schools relied solely upon the GSU to deliver the service.

Some GSUs prioritise certain schools; for example in Ceredigion and Bridgend provision is targeted at primary schools, or in Cardiff where secondary schools are prioritised for the SLA. Anecdotal evidence from some GSU officers indicates that even local authorities that do not offer a regular SLA will offer a temporary clerking service in certain situations, such as during amalgamations or to schools facing difficulties.

As established in the literature review above, it remains the choice of the individual governing body whether or not they wish to take up the SLA, and some of the factors influencing take-up are discussed in later sections of this report. The graph below (featuring only those local authorities offering a clerking SLA) shows the proportion of take up at a primary and secondary level relative to the overall number of schools in the respective local authority.

⁴² In some cases this includes members of staff who are not located within the governor support unit.

Figure 3 Proportion of take up of clerking SLA at a primary and secondary level

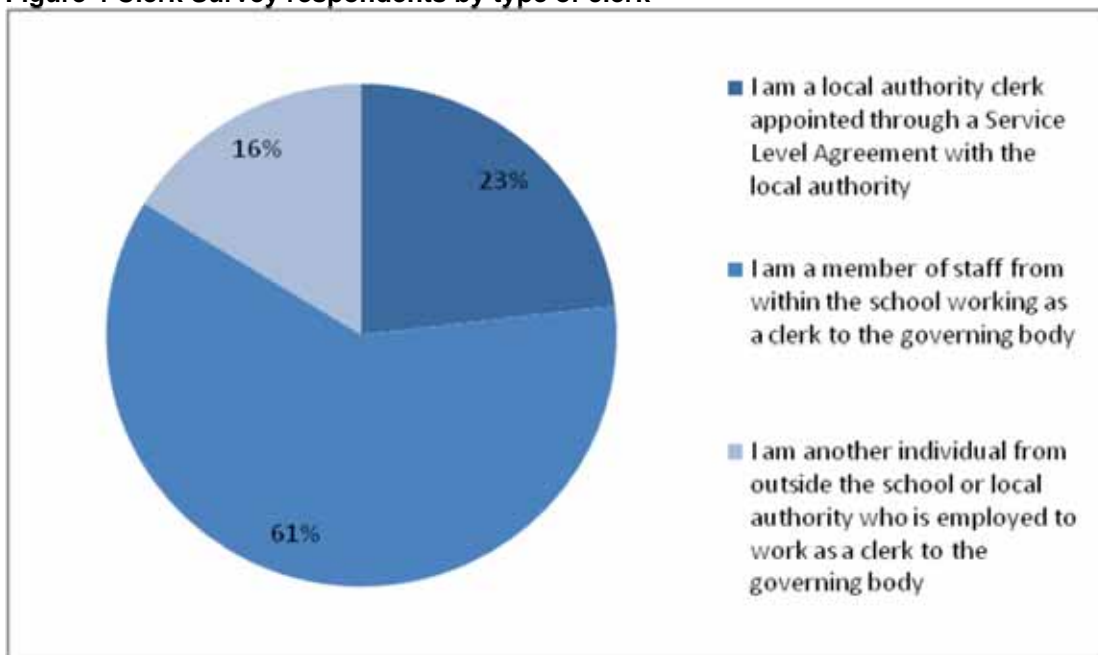


In a small number of local authorities (all in South East Wales) there is almost universal take-up of the SLA. However, in other authorities where the SLA is provided, there are significant numbers of governing bodies being clerked through alternative means. A key objective of this research has been to consider the support and training available to *non*-local authority clerks in those areas offering the service, as well as in areas where the clerking SLA is *not* offered.

Seventy-one percent of chairs completing the on-line survey came from local authorities offering a clerking service SLA. However, only 56% of the entire chair sample had a local authority clerk contracted to their respective governing body through an SLA. This means that 44% of respondents were actually supported in their role as chair by either a clerk from within the school or from the community.

The clerks' survey achieved a rather different response distribution in terms of clerking arrangements, as indicated in the chart below:

Figure 4 Clerk Survey respondents by type of clerk

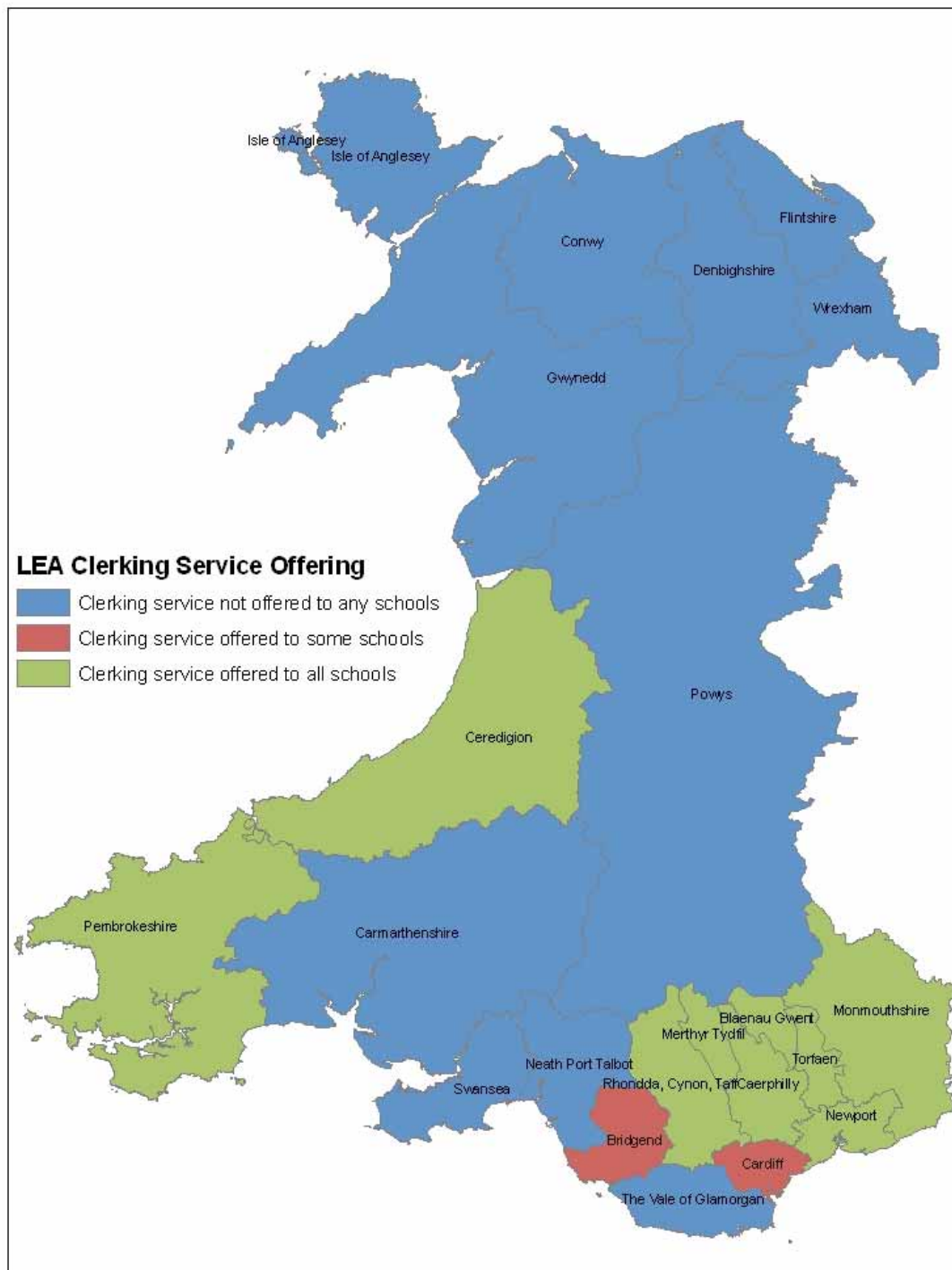


Less than a quarter of responses came from local authority clerks, whilst the majority came from school-based clerks. Clerks who were independent from both the school and local authority represented the smallest proportion of respondents.

Geography and language

The map below illustrates which local authorities currently offer partial, universal or no provision, and illustrates a significant geographical trend in the provision of a clerking SLA.

Figure 5 Provision of local authority clerking

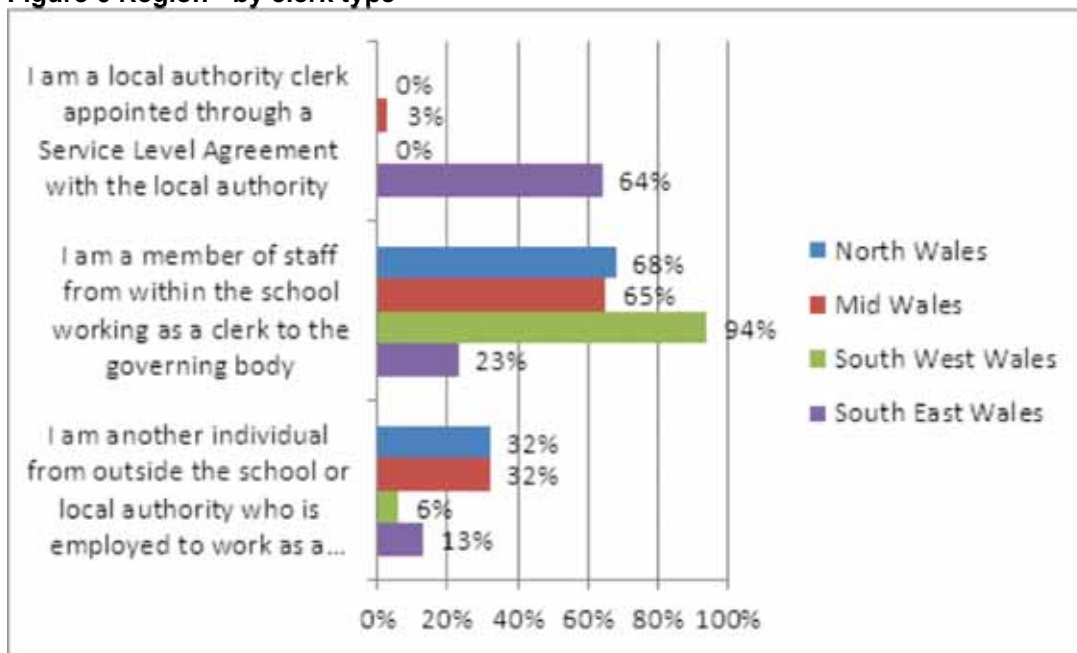


Local authority clerking provision is dominated in South East Wales and to a lesser extent in West and South West Wales. None of the local authorities in North Wales offer a clerking service.

This trend is also reflected in data relating to where respondents to the clerks' survey came from, given that none of the responses from North and South West Wales came from local authority clerks employed through an SLA. Almost every respondent

from South West Wales and over two-thirds of clerks from North Wales were members of staff within the school, as indicated in the following graph.

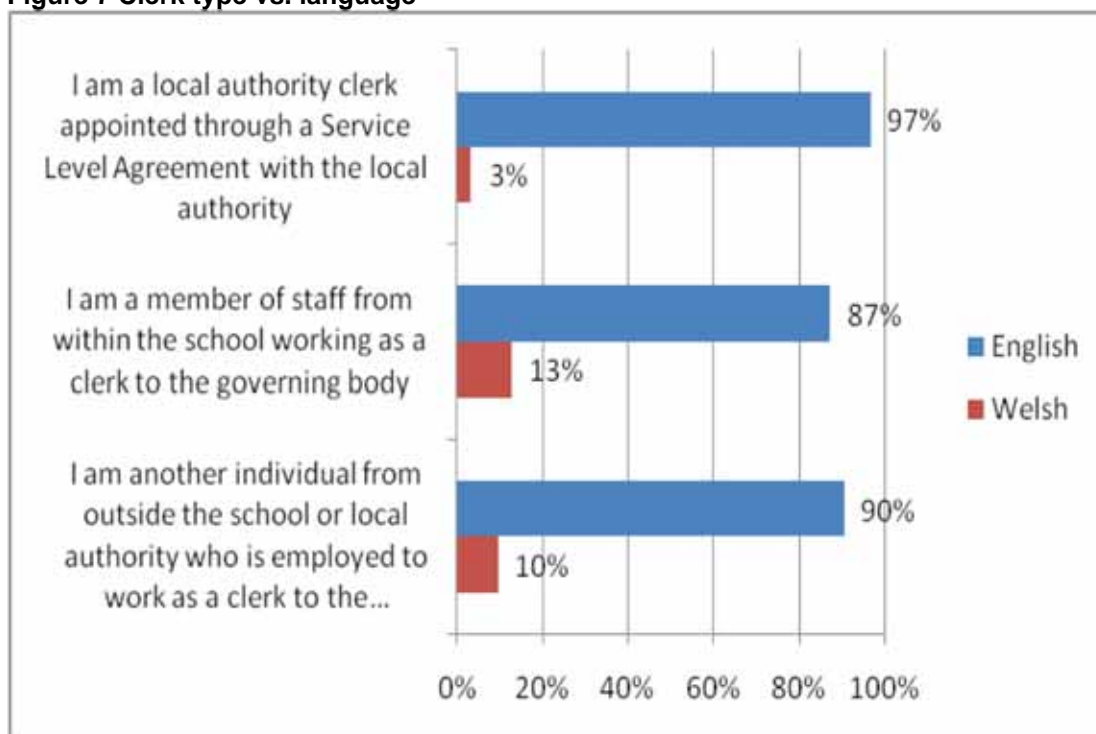
Figure 6 Region⁴³ by clerk type



The graph below shows that in the case of all three clerk types the majority of respondents completed the survey in English. However the proportion of community clerks, and to a greater extent, of school based clerks who completed the survey in Welsh was moderately higher, which is likely to reflect the geographic distribution of respondents – almost half of *all* school-based clerks in the sample came from North Wales.

⁴³ These are based on the standard DCELLS Regions, as specified in October 2010.

Figure 7 Clerk type vs. language



The prevalence of Welsh-speaking clerks in North Wales is particularly true of one local authority where only about three clerks out of a total of 120 did not speak Welsh.

However, feedback from more than one Welsh medium school governing body suggests that the supply of Welsh medium clerks is not meeting demand in some parts of the country: “they [the local authority] don’t have the capacity to provide the [clerking] service through the medium of Welsh.” One chair in South East Wales who recruited a community clerk was “surprised” to receive an application from a Welsh speaker.

However, given that in South East Wales in particular, Welsh medium schools are largely catering for children from English medium families, governing body meetings are in any case conducted in the medium of English. One governor felt that “language is not the main issue...I’d rather have a good English speaking clerk.”

4.3 Cost of clerking

The basic cost for clerking provision is neither consistent nor transparent, and the charge for a clerking SLA or the size of the honorarium paid for clerking varies widely across Wales. In cases where clerking the governing body is included in the job description of a member of school staff, ascertaining the actual cost for the clerking role is even more convoluted.

There are also differences in the level of involvement of the local authority, both in terms of establishing the cost for the service and for administering payment to non-local authority clerks. In cases where local authority clerking is offered, SLAs are normally offered annually to governing bodies to sign up to as required, with the cost

for the service usually deducted from a school's annual budget. In some but not all cases schools are allocated money specifically for clerking as part of their formula allocation, but in other cases the cost must be met from core budgets. Where an SLA is not offered, or not taken up, the GSU may take responsibility for remuneration through their payroll departments, and again the cost would be debited from the respective budget. In other authorities, the GSU is more detached and it is the responsibility of the school and/or governing body to establish the fee and to pay the clerk. Where the school clerk or administrator clerks the governing body, payment for the role would normally be incorporated into their annual salary.

Financial and geographic issues are perceived to be the overriding factors preventing some local authorities from providing a clerking service. One stakeholder suggested that "the larger, more rural authorities don't provide clerking because it's too expensive" whilst other areas are more "tightly knit" and providing the service is more viable. The issue of finance relates to both schools and local authorities, in that it requires considerable resource (both human and financial) to offer the service, but it can also be comparatively expensive for schools to buy into the SLA, and "in some cases schools feel they can do it more cheaply themselves."

Service level agreement costs

Amongst those local authorities offering a clerking SLA, the cost of the service varies considerably. Some local authorities offer a differentiated rate (for example, a standard/premium service, a higher cost for secondary school governing bodies or a rate proportional to the size of the school). The lowest annual cost for a clerking SLA is currently £444, whilst the highest charge is £2,500⁴⁴, with a range of costs falling within these extremes. The mean cost of an SLA amongst those who charge is £1,177⁴⁵ and in the case of eight of those local authorities offering a clerking service, the annual charge includes clerking for certain committees.

More than one local authority clerk had concerns about local authorities charging as low as £500 and suggested it was likely the service is "heavily subsidised" or that "the service is poorer." Similarly a GSU officer in one of the higher charging local authorities felt that the SLA offered there had a "good balance" and was a "realistic cost" for providing the service.

From the service user perspective, governors in more than one local authority who have taken up a comparatively expensive clerking SLA were not critical about the cost, and made the point that the clerk has "always gone above what [they] have to." One chair was strongly in favour of continuing the service and believed it would be "more expensive" to access a service of a similar standard from elsewhere.

Another chair commented that "nothing has ever been said about money, [the clerk] is always on the end of a phone", and was felt to exceed the requirements under the standard SLA. Similarly most of the GSU officers included in the qualitative research confirmed a fairly flexible approach to the level of support given under the SLA. In one local authority (where the standard SLA is fairly close to the Wales average) the

⁴⁴ For a Premium Service.

⁴⁵ This is an approximation only, given that some local authorities offer a varied rate.

service covers all main meetings, plus statutory committee meetings as required. However there is “no set way in what services are provided” in this area, and not only do local authority clerks tend to cover finance meetings in secondary schools “at no extra cost”, they also do the same for a few primaries in cases where “they have had financial difficulties.”

One local authority clerk made this point from a different angle and commented that in spite of the clear contractual arrangements “some schools expect a lot from clerks...especially secondaries.” She felt that it could be difficult to refuse to provide additional support or guidance. What the evidence suggests is that the actual value of local authority clerking service varies even more widely than the basic cost of the SLA.

Non-LEA clerking costs

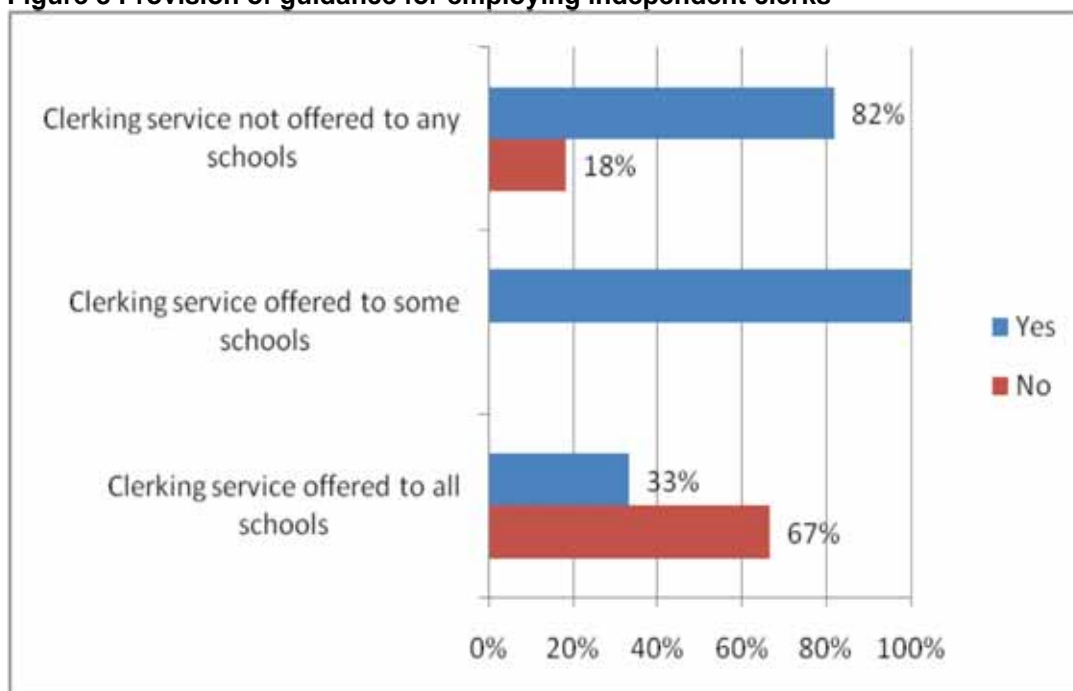
Whilst the difference between the highest and lowest SLA charge is substantial, the amount paid to non-local authority clerks can be even more differentiated and is far less transparent. Several key stakeholders were aware that the size of the honorarium or direct payment to non-local authority clerks could be extremely variable, so there “is no parity of esteem across local authorities in terms of how well they are regarded.” One commentator suggested that this is largely because the “terms may not always be as clear.”

That said, in some authorities where some or all governing bodies appoint a non-local authority clerk the GSU still provides guidance on the amount clerks should be paid and is involved in processing the payment. The qualitative research revealed that independent clerks can be paid annually or in monthly instalments. For example one local authority offering clerking to some governing bodies pays the independent clerks⁴⁶ directly and “does all the paperwork”, which is complicated given that the clerk needs to be “put on payroll” each year to receive a one-off annual payment. In another local authority where a clerking SLA is not offered at all, the GSU takes responsibility for advertising for clerks to governing bodies, for setting the job requirements and for administering the monthly payments.

The graph below shows the proportion of local authorities within each of the three categories which provide advice for governing bodies on employing a clerk independently (for example job descriptions or salary guidelines). As might be expected, guidance on recruitment is far more prevalent in local authorities which do not offer a clerking SLA than in areas where the service is offered universally. Interestingly however, all local authorities offering the service to some schools only provide guidelines for those governing bodies that recruit clerks independently.

⁴⁶ Who can be a parent or member of the local community, or an officer within the local authority who is contracted as clerk in their own right, and not through an SLA via the GSU.

Figure 8 Provision of guidance for employing independent clerks



Nevertheless, even in areas where the GSU provides a standard job description and/or is involved in recruitment of clerks, there can be considerable inconsistency in the amount of time independent clerks actually spend on their role. For example one clerk claimed to have clerked twice as many main meetings in an academic year since taking up the post than was originally indicated in the job description.

In other local authorities, particularly in areas where most governing bodies take up the clerking SLA, GSUs know “very little” about how much the few governing bodies employing a clerk independently pay for the service. One GSU officer was not aware of the finances involved although suggested that governing bodies “tend to go for the cheaper option of employing someone who is already based in the school.”

Appreciation of the role of the governing body clerk was found to vary more widely amongst independent clerks and governing bodies *not* taking up the SLA, which can in turn impact on the level of remuneration that these clerks receive for their work. Several clerks included in the research worked in a voluntary capacity, and received nothing for their service, and in one case most of the governors themselves were unaware of the financial arrangements. Another clerk was originally “surprised” to discover that she was to receive payment: “I had assumed I would be a volunteer like the governors.” Again this endorses the evidence that the actual cost for clerking that is independent from the local authority differs from school to school, and in some cases is being provided at no cost to the governing body.

Conclusions

Given the different models of clerking arrangements in place across Wales, there will inevitably be some variation in the cost for clerking provision. However, whilst the disparity in cost of local authority clerking provision alone is substantial, there is even more inconsistency in the cost of clerking for governing bodies not taking up an SLA.

What is perhaps concerning is the lack of transparency over how much governing bodies are paying for the service independently. This factor, along with the lack of benchmarking at a national or even local authority level, is likely to account for widespread uncertainty amongst practitioners of the ultimate cost for clerking. This is closely linked to the issue of expectations on the role of governing body clerks, which has also been found to vary widely, as discussed in the following sections.

4.4 Summary of main points

Two bilingual surveys were run for clerks and chairs of governing bodies with a response rate of 261 (clerks) and 301 (chairs). Roughly 11% of respondents to each survey answered the questions in Welsh.

The number of local authorities offering a clerking SLA to either some or all governing bodies has remained constant since 2008; two local authorities offer it to all governing bodies, nine offer a partial service, whilst 11 local authorities do not offer a clerking SLA at all.

Local authority clerking provision is dominated in South East Wales and to a lesser extent in West and South West Wales. None of the local authorities in North Wales offer a clerking service.

Amongst those GSUs which offer the clerking SLA, the number of local authority staff working as clerks to governing bodies varies widely from between only three in one local authority to 18 in another.

Almost a fifth of GSUs offering the SLA utilise staff from other divisions within the local authority to provide the service. This represents a significant change since 2005, when only three of the fifteen local authorities offering a clerking SLA to some or all schools relied solely upon the GSU to deliver the service.

In a small number of local authorities (all in South East Wales) there is almost universal take-up of the SLA. However, in other authorities where the SLA is provided, there are significant numbers of governing bodies being clerked through alternative means.

It is the choice of the individual governing body whether or not they wish to take up the SLA and in some authorities where the SLA is provided, there are significant numbers of governing bodies being clerked through alternative means – as indicated in the fact that 15% of respondents to the chairs survey came from local authorities where an SLA was offered, but were actually supported in their role as chair by either a clerk from within the school or from the community.

There is an insufficient supply of Welsh medium clerks in some parts of the country.

Amongst local authorities offering a clerking SLA, the cost of the service varies considerably.

The amount paid to non-local authority clerks can be even more differentiated and is far less transparent than the SLA model.

There are differences in the level of involvement of the local authority, both in terms of establishing the cost for the service and for administering payment to non-local authority clerks.

In some authorities where some or all governing bodies appoint a non-local authority clerk the GSU provides guidance on the amount clerks should be paid and is involved in processing the payment.

Guidance on recruitment is far more prevalent in local authorities which do not offer a clerking SLA than in areas where the service is offered.

5. The role and performance of governing body clerks

5.1 Clerking performance overview

The mandatory functions of the governing body clerk as defined in regulation 43 of the Government of Maintained Schools (Wales) Regulations 2005 include six specific administrative duties as well as a requirement to perform such other functions as may be determined by the governing body from time to time. As mentioned previously the regulations also state that the clerk may provide the governing body with advice on its functions and procedures.

All stakeholders identified the clerking role as being “two-fold” in terms of the secretarial functions and the advisory role in offering advice to the governing body on “procedural and constitutional issues”. However there were extensive differences in the way the latter function was interpreted.

At a practitioner level, all GSU officers and clerks and most governors were aware of the clerk’s responsibility for scheduling meetings, taking and disseminating minutes and in some cases, setting the agenda. One governor commented that “it’s more than the minutes” but felt that even in their advisory function, the nature of the advice would be more in terms of procedure or policy specifically in relation to school governance, for example “advising the governing body on what they can and can’t discuss.” One GSU officer stated that the clerks should be the “first port of call for the chair if they have any queries”, whilst the chair of one governing body likened the role of the governing body clerk to the clerk of the court in a legal context.

Even commentators with only a broad understanding of the role of governing body clerks were aware of some differentiation in standards of clerking, even within the same local authority: “I have a narrow interpretation of the work of clerks...they provide admin support to governing bodies but it varies from governing body to governing body.” Most key stakeholders expressed concern about this disparity: “the biggest problem with clerks is consistency.”

5.2 Models of clerking activity

Some key stakeholders did not express a strong leaning towards one particular model or another – “there is good and bad practice in all approaches” – but felt that “it is necessary above all to have clear roles and job descriptions, plus training and raising the status of their position.”

Knowledge unsurprisingly reflected local circumstances amongst practitioners, and whilst clerks and governors were generally aware of alternative models in other parts of Wales, understanding of how they operated was less detailed. Interestingly, a large majority of governors (including those with experience of two or even three clerk types) were strongly in favour of the particular model they had in place at the time. It should be noted that many of the shortcomings of the different models mentioned came from those who were more familiar with an alternative model.

Many stakeholders and practitioners mentioned “historical reasons” as influencers of both the provision and take-up of a local authority clerking SLA. One GSU officer suggested that: “secondary schools are generally more independent...they have access to greater resources...it’s also a cultural thing...they value a level of independence from the local authority more than primaries, generally.” Another commentator suggested that “comprehensive staff are usually more skilled and so better placed to act as clerks.”

5.3 Contractual arrangements and service delivery

Local authority clerking service

Stakeholders were broadly in agreement that where the local authority provides a clerking SLA, the duties of the clerk are usually more clearly defined and there is generally greater accountability, given that “the SLA clearly sets out the payment and terms.”

Local authorities identified by stakeholders as offering an exemplary clerking service were commended for “the quality of the service, guidance documents and the overall coordination of the arrangements.” During Estyn inspections the best examples of support have been found in local authorities providing a central clerking practice. Stakeholders pointed to logistical advantages of local authority clerks, in that they have good knowledge and connections within the local authority, and are a central contact point.

The strength of the clerking service offered by one GSU in South East Wales is that the clerking SLA sits amongst other services offered by the local authority such as finance and HR, which would be provided by the same individual. The advantage of being a comparatively small local authority, offering a “comprehensive service” is that the individual officer “appreciates the local context of the school.” The feedback from one governing body commended the fact that “the clerk also provides other services and sits in on many other meetings.”

Whilst some governing bodies choose to maintain some detachment from the local authority by appointing a clerk independently, a closer association with the GSU was valued by some governors. A head of one secondary school stated: “we would like to keep the service. Otherwise the link between the school and the local authority would be broken.” One chair claimed the governing body “only deals” with the clerk, but “gets the impression” that the wider GSU is “very good.” Several governors pointed out that the support extends beyond the individual clerk to include others within and beyond the GSU: “it’s got to be an advantage...having someone who is directly linked to the local authority.”

Numerous governors from several different authorities pointed to the security offered by an SLA: “you know exactly what you’re getting” through a “binding contract.” One particular commentator used an analogy of servicing a car in a garage owned and run by the car manufacturer rather than dealing with an independent. A chair commenting (with concern) on the proposed extensions to governor responsibility, felt that taking up a clerking SLA redresses the balance to some extent given that it “passes accountability up to the local authority.” Several governors pointed to “the

reassurance that you know things are done properly.” One chair believed that “in other local authorities there is a lot more responsibility on chairs.” Local authority clerks appeared to be aware of their liability under the terms of the SLA, for example advice from another source needs to be given with “the caveat that it might not be right.”

Several stakeholders felt that local authority clerks are generally more assertive, partly because they are confident in their own knowledge, and partly because they retain independence from the school. One governor said their clerk: “keeps the chair in check...and is firm but not pushy.” Another governing body found the clerk’s input into discussions helpful as she “points out the implications” of anything the governing body is proposing and “makes sure we organise meetings.”

Amongst commentators who favoured the SLA model, most recognised that resource is the key factor limiting more widespread provision: “ [it] would be an ideal if all schools used a local authority clerk...but the logistics and cost of that would be unrealistic...especially as local authority budgets are cut more and more...the situation is only likely to deteriorate.” Others agreed that “we’ve seen a gradual reduction in local authority clerks across the board” mainly due to “cost...governing support teams wearing different hats.”

However, attitudes towards the local authority clerk model varied, and the most commonly cited shortcoming of the SLA approach was the “resource issue...clerks being thinly spread” although this view was not widely shared amongst those governing bodies included in the qualitative research that currently take up a clerking SLA. For examples, several stakeholders and chairs (primarily those who had *not* taken up a clerking SLA, suggested that it can be difficult to contact local authority clerks at short notice, whereas school clerks are a “more dedicated resource...school issues [are] more front of mind.”

One local authority clerk commented that “time management can be difficult” if there is “an issue” with one of the schools. An officer from another GSU acknowledged that there are “pressures in the local authority as clerks have other roles apart from being clerks” although they are given time off in lieu for evening meetings. Many respondents with and without experience of a local authority clerk deemed it to be unwise for local authority clerks to be responsible for a large number of governing bodies. One GSU officer in a local authority offering a clerking SLA to all schools had “grave concerns” about an individual clerk covering more than nine or ten governing bodies.

The second issue relates to inconsistency of personnel: “there does need to be continuity of clerk and that doesn’t always happen with local authority clerks.” It was also suggested that the quality of officers can vary, partly on account of capacity, which can result in significant discrepancy in the quality of service. One stakeholder for example felt that “in appropriate circumstances the local authority clerk is best...but there have always been differences in practice.” Nevertheless, several GSU officers emphasised the importance of continuity, and although there are cases (such as maternity) where a regular clerk needs to be substituted, normal practice is that the same individual would clerk for a particular local authority.

Non-local authority clerking service

The alternative to contracting a local authority clerk is either to use a school staff member “usually the school secretary” or to recruit someone from the local community. Delivering a clerking service through a clustered approach is another model, which involves one school running a clerking service and contracting it to other schools in the local area. The general feeling amongst key stakeholders was that non-school based clerks are less common, although “where it’s happened it can work well.” For example one community clerk to a primary school in North Wales claimed to “know the school well” and to be “flexible with meetings”, and put this down to the fact that “I don’t have to juggle two or three schools.”

Similarly one “small benefit” of a school based clerk is that they would “possibly have more time.” One stakeholder, who had suggested that local authority clerks can be over-stretched, commented that school-based clerks in particular “could be more focused”. One chair felt that it can be quicker and easier to obtain information when the clerk is based in the school: “I know where Tara⁴⁷ is all the time...it works very well here.” Another chair in a local authority not offering an SLA at all was more extreme in his views, acknowledging that “some schools have to share a clerk” but stating that they “would not like that [we] want someone who is available for us.”

However, others disagreed with this, and one chair in particular recalled her experience of a school based clerk in the past who had multiple other responsibilities; “gone are the days when the school secretary just collects milk money”, and felt that the role of governing body clerk can be yet another duty added to an already full remit.

It was suggested that it is more difficult to maintain consistent standards of clerking in local authorities with limited (or no) local authority clerking provision, partly due to more variable expertise amongst non-local authority clerks, and partly because the arrangements are largely independent from the local authority, with consequently more limited monitoring of “the quality of clerking” across different governing bodies.

The issue of monitoring performance links to another concern mentioned by several stakeholders and practitioners who suggested that governing bodies’ horizons can be limited by the expertise of the clerk, and that “you don’t know what you don’t know.” One GSU officer suggested that “if a governing body got on fine with their clerk, they might not be aware what they could have.” This point was illustrated pertinently by one chair who said “Marion⁴⁸ has always been the clerk...she’s been here for ten years.” If the local authority has less insight into the skills and capabilities of non-local authority clerks, this can become even more of an issue.

Governors who have experience of more than one model are probably best placed to comment on how they compare. In one area with partial take-up of local authority clerking one chair pointed to a change in the level of support the governing body received from the local authority since they took up the SLA. In the past when they

⁴⁷ Name has been changed to protect anonymity.

⁴⁸ Name has been changed to protect anonymity.

had a school based clerk the GSU were apparently “more reluctant to provide help” to the former clerk and governing body.

5.4 Secretarial functions

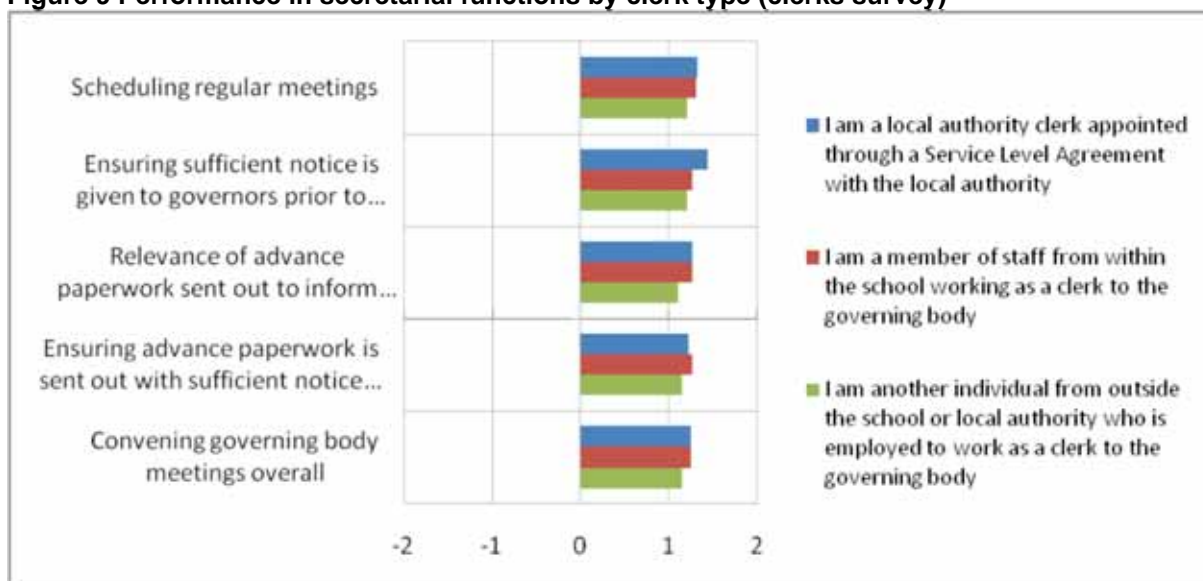
Introduction

Key stakeholders who were most familiar with legislation outlined the main secretarial functions of a governing body clerk being to convene, attend and minute meetings⁴⁹, and provide administrative support to governing bodies, where necessary.

Given that this role is easily defined and is a mandatory function of governing body clerks, it is unsurprising that clerks participating in the survey rated themselves fairly highly in the main secretarial aspects of their position.

⁴⁹ Specifically: to ensure meetings are quorate; to provide minutes; to clarify what can and cannot be done; to follow up actions for example accessing information from the local authority.

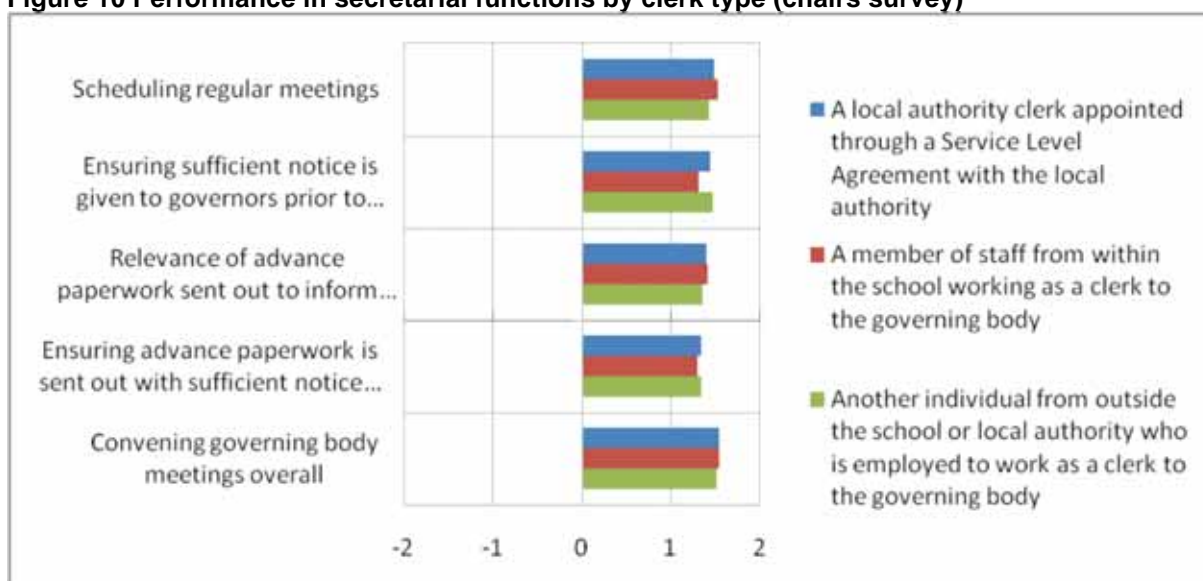
Figure 9 Performance in secretarial functions by clerk type (clerks survey)



There was little difference in ratings between the three different clerk types, although in every function community clerks rated themselves lower on average.

The following graph also shows little distinction between the three clerking models in how responding chairs rated the some of the key secretarial functions of their clerks.

Figure 10 Performance in secretarial functions by clerk type (chairs survey)



Local authority clerking service

Based on the survey results, local authority clerks evidently perceive themselves as being as good as school based clerks or better in all functions listed in the table above, except for sending out advance paper-work with sufficient notice. In the chairs' survey, local authority clerks were rated higher than community clerks in every aspect, although school-based clerks were seen to be better on average at scheduling regular meetings and providing *relevant* advance paperwork than clerks contracted through an SLA. This latter point is particularly interesting, given that

during the qualitative research, one of the most commonly cited strengths of the SLA model was that the clerk was generally better at keeping governors up to date with current policy documents. However, the difference is only marginal across all functions.

Whilst there were a few instances during the qualitative fieldwork where commentators suggested that local authority clerks may not have as much time to dedicate to individual schools, in the most part stakeholders and governors commended the administrative structure offered by the SLA. Moreover, there were no examples of critical feedback on the secretarial functions of the local authority clerk from governors actually taking up the SLA; the minority of negative comments came from governing bodies where the SLA is not offered or taken up, or from school or community clerks.

One stakeholder felt that local authority clerks are more consistent in their secretarial tasks, adopting the “local authority style of minuting”, whilst a chair described their clerk as “almost a professional clerk”, who is efficient in following the procedures required for a governing body meeting. Another chair, comparing their local authority clerk with previous experience of a school based clerk, suggested that the SLA model brings in a “different dimension...ensuring the right procedure, for example getting the minutes signed.” Similarly a head in a different school in a similar position felt reassured that “the new clerk knows how many people should be on the board...statutory and legal requirements.” This relates again to the issue about assurance and accountability, and there is evidence to suggest that some governing bodies can be more reliant upon the local authority clerk for “making sure the procedural things are right.”

The administrative advantages offered by the wider GSU can also be seen as an advantage; for example one governor welcomed the fact that the minutes can be translated in-house.

Non- local authority clerking service

The graph on page 39 shows that school-based clerks were broadly comparable with local authority clerks in the way they rated their performance in some of main secretarial functions of a clerk. This was also true in the case of how chairs rated school-based clerks. The only marginal anomaly related to punctuality, both in terms of providing sufficient notice to governors prior to meetings, and sending out advance paperwork; in both these functions chairs rated school-based clerks the lowest on average of the three clerk types. However in terms of the relevancy of advance paperwork, school clerks received the highest average rating.

Across all aspects of work, community clerks rated themselves lower than local authority and school based clerks. This could be seen as a reflection on the self-confidence of clerks who are neither employed by the school nor the local authority. For example, one community based clerk in South East Wales commented “I don’t think I’m meeting my own expectations.” Moreover, when asked about their views on their functions, the differences in scale of responsibility mentioned by non-local authority clerks in general suggests that although clerks may think they are fulfilling their responsibilities, this may reflect the variation in how the clerk’s

secretarial role is perceived by clerks and governors. For example, one school-based clerk identified the role to include “keeping a check on the period of office of each governor and contacting the local authority when the term of service ends.” In other cases expectations (of clerks and governing bodies) are more limited to the core tasks of keeping minutes and sending out agendas. By contrast, local authority clerks were generally more consistent in identifying their administrative functions.

Time can be another factor, in that community clerks are likely to have other jobs or responsibilities that can take precedence over ensuring administrative tasks are carried out promptly. One clerk for example acknowledged that her post-graduate qualification “takes priority.” It is therefore interesting that in terms of the chairs’ survey, community clerks were rated higher than school based clerks in being punctual with giving notice of meetings and sending out advance paperwork, and in both these areas, the average rating was comparable with how chairs regarded local authority clerks. However, the differences between the ratings in both surveys were only marginal, and there are no functions where any of the three models appears significantly better or worse.

There is another issue which can relate to how the role itself is perceived and performed by community clerks. The qualitative research has revealed several instances in more than one local authority where the clerk is not paid by the governing body, and some commentators have suggested that this could risk lowering the perceived status of the clerk’s role on the grounds that it becomes a “voluntary undertaking rather than a paid job.”

It was suggested that community clerks can bring a variety of skills to the role, commonly on account of previous relevant experience, in either an educational or, (more commonly) an administrative capacity. One community clerk for example “had experience of working for a number of different committees” and was commended as being particularly efficient by the chair of the governing body. Another school-based clerk was also clerk to the local town council and had sat on other committees in the local area, affording her with skills in minute taking and familiarity with formal meeting procedures.

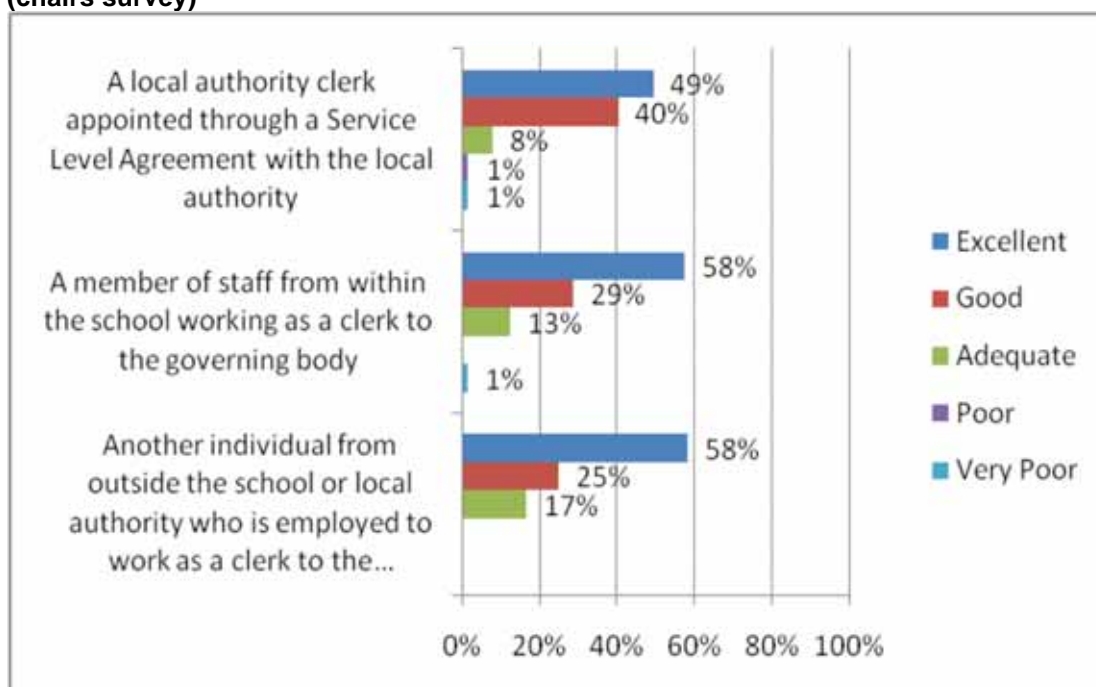
A chair of one governing body that has not always had a local authority clerk described the former school based clerk as “hugely efficient.” It was not uncommon for governors who have currently got a local authority clerk to commend the administrative capabilities of a previous community or school clerk, albeit often in comparison to poorer performance in an advisory capacity or in policy knowledge (discussed below).

In one local authority where an SLA is not offered at all, the administrative role of the clerk varies between primary and secondary schools. This is likely to be a reflection on the fact that most primary school clerks in this area are from outside the school and in these cases “it’s often the head that runs things.” However, in secondary schools in this local authority, clerking is generally undertaken by a member of school staff and “it’s the administrative officer who sets the agenda.”

Whilst the benefits of having a standardised administrative procedure are seen as an a strength of the SLA model, the flexible and less formal approach taken by non-local authority clerks have been referred to in several cases. For example one governor from North Wales commended the adaptability of their school-based clerk in her secretarial capacity describing her as “expedient” making communication “trouble free” and corresponding via telephone, letter or e-mail: “whatever is appropriate for the governor.” Another example of “going the extra mile” was a community clerk in South East Wales who took account of a governor who had recently been bereaved, by making contact separately.

However, this was not reflected in the feedback from chairs on the performance of any “other functions as determined by the governing body” where school clerks and to a greater extent community clerks received a fairly lower average rating than local authority clerks.

Figure 11 Clerk performance of any ‘other functions as determined by the governing body’ (chairs survey)



5.5 Knowledge and guidance

Introduction

In terms of providing advice and guidance, it was suggested by several stakeholders and numerous governors that an effective clerk has good knowledge across a wide range of areas “a generalist not a specialist.” One key stakeholder felt that the areas of knowledge that clerks require exceed those specified in the regulations: “someone who is up-to-date with procedural and educational policy...with some legal knowledge to steer the chair if necessary.” Other stakeholders differentiated between these areas suggesting that the role of the clerk is to provide “advisory support on procedural issues largely...not so much on educational policy.”

Whilst the prevalent view was that clerks are not expected to have “expert knowledge in all areas”, stakeholder and governors alike identified the value of a clerk who is aware of other sources of guidance and information “for example a key contact in the local authority or the Governors Wales helpline.”

Understanding the role and responsibility of the governing body as an organisation is also crucial in enabling clerks to provide direct advice on general policy or procedure and to signpost the chair to further guidance on specific policy decisions. This relates to a further responsibility that clerks have to keep themselves “up-to-date with policy coming out of WAG or the local authority” and “to communicate information” to the governing body and provide the necessary documents.” One stakeholder went on to add that some of these functions “go above and beyond core secretarial duties” and “can be omitted sometimes if clerk is not doing their role properly.”

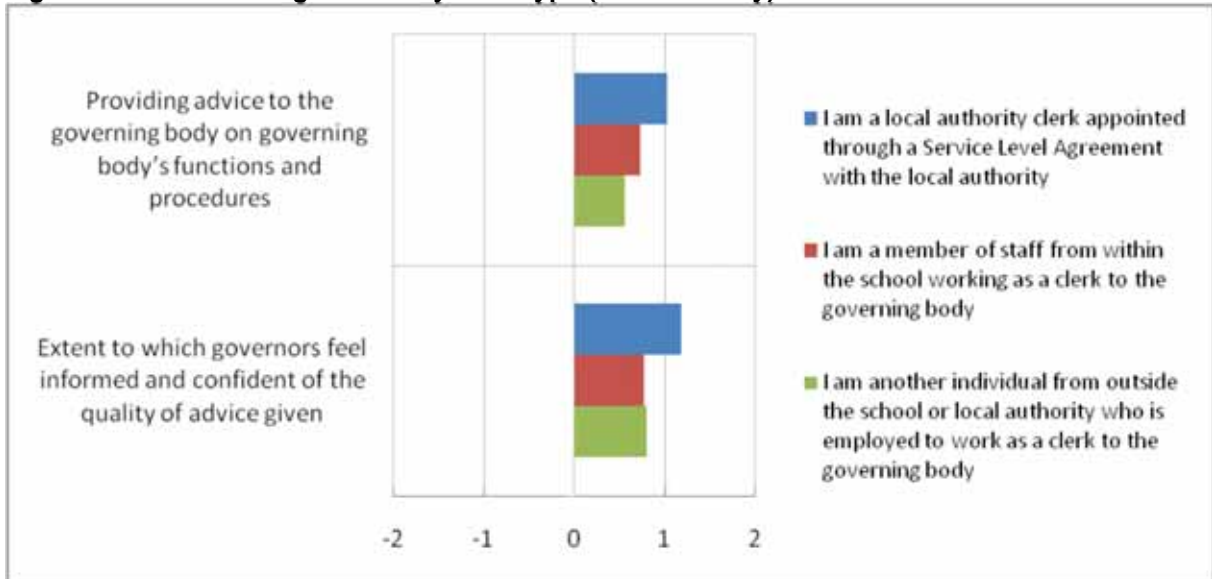
Views on what the advisory capacity encompasses vary considerably within different GSUs and amongst governing bodies. A GSU officer in a local authority not offering an SLA felt that clerks “are not expected to be in an advisory capacity” and recalled a “problem” that arose “in a couple of cases” where “the clerk expressed his/her own opinion.” Similarly a governing body chair in North Wales did not perceive the (school based) clerk in an advisory capacity, but as a “link between the teachers, head and the governors.” Interestingly the clerk to this same governing body claimed that “the Head or the Chair may turn to me and ask me anything.”

Commentators who were more familiar with the functions set down in the 2005 regulations felt that ambiguous wording of providing a governing body “with advice on its functions and procedures”⁵⁰ accounted for different interpretations of the clerk’s role. In other cases this also reflected more limited expectations on the part of the governing body of the depth of support that clerks should offer: “the advisory capacity is quite vague...we don’t expect the clerk to give advice on specific things but just to give us general advice.” A community-based clerk in South East Wales acknowledged that “the law bit is difficult...but I don’t think they [the governing body] expect that.”

The graph below shows how clerks rated themselves on average in the provision of advice. In this case the differences in average self-perception between the different clerk types are more apparent.

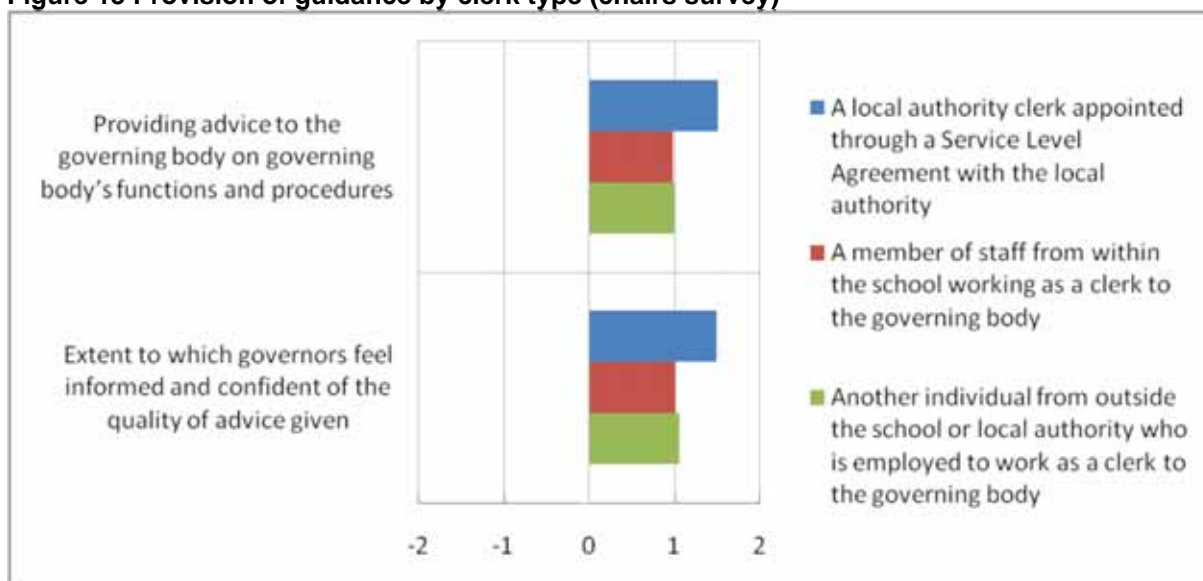
⁵⁰ *Government of Maintained Schools (Wales) Regulations 2005.*

Figure 12 Provision of guidance by clerk type (clerks survey)



The findings from the chairs survey are also more disparate, although on average chairs rated community clerks higher than school-based clerks.

Figure 13 Provision of guidance by clerk type (chairs survey)



Local authority clerking service

The results from both surveys suggest that on average local authority clerks are perceived, and perceive themselves better than non-local authority clerks of either type, in terms providing advice and informing governors. Moreover, in both aspects, chairs rated local authority clerks higher than local authority clerks rated themselves.

This finding was strongly endorsed through the qualitative research where the knowledge and guidance of individual clerks, taken from both their experience as a clerk and from their position within the local authority were perceived to be amongst the main advantages of this model, particularly in terms of knowledge of governance law and of procedural requirements for meetings: “[the clerk] knows what kind of information the chair should be sharing with governors.”

The benefits of wider expertise within the local authority and of experience from other governing bodies were the other major advantages said to be offered by local authority clerks, suggesting they provide contextual advice from clerking more than one school: “we get to know if our problems are generic or specific to our school.” Others agreed that the clerk brings “experience from other schools” and also “from other clerks.”

One head described their local authority clerk as a “one-stop-shop” for advice and information, and commented that she can also “refer on to her colleagues” on things she does not know herself. Several local authority clerks felt the role can often involve signposting chairs or heads to the right information: “if I don’t know it myself I usually know where to find the information out.” Reassurance that “you know you’ve got that back-up there in terms of knowledge and procedure” is also an advantage of the SLA model. One local authority clerk claimed to “provide more support outside of meetings for governing bodies that I clerk...liaising with HR for example.”

Another local authority clerk felt that the need for a centralised (and consistent) clerking service is particularly important given the “different levels of experience and understanding of legal issues amongst chairs”. Similarly several chairs who had not

always appointed a local authority clerk felt that the knowledge and experience that they offer is the main benefit, which in some cases contrasted strongly with previous experiences.

Views on how far a local authority clerk can and should provide advice in other areas appeared to be more varied. Some commentators felt that local authority clerks are generally more au fait with educational policy, with one individual describing the local authority clerk as “an experienced professional” who is “very knowledgeable of educational law and procedure.” However a governor in another school said “we wouldn’t expect the clerk to provide detailed advice on educational issues, but would know where to go to find it.” Only a very small minority of commentators were less effusive in their feedback identifying “patchiness” in the knowledge and advisory capacity of their local authority clerk.

Non-local authority clerking service

The results from the clerks and chairs surveys show that both school based and community based clerks received a lower average rating than local authority clerks both in providing advice and in terms of the governors themselves feeling confident in the quality of the advice given. In the case of community clerks, they rated their performance substantially lower than local authority clerks.

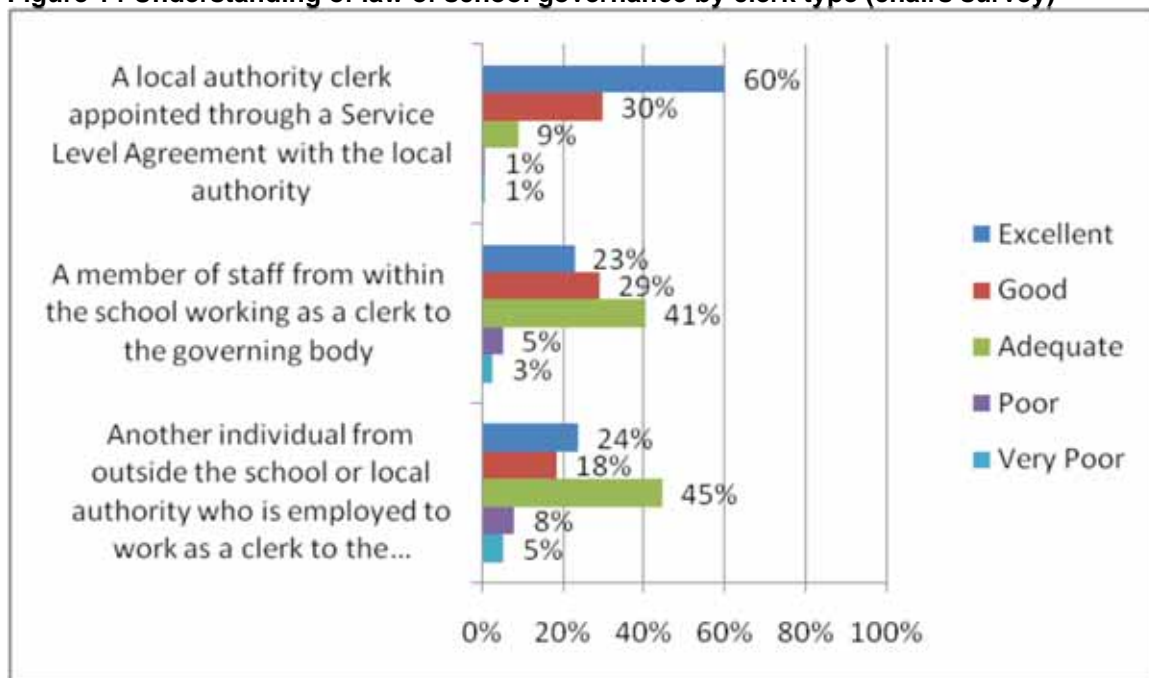
Most stakeholders recognised considerable variation in the performance of non-local authority clerks that can depend upon the clerk’s job description as well as individual ability and experience. There is also evidence to suggest that inconsistencies in views on what the advisory role of the clerk *should* involve are greater amongst non local authority clerks. One community based clerk in South East Wales was “not sure I can give my own opinion.” Another community clerk in North Wales was similarly “not sure how much a clerk is expected to know.”

A key benefit of a school based clerk is that they are likely to have “greater knowledge of the individual school.” However, many commentators qualified this by stating that whilst contextual awareness can be an advantage, and the arrangement is likely to “cost less for the school” there can be a deficit in policy and procedural knowledge. One local authority clerk felt it would be “impossible” to provide the “breadth of advice” if she was not in the local authority and several others in the same position in other local authorities also made this point. One in particular described the experience of clerking a governing body where an independent clerk had previously been in post: “[at] their first meeting they weren’t even aware of meeting protocol.” A chair who had not always taken up the SLA claimed “we were rolling along doing what we’ve always done” with the previous school-based clerks, but that taking up the SLA brought a: “different dimension...bringing in experience from issues in other governing bodies or schools.”

This attitude is strongly reflected in the comparative feedback from chairs regarding understanding of laws of school governance amongst each clerk type. 90% of chairs with local authority clerks rated them as either good (30%) or excellent (60%) in their understanding of school governance law. This compares with only 52% of chairs with school clerks and only 42% of chairs within community clerks rating their clerks as

either good or excellent. Amongst the latter cohort, 13% rated their clerk as poor or very poor (this compares with only 2% of chairs with local authority clerks).

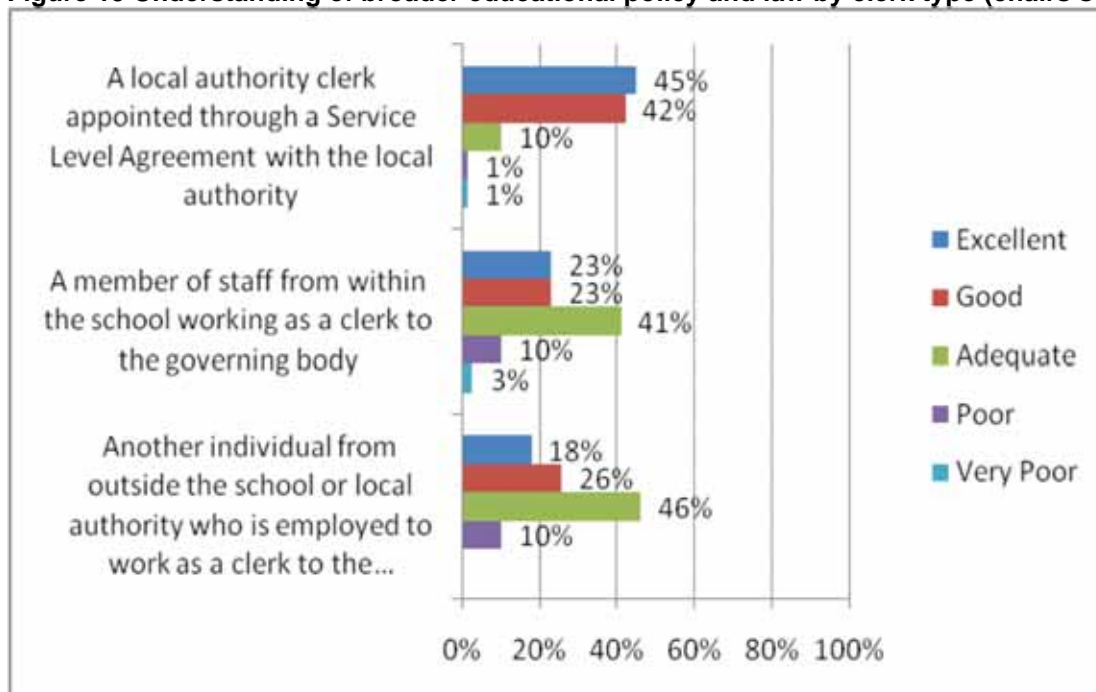
Figure 14 Understanding of law of school governance by clerk type (chairs survey)



The particular area where several non-local authority clerks identified a gap in their own knowledge was in governance law and to a greater extent in broader educational policy. One community clerk from North Wales claimed to be “very happy to help...however in terms of governance law in particular I have a basic understanding.” The governing body clerked by this commentator was very content with her performance in general, but views were more tempered on her understanding of education law which was deemed only to be “as well as can be expected...none of us are solicitors.”

Moreover, feedback from chairs on their respective clerk’s understanding of broader educational policy and law overall suggests that despite some views to the contrary, local authority clerks are in the main regarded most favourably. Almost 90% of chairs with a local authority SLA rated their clerk as either good or excellent, which compares with only 46% of chairs with school clerks and 44% of chairs with community clerks.

Figure 15 Understanding of broader educational policy and law by clerk type (chairs survey)



However, this more negative view of the skills and knowledge of non-local authority clerks was by no means unanimous amongst those included in the qualitative research and one governing body in North Wales “depends on [the community clerk] to find out what the statutory requirements are for us as governors... ensures that we operate within the requirements of the law.”

Some stakeholders felt that school based clerks can offer more than simply contextual knowledge of the school, but that in secondary schools in particular the clerk can be a fairly senior member of staff (for example a school bursar), who is likely to have “a much clearer more focused idea about what is needed” in terms of the school budget and other financial issues. For example one chair in North Wales described their clerk’s understanding of education law as “sufficient” but as an administrative officer within the school the governing body “appreciated” the clerk’s expertise on “financial side of things.”

Similarly, some commentators felt that community clerks can have a more diverse range of skills in that they are a more disparate group. For example if the clerk comes from a business background, they are likely to be “used to running or participating in an effective meeting” and in some cases more self-motivated “and so will take on extra responsibility for finding out about legislation and for communicating with the local authority.”

5.6 General skills

During the qualitative research governors pointed to various generic skills that were valued in their clerk. Some of the most commonly cited attributes applicable to both local authority and non-local authority clerks included “good interpersonal skills”, “a good business background”, an ability to “communicate with the local authority”, flexibility and reliability and good communication skills with governors.

Amongst governing bodies recruiting a clerk independently, some of the additional qualities were more distinct and often came of previous work or voluntary experience. For example one community clerk had a background in Further Education and was commended by the governing body for being “on-the ball” and having a “dynamic relationship with the relevant people in the local authority.” Another community clerk who had been long in post was seen to “understand the school’s ethos” and was also “very good at practical things...involving buildings etcetera.”

5.7 Perspective and objectivity

Local authority clerking service

Whilst the section above indicates that the benefits of local authority clerks in terms of knowledge and experience are acknowledged fairly widely, opinions on how impartial local authority clerks can be appeared to be more divided. One of the common concerns expressed about governing bodies being clerked by a member of the school staff related to the relationship between the head and the clerk. By contrast, a local authority clerk is “not going to be influenced by the head” and so is “more objective.” One commentator recognized that a local authority clerk “doesn’t have as much knowledge of the school [as a school-based clerk]” but felt that to some extent “this is a benefit” on the grounds that having contextual knowledge can make it “more difficult to retain objectivity.”

However, others felt that the clerk’s position in the local authority can cause a potential risk of conflict of interest in terms of their proximity to LA interests. In practical terms this can result in “time pressures with other work commitments” which in turn can limit the resource the clerk can devote to individual schools.

Some stakeholders felt that clerks as well as governing bodies can be disadvantaged by the SLA arrangements. For example if there is a disagreement between the LA and governing body the clerk can feel “caught in the middle”.

One stakeholder went as far as to suggest that local authority clerks can be “quick to defend the local authority” rather than prioritising the interests of the school “the pressure of [the clerk’s] boss in the local authority could be brought to bear in some instances.”

However, whilst practitioners identified this as a potential risk, many governors and heads were keen to defend the neutrality of their local authority clerk. One head acknowledged that there can be “tension” if the governing body “doesn’t agree with something the local authority is doing” but was adamant that the clerk “does not

show bias” and “never pushes the local authority agenda.” One governor suggested that a local authority clerk can serve an important intermediary function “if the governing body falls out with the local authority.”

From the clerk perspective, there was recognition that “it can be embarrassing if the governing body is expressing criticism at a colleague” in the local authority, but one clerk could not think of an example where she “felt compromised in her role as a local authority employee” and apparently the governors will usually make a friendly gesture indicating that they “are not getting at me”.

One stakeholder speaking from Governors Wales felt that the felt that the robustness of the SLA contract and the way it is interpreted are the crucial factors: “the SLA needs to be written in the right way and taken in the right spirit...so all issues should be resolved.”

In the most part local authority clerks were perceived to be necessarily impartial, although more than one governor expressed concern that things could change if local authorities are required to condense the clerking service, which could put clerks in a difficult position if they are required by the local authority to devote less time to clerking: “our clerk might feel a bit torn between the boss in county hall and our interests.”

Non-local authority clerking service

A number of key stakeholders suggested that it is harder for school based clerks to remain impartial over controversial issues, particularly in cases where the head teacher is very dominant. If the clerk also works in the school “the dynamics are different...in the relationship with the head” and “it might be in the head’s interest to maintain more control.” In a similar vein it was suggested that a school-based clerk “might be less confident than a local authority clerk to challenge the chair.”

There are indications that school based clerks can be perceived in a more subservient role. For example one secondary school governor commented that the fact the clerk “works quietly” is an important strength. In another case the chair stated that “the clerk knows that they are answerable to the head.”

Moreover, whilst having contextual knowledge of the school was recognised as an advantage to some extent several commentators suggested that “it can make it more difficult to remain objective.” One individual in particular was concerned about the lack of safeguards both against bias and indiscretion: “the clerk would have to be very conscious of confidentiality...it would depend on the integrity of the individual.” By contrast one of the main benefits of having a clerk drawn from the wider community related to objectivity: “if they are not part of the school then there is no conflict of interest” and “they are less likely to be biased.”

Nevertheless these concerns about inappropriate relations between the head and the clerk, and bias of the clerk were contradicted by many governors with experience of a school clerk. For example one head felt that their school based clerk “has a very good understanding of the school, but is always objective” and has “a very balanced perspective.” One school-based clerk emphasized the need “to be discreet...it’s

important to note decisions rather than every syllable that's uttered." In another local authority where an SLA is not offered at all, the head and the clerk were deemed to "respect each other hugely...the head asks her for advice."

5.8 Summary of main points

There is widespread understanding that the clerking role is "two-fold" in terms of the secretarial functions and the advisory role in offering advice to the governing body on "procedural and constitutional issues".

Views on what the advisory capacity encompasses vary considerably within different GSUs and amongst governing bodies.

There is also a general recognition of some differentiation in standards of clerking, even within the same local authority

The main benefits of the SLA model include:

- More clearly defined duties of the clerk and greater accountability;

- The existing knowledge base of the clerk and their position within the local authority;

- Generally more assertive (local authority) clerks, who are more confident in their own knowledge and have greater independence from the school;

- Wider expertise within the local authority and experience from other governing bodies;

- The administrative advantages offered by the wider GSU.

Shortcomings of the SLA model include:

- Concerns about limited resources leading to individual clerks being responsible for large numbers of governing bodies;

- Variations in the quality of officers;

- The clerk's position in the local authority can potentially cause a conflict of interest.

The main benefits of alternatives to the SLA model include:

- A flexible and less formal approach taken by non-local authority clerks;

- A more concentrated level of support given that the clerk is only responsible for a small number of schools (if not a single school).

The main benefits of having a school based clerk in particular include:

- The clerk is familiar with the local context;

- The clerk is located in the school and is easy to contact;

- The clerk (particularly in secondary schools) can be a fairly senior member of staff (for example a school bursar), with a high level of skills and understanding.

The main benefits of having a clerk from the community in particular include:

The clerk can bring a variety of skills to the role, from previous relevant experience, in either an educational or administrative capacity;

The clerk can offer objectivity that is independent of the local authority and the school.

Shortcomings of an alternative approaches include:

Greater difficulty in maintaining consistent standards of clerking;

More limited performance monitoring across different governing bodies;

The risk that governing bodies' horizons can be limited by the expertise of the clerk;

Competing priorities from other jobs or responsibilities held by community clerks or other administrative responsibilities of school based clerks;

The risk that voluntary clerking lowers the perceived status of the clerk's role;

Considerable variation in the performance of non-local authority clerks depending upon the clerk's job description as well as individual ability and experience.

Shortcomings of having a school based clerk in particular include:

It can be harder for school based clerks to remain impartial over controversial issues, particularly in cases where the head teacher is very dominant.

School based clerks can be perceived in a more subservient role by the head and the rest of the governing body.

6. Guidance and support for governing body clerks

6.1 Strategic level

Both the 2005 Government of Maintained Schools (Wales) Regulations and the School Governors' Guide to the Law are the main sources of documentary guidance for governing body clerks at a national level. The regulations are there "to ensure everything's covered in terms of legality" but some observers felt that "there is a need for a Wales-specific national guide for clerks", such as the manual for clerks and chairs available in England which has been described as "useful and transferable...although the policy is different, the process is the same."

The support and resources offered by Governors Wales is also an important information source, described by one stakeholder as "a critical friend." However, one Governors Wales representative suggested that "some of the issues coming from other governors are about things that clerks could answer if they'd had proper training."

Nevertheless several local authority clerks pointed to Governors Wales as an important source of information: “I often ring [Governors Wales] to run things by them” or “to refer governors to Governors Wales” if the issue is particularly complex. Most clerks interviewed during the qualitative research referred to Governors Wales, and were generally favourable in their views on the organisation. One commentator valued the helpline in particular which is “there to tackle specific issues.” One school based clerk felt that the Governors Wales literature “widens your area of thinking.”

During the qualitative research the only negative views on Governors Wales were expressed by a couple of governors, and the attitude was more indifferent than critical: “I’ve never contacted Governors Wales...but I’ve never been impressed by their publications.” Moreover, in both these cases, the governing body felt that the (local authority) clerk was extremely knowledgeable, and was a sufficient source of information for the governing body.

6.2 Local level support

Local authority level support and guidance was commonly perceived to be the most valuable for clerks although there is similarly widespread recognition that provision is by no means consistent: “it’s not an equal playing field across Wales in terms of what support clerks get.”

Some authorities run a clerks’ forum involving “a termly meeting of all clerks to compare ideas.” Where forums are facilitated the feedback from clerks is very positive, although an undermining factor is that it can be difficult to have time off to attend – particularly an issue for school based clerks who work school hours. One school based clerk who had strong support from the head to attend forums, strongly commended them, but added “you always see the same faces [at the forum] ...it’s not easy for everyone to have time off.”

The feedback from most clerks suggests that informal advice and guidance provided by the GSU over the phone and via email is the most widespread and ultimately the most important. One clerk in North Wales described the “assistance over the phone” as being “a lifeline.” A community clerk in South East Wales similarly valued the informal advice “at the end of a telephone.” A school based clerk stated “I know the basics and if I need more, I ask [the GSU officer]”, whilst a school clerk in another local authority described the GSU as “thinly spread but very good...always helpful.”

Relevant information will also be sent out generally via email, for example one local authority sends a monthly report to all governors, which includes topical news and updates on legislation. Another GSU produces a Governors’ Newsletter which includes a clerks’ corner providing appropriate information⁵¹. However some stakeholders queried the value of documentary information, on the grounds that “the big question is whether this [guidance] information reaches the clerks...emails can get lost...communication is so important.” One clerk felt that it was often “pretty general” and that the “ad hoc guidance” via the telephone or email is the most useful.

⁵¹ For example suggested meeting agendas, prompts to elect the chair/vice-chair, to update/review the contact details of governors and the committee structure, and to confirm the calendar arrangements

A minority of governors expressed concern about differentiation in the level of support offered to governing bodies (and in turn their clerk) based upon their decision on whether or not to take up the clerking SLA. The chair of a governing body with a local authority clerk currently commented that the GSU had been “more reluctant” to offer advice on “legal matters”, for example, in the past when the governing body had a school based clerk.

However this was contradicted by one GSU clerk working in a local authority with partial take-up of the clerking SLA. She described some fluidity between the service that governing bodies receive through the clerking SLA and the support given to governing bodies (and clerks) through standard governor support, for example giving “advice to school clerks on wording minutes” or for “advice on appointing community governors for example.”

6.3 Summary of main points

Both the 2005 Government of Maintained Schools (Wales) Regulations and the School Governors’ Guide to the Law are the main sources of documentary guidance for governing body clerks at a national level.

Governors Wales is also an important information source.

Local authority level support and guidance is commonly perceived to be the most valuable for clerks although there is similarly widespread recognition that provision is by no means consistent.

Informal advice and guidance provided by the GSU over the phone and via email is the most widespread and ultimately the most important.

Where forums are facilitated the feedback from clerks is very positive, although an undermining factor is that it can be difficult to have time off to attend – particularly an issue for school based clerks who work school hours.

7. Training for clerks

7.1 Responsibility for clerk training

The majority of stakeholders and governors felt that the responsibility for clerk training lies with the local authority, in part if not entirely. This view was shared by some in each of the four regions, and amongst governing bodies which have taken up a clerking SLA and amongst those which have not. In the case of local authority clerks in particular it was suggested that responsibility lies with the GSU “as they provide the service... [it is] not [the responsibility of] the governing body because they pay for the service.”

One commentator felt that local authorities should not only to provide the training but should play an “awareness raising role” actively encouraging clerks to attend. Several community clerks claimed it had been difficult to attend training offered due to other work commitments. Even in the case of school clerks, there is evidence to suggest that other school duties can make it difficult to have time off to attend training. Given that time and logistics are the main factors affecting attendance, some felt that GSUs need to offer flexible training programmes to accommodate clerks in different circumstances, for example, through “distance learning packages”. A head in North Wales with a school clerk to the governing body felt that there should be fiscal incentives for clerks to be released for training: “the schools need to be paid to meet these costs [for staff cover].”

A significant number of stakeholders, GSU officers and governors felt that whilst it is primarily the duty of local authorities to provide training, there is also a role for governing bodies to stimulate demand and enable their clerks to attend: “perhaps we should press for more information.” Heads in particular were called to prioritise clerk training for school based clerks by allocating time to attend courses.

Few commentators felt that responsibility lies at any one level, and most felt that it needs to be shared, commonly between the local authority and the governing body. Some felt that the responsibility for training “lies with everyone”, including WAG. Several stakeholders and practitioners agreed with this point, commenting that WAG have a role “in setting directive.”

Some recognised that “it’s difficult for WAG as all the local authorities have different models.” However, there was considerable support for WAG to make training for clerks mandatory and it was also suggested that “performance monitoring should be part of that.” One commentator suggested that making training for clerks obligatory would ensure equality of provision, given that the decision of whether or not to provide clerk training currently “is a moot issue” for local authorities. It was also felt that this would “raise the status of clerks” and introduce a more standardised understanding of what a clerk’s role involves.

Some governors felt that clerks themselves need to take responsibility for attending training: “they should take it up as they are being paid.” This relates to another issue about awareness, and the need for clerks to be alert to training that is available, as well as for GSUs to promote training effectively. This issue came to light in one local authority where clerk training is offered annually; a clerk in the local authority called

for training “more frequently” on the grounds that she “hadn’t had one for six or seven years” but had “attended “each one that’s been held [sic].”

Amongst those who felt there was a responsibility on clerks themselves one governor was critical of both WAG and the local authority for providing insufficient advice on what clerks need to do and be aware of: “if they had a job description then they would **have** to do it, and therefore the local authority would have to deliver it.”

There were marked differences in the attitudes amongst governors towards clerk training depending upon whether the governing body had a local authority clerk or not. It was a common view amongst governing bodies who have taken up an SLA that formal training is irrelevant: “we pay for the service, we aren’t aware of any training that the clerk receives.”

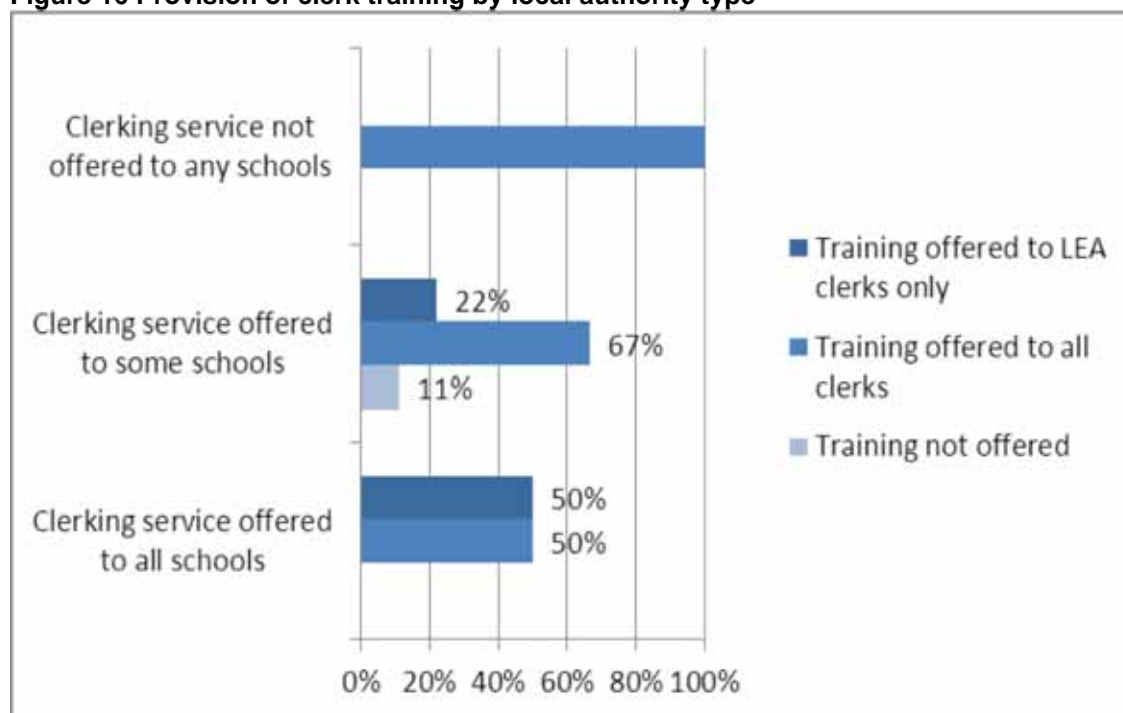
This attitude reflected not only indifference in some cases, but recognition that most of the clerks’ skills and knowledge comes from “on-the-job training” and from the experience of working in other schools, and that clerk training is “as much about talking to other clerks.”

7.2 Provision of training for clerks

Training for clerks is undertaken at a local authority level in the main, although there are GSUs who deliver training in collaboration with other authorities. Most stakeholders were uncertain about the prevalence of training for clerks and many felt that the provision of training is patchy and that whilst “the best local authorities provide training...others don’t...it’s down to resource as well as priorities.”

However, the reality is that only one local authority in Wales is not currently offering clerk training (it is a GSU offering the clerking SLA to all schools). The graph below reveals that all local authorities which do not offer a clerking SLA provide clerk training (ie: for school and community clerks). However, one of the two local authorities offering a clerking service to all schools will provide training for local authority clerks *only*, whilst this is also true roughly a fifth of local authorities offering a clerking SLA to some schools. What this therefore means however is that in four local authorities school and community based clerks are not offered training by the local authority (either because training is not offered at all, or is only offered to local authority clerks).

Figure 16 Provision of clerk training by local authority type



There is considerable ambiguity surrounding training provision for clerks, and whilst stakeholders are aware of clerks accessing governor training, some are uncertain whether local authorities “provide it specifically for clerks.” Some have suggested that priority is generally placed on training for governors, particularly chairs on the grounds that local authorities are statutorily required to provide training for governing bodies.

Cost is obviously a key issue and whilst local authority training provision for clerks is “generally free...it is not mandatory for training for clerks to be free”, and with resource “becoming more of an issue” some authorities are only offering clerk training once a year.

Time and logistics are also factors, particular true in larger local authorities where there are “widespread schools that are small...some clerks won’t travel.” One GSU officer suggested that “it’s becoming more difficult to get people to attend...as they have other commitments.” For school based clerks this can be more of an issue, given that it can be problematic to have time off to attend training, particularly in primary schools where human resource is more limited.

In local authorities with high levels of take-up of the clerking SLA, it is easier and cheaper to train local authority clerks in-house, and where there are particularly low numbers of non local authority clerks it becomes even less viable to deliver training to very small groups. One GSU used to deliver “acting clerk training” for non-local authority clerks in comprehensives, but have stopped offering it, primarily because there is now virtually universal take-up of the clerking SLA. Moreover, some GSU officers suggested that in local authorities with only a few non-local authority clerks, they (and the governing bodies) are far more detached from the local authority, and that even when sessions are available to school or community clerks, attendance is not regular.

Nevertheless, training is commonly being delivered to both local authority and non-local clerks albeit through an inconsistent approach. Six local authorities are currently offering formal or accredited training (four of them do not offer a clerking SLA at all). In the most part accredited training is delivered in group sessions, however, one local authority offers accredited on-line modules for clerks.

Across all 22 local authorities, by far the most common type of training is informal and unaccredited – most commonly in group sessions. 17 local authorities offer informal groups training, whilst ten local authorities offer another type of informal training (one-to-one induction sessions for non-local authority clerks or in house training for local authority clerks for example)

Collaboration with other local authorities in delivering clerk training is not widespread. Half of local authorities offering a clerking SLA collaborate occasionally with other authorities to deliver training. Amongst local authorities that do not offer an SLA at all 27% of them collaborate on clerk training (9% frequently). The proportion of local authorities collaborating on training frequently is actually highest amongst those offering a clerking service to all governing bodies, (11%), though overall they are less likely to do so, given that only 11% collaborate occasionally.

Some local authorities have tried to offer on-line training, but this has not been widespread. There are currently only two local authorities delivering on-line modules (one accredited), however a number of clerks (particularly community clerks) felt that on-line training and on-line forums would be far more convenient than any other type of training.

Clerk training sessions last between one and two hours in over three quarters of local authorities offering training. Three local authorities offer half day training and in one local authority clerk training is said to last a day. Almost all GSUs use some form of materials or resources in training sessions for clerks; less than a fifth of local authorities not offering an SLA at all, and just over a tenth of those offering local authority clerking to all governing bodies use no particular materials at all. Over three quarters of local authorities delivering training use materials developed in house, and over a quarter use materials developed with partners. A similar proportion deliver training using materials from elsewhere, and amongst verbatim responses to the GSU survey and from the qualitative research, the training module for clerks produced by the All Wales Centre for Governor Training was most commonly cited. Awareness of the module was moderately widespread amongst GSUs included in the qualitative research, and several local authorities who claimed to use materials developed in house, acknowledged that the module had been used as a basis.

The feedback from non-local authority clerks who have attended training was generally very positive, described by one clerk in North Wales as being “very thorough and of a high standard.” The fact it was available in close proximity to the school and that the governing body and head were supportive meant that: “I [the clerk] don’t think it would be possible to improve it.”

Another clerk in North Wales described recent training “about the constitution of the governing body” that was “very useful” and also provided the “opportunity to talk to other clerks.” Similarly meetings of the Association of Directors of Education in

Wales were described as “very helpful” in “keeping up to date with regulations.” They also attract good local authority representation and are therefore an ideal networking opportunity. In one local authority, two members of the GSU attend the meeting and then “feed back to the rest of the team”. Many clerks welcomed the opportunity “to discuss ideas and meet other clerks” as much as the training itself.

One school clerk felt the forum run by the local authority (that does not offer clerking at all) “covers clerk training needs” by providing an opportunity for discussion and sharing of best practice. One of the main reasons that the forums are “very good” is that they have a “good balance” of attendees, and involve various activities: “a quiz is a good way of sharing knowledge.” Several clerks saw forums as the most valuable form of training, through which “[the local authority] keep us up to date with policy.” The value of group based sessions was recognised by one community clerk in South East Wales who had a “very helpful” one-to-one induction training (delivered by the GSU), but regrets the fact that due to work commitments she misses “formal group sessions” and so “never meets other clerks.”

It became evident during the qualitative research that training for local authority clerks is commonly on an informal basis. One stakeholder described the common approach being to “train officers in-house” or “mentor new clerks.” This was endorsed by one local authority clerk who described her experience of initial training as “more experiential learning...learning by being involved from the start.” The other advantage of local authority clerks is the degree of existing knowledge, something that cannot easily be contained in a standard training session: “in terms of the advisory side of things, they’d know that anyway.” They also have the advantage of working with other clerks, providing the opportunity to share experiences and best practice.

In some local authorities clerks are invited to attend governor training sessions. However, several clerks pointed out that governors and clerks have very different training needs, a viewpoint also endorsed by several governors. One head in South West Wales commended both the induction training and the clerk forums facilitated by the GSU, but had reservations about clerks attending governor training, that was not “particularly relevant”. A long-standing school based clerk suggested that governor training can be commonly “curriculum focused...not levied at clerks.” She felt it was inappropriate for her in particular on the grounds that “a lot of the training they cover I know from working in the school.” Other clerks also made the point that clerk training needs to concentrate on governance law and clerking procedure rather than general educational policy.

However some clerks have attended certain key governor training events (for example on Child Protection Law) or generic courses on “minute taking” for example, which were found to be useful despite not being “training for clerks per se.”

7.3 Evaluating clerk training

Just under three-quarters (83%) of all governing bodies evaluate training sessions for clerks in some way, although 18% of authorities not offering an SLA, one of the two authorities offering it to all schools and a third of those offering a clerking SLA to some schools do not evaluate training at all. Amongst those that do, the predominant

approach is through post training feedback forms completed by clerks – this is undertaken in all of the remaining local authorities not offering an SLA, the other local authority offering it to all schools, and 44% of authorities offering clerking to some schools. The only other form of evaluation undertaken is through feedback forms completed by governing bodies where the clerk has been sent on training. However, only one local authority (offering clerking to all governing bodies) claimed to adopt this method. The qualitative research revealed an example in one local authority where the GSU uses feedback sheets to identify future training requirements for clerks.

Anecdotal feedback has shown that clerks are generally in favour of training (particularly in group sessions), in terms of both content and delivery: “the training was very good. I got so much information about what to do and when to do it.” Following a recent training group session one school based clerk provided “feedback to the head about what’s happening and what’s changed”, which the governing body corroborated in the subsequent focus group. One community clerk in North Wales was able to point to some details of governance law that she had learned in recent training: “I understand that the one-third has been changed to a half for taking decisions... need the correct personnel for the sub-panels...ensure that governors’ interests forms are completed...that we have the correct number of governors.” Whilst not all commentators were in favour of training on an on-going basis, some clerks felt that given the complexity and mutability of governance law, training on a relatively frequent basis was essential in that it “keeps clerks up to date”.

In terms of impact of training, clerks and governors were more reticent, although there were a few cases where clerks were able to point to some examples of where they had benefited in their role as clerk following training: “I feel that I’ve been able to discuss things with [the head], things that I wasn’t aware of previously.”

However, most commentators had difficulty in identifying specific examples of impact that training has had upon their clerk’s or their own performance: “we complete a standard feed-back form [but] there is no measure of effectiveness or impact of training.” One clerk had attended training on legislation updates which she rated very highly but felt that: “nothing has changed fundamentally – more recent information.” Similarly a governing body chair commended the training sessions for clerks run by the GSU but felt unable to point to any noticeable differences in the way the clerk performed after receiving this training: “[I] don’t know. We’ve never had any problems with the clerk.” This attitude seems to be fairly common across most governing bodies: “no, I haven’t actually noticed a difference.”

By far the most prevalent benefit of training was seen to be the opportunity to “network and see how other clerks perform...share practice” of “to discuss ideas and meet other clerks” which was mentioned by almost all clerks who had attended training in a group session. Inevitably perhaps, most clerks found it impossible to give examples of specific things they had learned. Several clerks felt that forums and/or group training sessions in parallel with “constant good support” from the GSU provided the optimum approach to keeping clerks up to date and competent. One clerk in North Wales was “very satisfied with how things work” and didn’t “think it could [improve]” in terms of training offered to clerks.

7.4 Future approaches to training and support for clerks

In terms of how the future of training and support for clerks is perceived, the majority of commentators felt that “consistency” is “ultimately what we want...we’ve currently got variable quality.” Whilst this review has shown some examples of excellent good practice, many governors and clerks who commended the training provided by their own GSU felt that “there is a need to look at equality of opportunity, as well as the quality of training that is available...no local authority should be at detriment.”

Most stakeholders felt that some degree of training for clerks should be mandatory, although the depth and frequency of training varied. Nevertheless it was at a statutory level that WAG was perceived to have a role: “training [for clerks] should become mandatory”; WAG “needs to make clerk training mandatory.” One respondent felt that the current perception of clerks is also an issue, and that making training for clerks mandatory would “raise the profile a little.” The issues of confidence and accountability – this time at an individual level – were also raised by one GSU officer who was in favour of introducing mandatory training for clerks, on the grounds that it “provides reassurance for them”, in terms of what their role and what they should know.

Differences of opinion arose regarding the intensity of mandatory training, and a significant number of governors and clerks warned against “training for training’s sake” and felt that it is important to get the balance between what clerks need in terms and what can be largely irrelevant: “our role is not to be policy experts.” One clerk for example was in favour of making induction training mandatory for all clerks but was not supportive of training on an on-going basis to become a requirement of the post: “you don’t want unnecessary training.” The risk is that training can become “too repetitive.”

On the other hand, other clerks and governors felt that current provision is insufficient and felt that “training should take place more often.” Some stakeholders felt that given the lack of “a level playing field...the consortia model may be the future...[there] needs to some agreement between local authorities that it is necessary to have some benchmark on how to provide training – collaboratively also.” The need for “standardization of minimum standard of training” was widely supported. It was suggested that pooling resources could provide: “training more frequently.” Moreover it would allow GSUs that are not currently meeting the training needs of clerks to “learn from other authorities.”

However, other stakeholders felt that it is unrealistic to aim for an identical model in terms of clerking arrangements and training “it’s best to accept that no size fits all.” For example one chair felt that Continual Professional Development should be introduced for clerks in some level: “there should be a national agreement or framework...delivered at a local authority level taking account of local services. Others agreed that training “needs to be done on a smaller basis than country wide” but that “we need to be clear about what looks like good practice.”

Several commentators thought that the practicalities of mandatory training for clerks would be easier than introducing mandatory training for governors, primarily because the status of the clerk is different: “they are paid for doing a service...they are not

volunteers.” Others agreed that WAG need to take a strategic role in enforcing training for clerks: “there should be more control over the clerk because it is a paid position...so it [induction training] should be mandatory.”

Several clerks expressed concern about too much of an emphasis on formalised training and many felt that forums are the best way for clerks to share knowledge and experience. Due the problems attending face-to-face sessions, and coordinating mutually beneficial dates, some clerks felt that on-line forums would be most practicable and accessible. At a national level, one governor called for: “a best practice website for clerks.” One local authority clerk felt training per se is not necessarily the most useful She felt “it’s more about actively keeping on top of regulation changes...and transferring this information to governors.” This view was shared by one governing body chair who saw “no need” for the clerk to attend training: “she knows what she’s doing.”

In addition to training, the need for comparable and detailed job descriptions was seen as key to ensuring effective clerking performance: “if a clerk has a proper job description, it sets out their duties and responsibilities far more clearly.” One GSU officer commented that “a check list” of clerks’ responsibilities would be useful to clerks “particularly for induction.” She pointed out that “it still takes a year or two to become a fully fledged clerk” and therefore it would be useful as “an on-going resource.”

It was also suggested that a local authority job description does not need to be exhaustive, and that as long as it includes the mandatory functions, governing bodies should be free to “add additional responsibilities.” Similarly, others emphasised the need to ensure that “what is set down in legislation is fulfilled.” One commentator (who was in favour of training on a fairly regular basis) felt that “training should be in the JD [job description].”

Although the most valuable kind of training was seen to be informal group based sessions, a significant number of clerks appealed for on-line training provision, coordinated at a national level to ensure standardisation: “a useful addition would be an online distance learning package of clerks in Wales set up and managed by WAG or Governors Wales.” Community clerks were particularly in favour of this approach on the grounds that it could be undertaken on an individual basis, and would not require time off from work or “a long travel to a training event.”

Some clerks and governors expressed a wish for training (either for themselves or their clerk) in specific areas. Governance law was the most commonly cited gap in clerking knowledge that could be filled though additional training. For example one clerk who commented (mildly) on the inappropriateness of some of the governor training offered to clerks felt that “we could benefit from more legal training.” There were a few commentators in favour of accredited training potentially through an on-line approach, although this was generally the view of stakeholders rather than clerks or governors.

7.5 Summary of main points

The majority of stakeholders and governors feel that the responsibility for clerk training lies with the local authority, in part if not entirely.

A significant number of stakeholders, GSU officers and governors believe that whilst it is primarily the duty of local authorities to provide training, there is also a role for governing bodies to stimulate demand and enable their clerks to attend. There is some feeling that clerks themselves need to take responsibility for attending training.

There is considerable support for WAG to make training for clerks mandatory and some suggested that this could also encompass performance monitoring.

There is some uncertainty about the prevalence of training for clerks; however, in reality, only one local authority in Wales is not currently offering clerk training (a GSU offering the clerking SLA to all schools).

Issues limiting provision and take up of training include cost (to the GSU for delivery), time and logistics.

Across all 22 local authorities, by far the most common type of training is informal and unaccredited – most commonly in group sessions.

In local authorities with high levels of take-up of the clerking SLA, it is easier and cheaper to train local authority clerks in-house.

Collaboration with other local authorities in delivering clerk training is not widespread.

Most governing bodies evaluate training sessions for clerks in some form, primarily through post-training feedback form completed by clerks, and feedback is generally positive.

The most prevalent benefit of training was seen to be the opportunity to network and discuss practice with other clerks.

The majority of commentators felt that consistency was most important in future training and support for clerks.

8. Monitoring and accountability

8.1 Responsibility for clerk performance monitoring

Stakeholders were not aware of any formal monitoring approach that was consistent across Wales, “apart from Estyn’s monitoring of governing bodies.” The lack of a national approach to performance monitoring and benchmarking largely prompted the launch of the Governors Wales Clerk Award, which sought “to bring to attention the importance of the clerk’s role.”

Opinions on responsibility for monitoring clerking performance are somewhat divided. Whilst the prevailing view is that it is a responsibility for the local authority to ensure a universal minimal standard of clerking, commentators recognize that

accountability becomes more difficult when governing bodies are employing their own clerks.

One of the main justifications for the local authority to assume a role in performance monitoring is that GSUs have a better understanding of what the role should involve. The difficulty with placing the onus on governing bodies is that “you don’t know what you don’t know... governing bodies wouldn’t necessarily know what clerks *should* be doing.” This can particularly be an issue in cases where the clerk has been in post a long time, or if the governing body is inexperienced or fairly compliant.

Many governors felt that in providing the service, the local authority should accept responsibility for quality assuring service provision. Given the formalities of the SLA, and the omnipresent threat of litigation some commentators felt that it is in local authority’s interests to monitor the execution of the service, for example: “if the clerk provided the wrong advice the local authority would be culpable, and might have to pay for any financial costs to the governing body.”

Nevertheless, a significant proportion of commentators (including governors) felt that the governing body should accept responsibility for appraising governing body clerks, even in the case of where an SLA has been taken up: “who’s the client? It’s the governing body’s role.” Another governor came from a similarly commercial perspective: “the onus is upon them...if the clerk is not meeting the terms of the SLA, then the agreement wouldn’t be renewed.” Whilst lack of awareness of what clerks are expected to do was seen by some to be a justification for local authorities to assume responsibility, one governor felt “perhaps governing bodies should know what a clerk’s role involves.”

Others showed only a marginal leaning towards one more than the other: “the governing body has first responsibility in terms of ensuring the clerk is effective...but there needs to be shared responsibility with the local authority.” Another view is that there is joint responsibility on the governing body “as a customer to give feedback” and on the local authority “to recruit and train clerks...ensuring they are capable of meeting their role.

Few commentators identified a role for WAG in performance monitoring, although it was suggested that WAG have greater responsibility in terms of local authorities that do not offer a clerking service or where there is “a lack of a strong support unit.” More than one governor mentioned the need for “strategic direction” or “a framework standard” that should “ultimately come from WAG” albeit developed “in consultation with governors”. However, whilst there was widespread agreement that a universal monitoring framework to assess clerking performance through “measurable” indicators⁵² is needed, stakeholders also acknowledged that it is “difficult to assess policy knowledge, which is subjective.”

Moreover there is by no means a universal opinion that current approaches to monitoring are defective, and that a more robust system is needed. Logistics and

⁵² For example: getting documentation to governors prior to the meeting; highlighting items requiring more attention/discussion; and following up on tasks and actions.

resource are the main factors that led some commentators to oppose change. Governors themselves expressed concern about the cost implications for local authorities to take on a more significant role in performance monitoring in the context of “the current climate” and suggested that any scheme would need to be minimalist: “only a light touch - no bureaucracy”. Others were cautious about placing too much onus on the governing body on the grounds that “governors are volunteers and we’ve got a problem with recruiting anyway.” It was also suggested that “this could also place extra pressure on the clerk”, particularly in the case of community clerks who may not be used to self-evaluation procedures.

Nevertheless, the prevailing view was that a simple self-assessment matrix could be useful, so long as it is straightforward to complete, and does not place significantly extra burden upon local authorities in terms of collating and reporting to data: “an on-line system might work...for clerks and chairs to complete.”

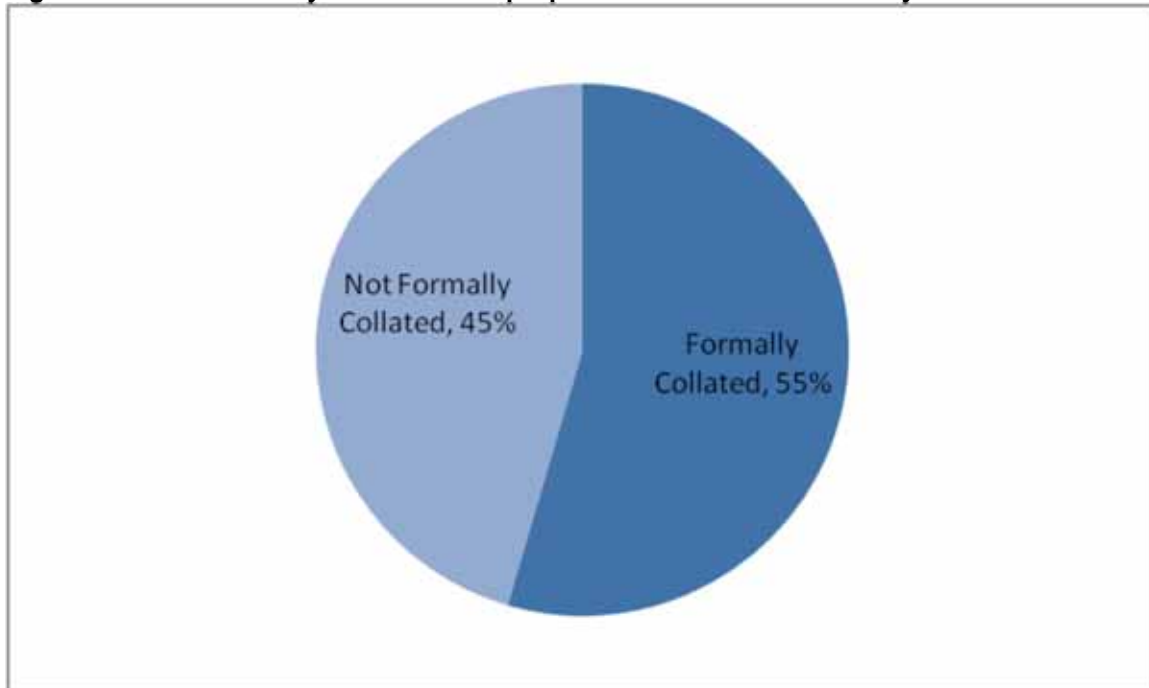
8.2 Monitoring of clerking arrangements

A key objective for this research was to establish the composition of the clerking workforce, in terms of total number of each type of clerk working in Wales. Earlier in this report we have shown the proportion of governing bodies taking up a clerking SLA in each local authority, compared to all schools in the local authority. We also know the numbers of individuals working as local authority clerks. However, whilst local authorities keep basic records of non-local authority clerks, these records are by no means extensive. One GSU officer offered only a “rough guesstimate” of the proportion of school clerks as opposed to community clerks.

The figure below shows the level of awareness amongst all local authorities⁵³ of the number of governing bodies in the authority employing school staff as clerks compared to the number of governing bodies employing other individuals (i.e. non school staff) as clerks.

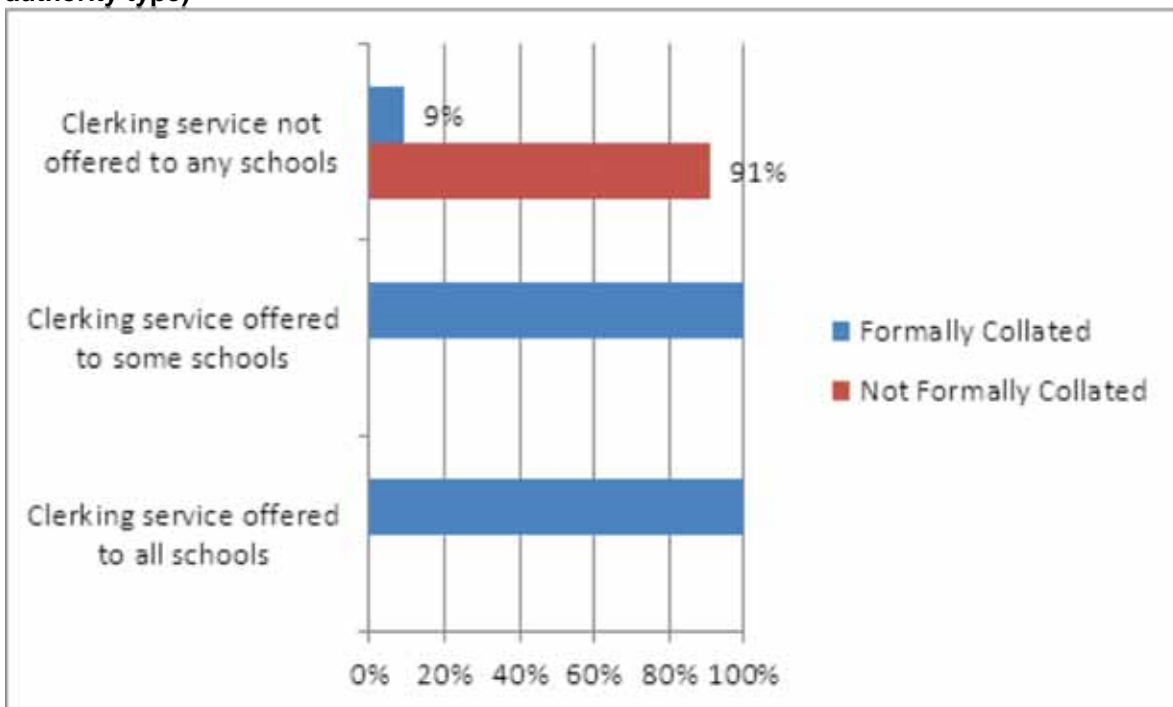
⁵³ Including both those that offer and those that do not offer a clerking SLA.

Figure 17 Local authority awareness of proportion of school/community clerks



There are also marked trends in the authorities that do and do not collate this information, as indicated in the graph below. All local authorities that offer a clerking SLA to some or all schools hold data on the proportions of school/community clerk; however, this is true of less than ten percent of authorities not offering an SLA (in essence, one GSU).

Figure 18 Local authority awareness of proportion of school/community clerks (by local authority type)



Some stakeholders are critical of this marked lack of precision: “local authorities should know the split between school and non-school clerks.” It was suggested that this is an indication of the lack of scrutiny on the part of local authorities, and whilst at the time of interview, stakeholders were not aware of the discernible parallels between offering an SLA and monitoring clerking practices in each governing body, some inferred that this would be the case.

8.3 Approaches to monitoring clerking performance

Monitoring local authority clerking performance

Amongst authorities offering an SLA only half claimed to have adopted a formal method for monitoring the quality of the clerking service, and of them two GSU respondents gave a verbatim description of these procedures; in both cases it involved an annual service review completed by governing bodies. Through the qualitative research it became aware that this was the common approach; one local authority for example undertakes an annual review of all the services⁵⁴ offered to governing bodies and will “feedback negative comments to individual clerks.”

In another local authority the GSU manager makes an annual monitoring visit to a meeting of each local authority clerk, and completes a brief written report on the clerk’s performance in both an administrative and advisory capacity. Individual clerking performance is also discussed during staff appraisals in this local authority.

Most GSUs retain records of minutes, although in some instances “there is no formal process of going through the minutes”, and the collation of minutes was commonly seen to be more of an administrative process than a coherent mechanism for monitoring the performance of clerks.

However an informal approach to monitoring clerking performance was found to be fairly widespread and several GSU officers were candid about the ad hoc feedback that can come from heads and governors, of both a positive and negative nature: “because it’s a small local authority you get good oral feedback.” Communication and “networking between heads is also an important factor” and apparently “heads are not shy to express their opinions.” Whilst this is not a formalised process, most GSU officers were confident that they “would know if there were any issues with the [local authority] clerk.”

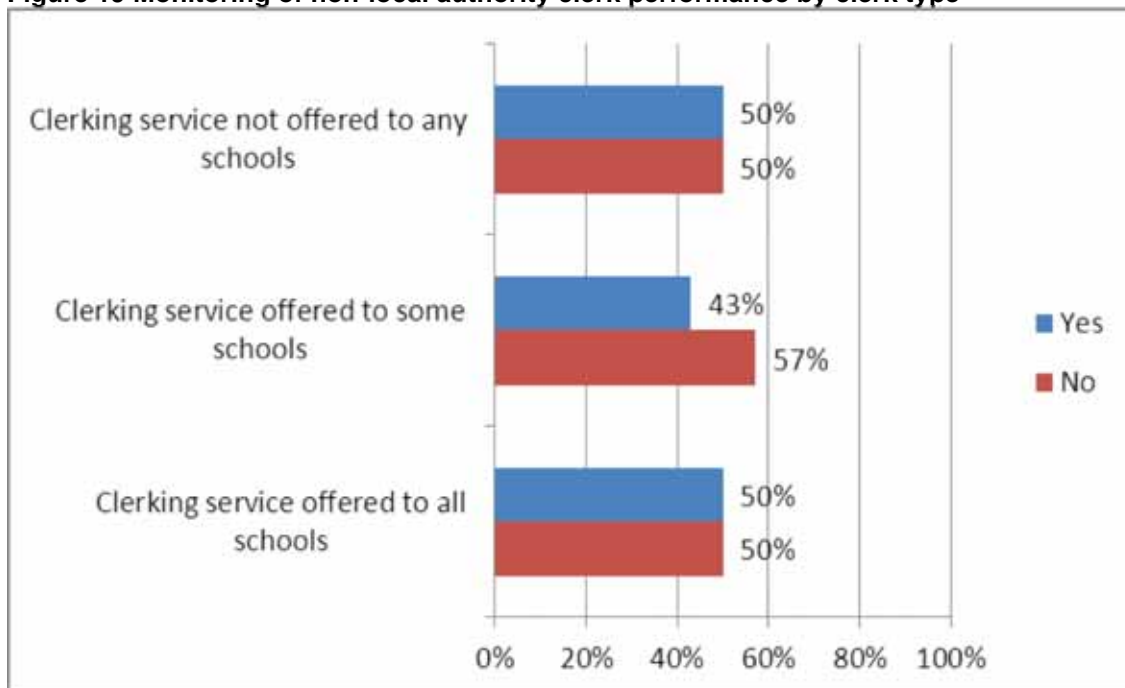
Most governors were content with the way local authority clerk performance is monitored, commonly via “feedback forms.” One governor speaking from experience in another school said “the process of replacing a clerk isn’t difficult...if you are unhappy with the service.”

⁵⁴ Including payroll, finance, legal, HR and clerking.

Monitoring non-local authority clerking performance

The common (albeit anecdotal) view amongst stakeholders was that monitoring of non-local authority clerks is far less extensive in authorities which offer an SLA, than in authorities where all governing bodies appoint their clerks independently. Based on the survey of GSU officers, this supposition is only true to some extent. The graph below suggests that monitoring of non-local authority clerks is undertaken by just under half of all the local authorities in Wales. Of particular interest is the fact that even in local authorities where all clerks are either school or community based, only half of the GSUs are involved in monitoring the performance of these clerks – and in fact the proportion is no higher than amongst local authorities offering an SLA to some schools.

Figure 19 Monitoring of non-local authority clerk performance by clerk type



Moreover, based on the qualitative research, it seems that where GSUs are monitoring non local authority clerk performance, the process is far from rigorous. The most common form of monitoring – in its broadest sense – of non local authority clerks, is to request copies of the meeting minutes. However, there was found to be considerable variation in the extent to which the process is policed, with considerable onus on clerks themselves to supply information. One GSU “asks them to send in minutes...but clerks don’t always do this.” Another officer went as far as to say “if we’re lucky we get the minutes.” A third GSU collates the names and contact details of non-LEA clerks but do not know what governing bodies pay non-local authority clerks. Similarly they will annually request copies of minutes; however “some schools are better than others...really it’s dependent on the school” whether this information is actually provided. These comments came from three different GSUs, all of which offered a clerking service, but had governing bodies in the local authority who were not taking up the SLA.

In one local authority where a clerking SLA is not offered, the GSU provide “recommended minutes format.” However, there is no obligation on clerks to adopt this format, and there are still “differences” in the way clerks produce minutes; whilst they are “generally ok” they “do find spelling mistakes” and some minutes can be “a bit scanty”. A community clerk in the same local authority had “never had any comments [on the minutes] ...even if they are late.” The evidence from both the quantitative and qualitative research suggests the competence of non-local authority clerks relies heavily on the integrity of the individual and/or the shrewdness of the GSU, in that there is little evidence to suggest local authorities are regulating certain functions. For example all governing bodies are required to complete an annual Register of Business Interest, which will be scrutinized during annual audits. In one area, local authority clerks take responsibility for ensuring the register is completed and a copy is retained: “it’s standard policy [for local authority clerks].” However, in the case of governing bodies who are not buying into the SLA, the local authority has “no idea if the clerk insists on the register being completed.”

Nevertheless, there was little evidence to suggest that governors are falsely under the impression that GSUs are playing a bigger part than they really are, and whilst most commentators were aware that minutes are sent in, it was not seen to be strictly policed in any way: “they receive the agenda and minutes – so I suppose that they keep an eye on [the clerk] in that way.” A school based clerk commented that “they see the standard of my work...but there’s no formal monitoring.”

Several clerks and governors alike took a rather pragmatic view that chairs and heads would be aware of any shortcomings and that completing formal appraisal sheets “wouldn’t tell you anything new.” One chair in North Wales was confident that the performance of their clerk was completely satisfactory which meant that a formal monitoring approach was unwarranted: “we don’t monitor...everything that needs to be done gets done.”

In recognition that monitoring of clerking performance is by no means universal, the research also investigated the extent to which GSUs provide governing bodies with guidelines on monitoring their clerks. Half of local authorities offering SLAs to some schools and only a fifth of local authorities offering SLAs to all schools provided such guidance. However, less than a fifth of those GSU who do not offer local authority clerking at all provided guidelines for governing bodies to monitor the performance of their clerk themselves. This is a concern, in light of the evidence that expectations of the clerk’s role varies considerably, particularly amongst governing bodies who are not buying into a centralised service. GSU officers agree that some local authorities provide job descriptions for clerks “but it’s not universal.”

8.4 Development of an evaluation tool

As referred to in the introduction above, the final output from this commission has been an evaluation tool to be used to monitor performance of governing body clerks from the perspective of governing bodies as well as clerks evaluating themselves. This tool has been based upon a set of performance indicators to describe the performance of clerks. These indicators were informed by the functions of clerks set down in the 2005 Government of Maintained Schools (Wales) Regulations and are intended to assist clerks and chairs in making a rational appraisal of performance

against statutory requirements. The evaluation tool can be used in electronic or paper-based format and the onus will be upon local authorities, governing bodies and clerks to take responsibility for completing and collating the self-assessments. The tool can be found at Annex 1. This will provide GSUs with the opportunity to use the aggregated evaluations to identify causes for concern or major discrepancies between governing bodies' and their respective clerk's appraisals.

8.5 Summary of main points

There is no formal monitoring approach that is consistent across Wales, apart from Estyn's monitoring of governing bodies.

An informal approach to monitoring clerking performance is fairly widespread.

Some feel that the governing body should accept responsibility for appraising governing body clerks, even in the case of where an SLA has been taken up.

One of the two local authorities offering SLAs to all schools and only a fifth of local authorities offering SLAs to some schools provided guidance to governors/clerks on performance monitoring. However, less than a fifth of those GSU who do not offer local authority clerking at all provided guidelines for governing bodies to monitor the performance of their clerk themselves.

Amongst authorities offering an SLA only half claimed to have adopted a formal method for monitoring the quality of the clerking service.

Of those authorities offering an SLA the most common evaluation approach is via an annual service review completed by governing bodies. In some authorities the GSU manager makes an annual monitoring visit to a meeting of each clerk and most GSUs retain records of minutes.

Whilst local authorities keep basic records of non-local authority clerks, these records are by no means extensive.

Monitoring of non-local authority clerks is undertaken by just under half of all the local authorities in Wales, and the monitoring which takes place is far from rigorous.

However, there is by no means a universal opinion that current approaches to monitoring are defective, and that a more robust system is needed.

Nevertheless, the prevailing view is that a simple self-assessment matrix would be useful.

9. Conclusions and recommendations

One of the strongest messages emanating from this review is that governors do not want a radical change to the clerking system. Whilst there are some significant causes for concern of a virtually universal nature, particularly the lack of a robust

approach to ensuring a minimum standard of performance, the merit of each of the clerking models in place at the moment has been demonstrated in many cases.

9.1 Models of clerking practice

There are stakeholders who have called for a more consistent approach to clerking to governing bodies, through a local authority clerking service in particular which is deemed to be “better and more efficient” and “would give the confidence that governing bodies are run professionally.” However throughout the course of the fieldwork there was widespread assertion from governors that their respective model works very well. Governing bodies in different regions of Wales have strongly commended the “objectivity”, “flexibility”, “reliability” and unique experience from different backgrounds of their community clerk. Similarly one governing body in South East Wales described their local authority clerk as “outstanding”, whilst the chair of another governing body emphasised the “added value” of the SLA approach and was avidly against “this service going.” Whilst there are arguments against the school-based clerk model, in terms of objectivity and discretion, there are governors who have commended this approach. A chair in North Wales for example concluded the focus group with the following supplication “please don’t try to foist any system on us. We’re very satisfied with the way things work at the moment...the administrative officer is of great assistance.”

There are obvious logistical reasons why an SLA model could not be introduced in all local authorities at least in the short term and without a review of current capacity within GSUs or without local authorities working collaboratively to create cross-county boundary support, perhaps on a consortium basis. If there was however a will to change and it was given sufficient impetus from within the local authority it might be possible to change to a more standardised SLA model.

However some have pointed to a lack of expertise as well as resource as a significant issue and expressed concerns about enforcing local authorities to provide an SLA: “for local authorities who don’t offer [an SLA] at all now, it would be difficult to suddenly acquire the skills to deliver the service.” Moreover given the marked lack of transparency over the actual cost of governing body clerking, the financial implications of introducing a single model (particularly the SLA model) are hard to estimate, and particularly impractical in light of public sector budgetary cuts. In addition there is evidence to suggest a strong backlash from governors is likely should a particular clerking model become standardised.

It was beyond the scope of this review to provide recommendations on whether the broad models governing body clerks need to be amended. There are undoubtedly strengths and weaknesses of each of the approaches, and the fiscal arrangements currently involved in the provision of clerking would need to be explored in more depth before any course of action were taken. However, the review has brought to light a number of crucial matters, which need to be considered in the near future.

9.2 Performance monitoring

The lack of an efficient and consistent approach to monitoring clerking performance is a concern that underpins most of the issues identified during the research. Without sufficient scrutiny of clerking performance – both in terms of what they are doing and how well they are doing it – it becomes very difficult for local authorities to identify poor practice, prioritise training or provide appropriate guidance. It relies heavily on the integrity of the clerk to perform the role diligently and because the lines of authority are not always clear (whether the clerk is answerable to the local authority, the head or the governing body as a whole) this can result in a shortfall in accountability.

What the review has identified is the need for a more formal approach to monitoring clerking performance at a local authority and potentially a national level. Whilst the introduction of the Outstanding Clerk Award has gone some way to raise the bar in terms of clerks' status, there remains a lack of universal appraisal and strategic benchmarking.

Part of this commission has involved the creation of an evaluation tool for clerks to appraise their own performance and for governing bodies to appraise their clerk's performance. This tool has been designed based on the functions set down in the 2005 Regulations, and informed by appropriate indicators intended to assist clerks and chairs in making a rational appraisal. The evaluation framework has been trialled during this research and the functions and indicators mirror those used as part of this review in the on-line surveys for clerks and chairs, which were intended to appraise performance in common functions from a supply (clerk) and demand (governing body) perspective. The framework was put into on-line survey software, which would be the recommended format for using the tool in future. The majority of respondents to the surveys completed them on-line although there were those who submitted a paper-based response.

The evaluation tool can also be used in electronic or paper-based format and the onus will be upon local authorities, governing bodies and clerks to take responsibility for completing and collating the self-assessments. This will provide GSUs with the opportunity to use the aggregated evaluations to identify causes for concern or major discrepancies between governing bodies' and their respective clerk's appraisals. It will also allow for local authorities, and potentially WAG to benchmark against a representative national benchmark.

Designing and distributing the assessment tool is not all that is needed and local authorities, governing bodies and clerks need to take responsibility for completing and collating the self-assessments. GSUs need to use the aggregated evaluations to identify causes for concern or major discrepancies between governing bodies' and their respective clerk's appraisals. Local authorities could consider running the system on-line allowing for electronic analysis, reporting and subsequent offer of training.

9.3 Guidance for governing bodies and clerks

There are other issues relating to accountability and transparency that contribute to this lack of scrutiny. Whilst some local authorities provide job descriptions to governing bodies, this is not universal, and there is no formal procedure for ensuring clerks and governing bodies are even aware of the minimum functions required from a governing body clerk. This goes hand in hand with the issue of monitoring, given that without a clear idea of what the necessary functions are, it becomes very difficult to appraise performance in the role of the clerk. In local authorities where job descriptions are used to recruit clerks, governors and clerks are likely to have a much clearer idea of what their role involves. There is undoubtedly a need to ensure a common job description is shared with governing bodies with clerks who are independent from the local authority.

Many governors have felt that one of the benefits of the local authority clerking model is that expectations are much more explicit and based upon a formal contract. However some commentators have suggested that the role could be made more transparent to governors. There is no doubt that clarity of the role needs to be disseminated widely, so that all governors understand what is expected from a clerk, not only to identify gaps in performance, but also to be aware of areas where they are not making full use of the potential role the clerk could play in the governing body. Once an SLA is in place, it is crucial that a document itemising the standards and terms to the SLA is available to the entire governing body.

Whilst recommendations from previous research led to the development of a standard job description and clerk training programme, it appears that use (and even knowledge) of these resources is limited, despite continuing demand from governors and clerks to have greater strategic direction. Making job descriptions available to local authorities does not mean that they are necessarily used or that they reach the intended audience (ie: governors and clerks). Nevertheless where the job description has been used (or adapted), it has been met with approval. This needs to become universal across all local authorities where governing bodies are employing clerks independently. If it became a requirement for local authorities to disseminate a standard job description for clerks (albeit with some variation in content to account for local differences in context), this would help to raise standards amongst clerks collectively in terms of their fulfilling the mandatory functions, particularly if introduced in conjunction with a more rigorous monitoring system.

There is little evidence to suggest that clerks are suitably placed to take on a role in monitoring the performance of the governing body overall. The dynamics between the clerk, the head, the chair, the wider governing body and the local authority are already ambiguous in some cases. To add a new level of jurisdiction to the role of the clerk is likely to create unnatural lines of governance and could in turn undermine future efforts to bring clarity and consistency to the role of the governing body clerk.

9.4 Training and support for governing body clerks

Whilst a minority of commentators were not particularly in favour of making training for clerks a compulsory requirement for the role, the prevailing view is that an element of mandatory training is needed to ensure all clerks are delivering on the

necessary functions. Views on the nature and frequency of training that should be introduced are varied. There are some who feel that given the complexity of governance law, and the frequency with which policy changes there is a need for training on an annual basis, or even more frequently. However, the logistical barriers preventing some clerks from accessing training of any sort at the moment suggests that compulsory training would not be viable on a regular basis. Moreover, the feedback from clerks who have attended training fairly regularly suggests that the emphasis is upon updating policy and procedural changes, rather than covering new ground. The key priority therefore is to introduce a consistent approach to delivering induction training that would be a requirement of taking up the role of governing body clerk. There is therefore a strong recommendation for WAG to consider introducing recommendation for mandatory induction training for governing body clerks. Part of this training would include guidance on researching policy changes independently, although heads and GSUs need to take some responsibility for ensuring relevant information reaches clerks, in order to ensure that they are kept informed.

Although a further recommendation from previous research was for all local authorities to provide a forum for clerks, this is by no means a universal facility across all local authorities and even in cases where they are run, there are various logistical barriers limiting clerk attendance. New approaches need to be considered so that forums can be universally accessible. Many clerks have expressed an interest in on-line forums, that could potentially be delivered at a national level allowing for cross-fertilising of skills and experience from a far larger number of clerks working in very different contexts. The onus would be upon GSUs to promote the forum to clerks, but coordination would be at a national level – by Governors Wales for example – which would minimise running costs, and avoid placing additional responsibility on local authorities to establish and facilitate 22 distinct virtual forums. Nevertheless, the value of face-to-face forums is widely recognised and local authorities should be strongly encouraged to facilitate these, either individually or on a consortium basis.

There may come a time in the future when GSUs are unable to provide the breadth of clerking service currently offered in some local authorities. In this case, the role of induction training and efficient monitoring will become even more crucial to ensure non-local authority clerks are performing to a sufficient standard.

10. Annex 1: Evaluation tool

10.1 Part 1: Evaluation tool for governing body chairs

Please rate the performance of your governing body clerk in the following specific areas, on a one to four scale, based on the definitions below:

1 = He/she is fully competent in this function, and I do not feel his/her performance could be improved

2 = He/she is competent in this function, but could marginally improve his/her performance

3 = I have concerns about the he/she way performs in this function and he/she could benefit from some training in this area

4 = I have major concerns about his/her performance in this area and he/she requires training in this area

Function	1	2	3	4
Convening governing body meetings Please consider the following indicators of performance: Frequency of meetings Adequacy of notice given Effectiveness of preparation for Governing Body meetings				
Attending and taking minutes of governing body meetings Please consider the following indicators of performance: Level of attendance / meetings missed Accuracy of minutes Turnaround time for minutes of meetings				
Maintaining a register of governors and reporting vacancies to the governing body Please consider the following indicators of performance: Clerk's awareness of vacancies as they arise Clerk's understanding of nature of vacancies Governors' awareness of vacancies				
Maintaining a register of governors' attendance at meetings and reporting non-attendance to the governing body Please consider the following indicators of performance: Efficiency of reporting apologies and unauthorised absences Distribution, publicity of aggregated attendance data				

<p>Giving and receiving notices in relation to governor, appointments, resignations, convening meetings and disqualification of governors</p> <p>Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Governor awareness of notices Adequacy of notice given</p>				
<p>Reporting to the governing body as required on the discharge of the clerk's functions</p> <p>Please consider the following indicator of performance:</p> <p style="padding-left: 40px;">Dissemination of information outside the meeting context</p>				
<p>Performing any other functions as determined by the governing body</p> <p>Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Adaptability and willingness to provide other functions on an ad hoc basis, for example attending additional meetings or chasing up actions; Efficiency of carrying out these functions Maintaining objectivity in support</p>				
<p>Providing advice to the governing body on governing body's functions and procedures</p> <p>Please consider the following indicator of performance:</p> <p style="padding-left: 40px;">Extent to which Governors feel informed and confident of the quality of advice given</p>				
<p>Understanding of education law with regards to school governing bodies overall</p>				
<p>Understanding of broader educational policy overall</p>				

10.2 Part 2: Self-evaluation tool for governing body clerks

Please rate your own performance as a governing body clerk in the following specific areas, on a one to four scale, based on the definitions below:

1 = I am fully competent in this function, and do not feel I could improve my performance

2 = I am competent in this function, but could marginally improve my performance

3 = I have concerns about the way I perform in this function and could benefit from some training in this area

4 = I have major concerns about my performance in this area and require training in this area

Function	1	2	3	4
<p>Convening governing body meetings</p> <p>Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Regularity with which meetings are convened? What does this mean?</p> <p style="padding-left: 40px;">Adequacy of notice given for meetings</p> <p style="padding-left: 40px;">Extent to which agendas and paperwork are sent out with sufficient notice</p> <p style="padding-left: 40px;">Effectiveness and comprehensiveness of advance paperwork to inform Governors? How comprehensive they are / were they provided in sufficient time?</p>				
<p>Attending and taking minutes of governing body meetings</p> <p>Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Level of attendance / meetings missed</p> <p style="padding-left: 40px;">Accuracy of minutes</p> <p style="padding-left: 40px;">Turnaround time for minutes of meetings</p>				
<p>Maintaining a register of governors and reporting vacancies to the governing body</p> <p>Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Own awareness of vacancies as they arise</p> <p style="padding-left: 40px;">Own understanding of nature of vacancies</p> <p style="padding-left: 40px;">Governors' awareness of vacancies</p>				
<p>Maintaining a register of governors' attendance at meetings and reporting non-attendance to the governing body</p> <p>Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Efficiency of reporting apologies and unauthorised absences</p> <p style="padding-left: 40px;">Distribution, publicity of aggregated attendance data</p>				

<p>Giving and receiving notices in relation to governor, appointments, resignations, convening meetings and disqualification of governors Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Governor awareness of notices Adequacy of notice given</p>				
<p>Reporting to the governing body as required on the discharge of the clerk's functions Please consider the following indicator of performance:</p> <p style="padding-left: 40px;">Dissemination of information outside the meeting context</p>				
<p>Performing any other functions as determined by the governing body Please consider the following indicators of performance:</p> <p style="padding-left: 40px;">Adaptability and willingness to provide other functions on an ad hoc basis, for example attending additional meetings or chasing up actions Efficiency of carrying out these functions Maintaining objectivity in support and advice to governing body</p>				
<p>Providing advice to the governing body on governing body's functions and procedures Please consider the following indicator of performance:</p> <p style="padding-left: 40px;">Extent of own confidence and knowledge in advice sought from governing bodies Extent to which Governors feel informed and confident of the quality of advice given</p>				
<p>Understanding of education law with regards to school governing bodies overall</p>				
<p>Understanding of broader educational policy overall</p>				