

INTERIM REPORT

Clerks Pay and Conditions Survey Report



**NATIONAL ASSOCIATION OF
SCHOOL AND COLLEGE CLERKS**

FEBRUARY 2020

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good governance

Failure at any level in an organisation can normally be traced back to the governance and leadership of that organisation. Governance is about the systems and controls in place to ensure an organisation is managed effectively and efficiently. Fundamental to this management, is the role of the Clerk.

Working internationally in the public, private and third sector, I have seen and experienced governance in all its forms and it is very clear to me, in all those situations, that having a strong governance professional in place is imperative for success.

The role of the Clerk, Governance Manager or Company Secretary is key in ensuring the responsibilities set out in the governing documents are properly carried out. Although the Clerk may have no say in the organisation's decisions, they still operate as an 'officer' for the purposes of company law. This means they take on responsibilities that if not fulfilled correctly, could lead to breaches of company law duties.

Clerks are not limited to any one function and they are fully aware of their responsibilities to ensure that good governance is part of how the organisation is run. Whatever their title, and however they are viewed, what Clerks have in common is a strategic responsibility to ensure good governance and for this alone, they should be properly remunerated.

Dr Karl George MBE



Governance...

*is not an option
is not a function
is more than compliance*

tgf | the
governance
forum

Dr Karl George is a thought leader and internationally established consultant in governance. He is Managing Director of **the governance forum** and creator of the Effective Board Member programmes. He works with CEO's, boards and senior executives in the private, public and voluntary sectors and has over twenty years combined experience in accountancy, business and strategic development.

acknowledgements

TO THE CLERKS BEHIND THIS INTERIM REPORT

We would like to thank all of the Clerks who have contributed to this interim report either through completing the survey and/or being a case study. This totally independent interim report could not have been possible without your honesty and desire to support your clerking colleagues in this way.

We have purposely kept the contributions anonymous but if you recognise your quote/content, we hope we've reflected you in the way you wanted. If you contributed but cannot see your quote, don't worry, they have not been lost, we have much to do and we will use them in other writings.

Finally, whilst we use the term 'clerk', within this interim report, this includes all governance professionals however you are titled. Also, wherever we use the term 'school', we of course include academies, colleges and any phase of education where clerks provide professional services.

National Association of School and College Clerks (NASCC)



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clerking competency framework

The Department for Education (DfE) introduced the Clerking Competency Framework in April 2017 and I am sure that many governors have no idea that this Framework even exists. Whilst the Framework cannot cover every eventuality that a clerk may come across, it does offer a very useful template against which we as clerks can evaluate ourselves.

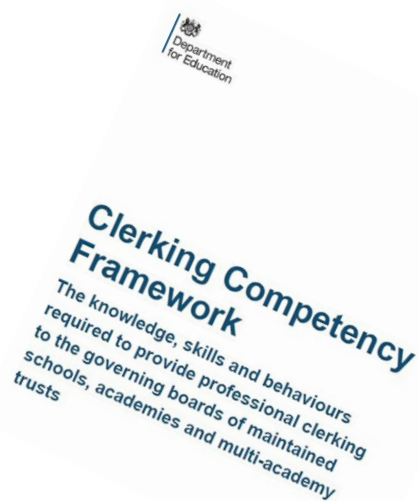
I've found redoing the DfE clerking programme again a very useful way of challenging my own understanding and my actions. However, I am concerned that the ability to challenge poor and ineffective behaviours still requires a clerk to be confident and the board they clerk to be receptive.

Having an in depth understanding of how, and why conflicts of interest and Related Party Transactions arise, is increasingly important and any support we can get as clerks in terms of managing bias on the boards we clerk, (both conscious and unconscious) would be most welcome! As the Competency Framework remains the only national standard we have as clerks to assess ourselves against, I wonder if it requires an update in terms of how it can be used by both experienced and newly appointed clerks. This would certainly help when we negotiate our pay!

“

There has been much talk about raising the profile of clerking but too many people still see it as an admin job around taking minutes. I am lucky that my MAT is taking my role seriously. At a time of pressures on school funding, it is difficult to increase pay rates and hours worked.

”



A copy of our interim report is being provided to the DfE

Executive Summary

First and foremost it's important that readers understand...

- ❑ *We are not researchers or academics – we are clerks.*
- ❑ *We have governance and clerking qualifications but we continue to learn.*
- ❑ *We facilitate, review and write about governance and clerking but we want to know more.*
- ❑ *We have experience and a passion for good governance; but we want to hear your experiences too.*
- ❑ *We believe that as clerks we are stronger together.*

Clerks. Every governing board has to appoint one, and whilst it's important to recognise that not every clerk feels qualified to do the job they have been asked to do, not every clerk is paid well, and not every clerk has a job description; every clerk we spoke to as part of this interim report into clerks pay and conditions, shared their stories freely and openly.

There is also much to celebrate in the world of clerking.

We found that the majority of clerks do have some sort of performance appraisal, with many undertaking the National Clerks Development Programmes, and unsurprisingly (to us at least) 20% of clerks are governors or trustees as well. Most of us clerk in more than one school and a significant number are clerking in more than 10 schools or academies. That's 10 or more chairs and head teachers or principals to work with, support, and sometimes challenge. The work of the clerk is mostly unseen.

Governors may well be known as 'hidden givers', a term coined by Prof Chris James from Bath University over 10 years ago, but clerks **must also be seen** now more than ever as more than the 'hidden experts', especially as the education funding and accountability landscape shifts and tilts. We, collectively, minute your meetings week in, week out, in every school type across the country. Our minutes are your shop window to effective and outstanding governance and often the only legal record of your discussions and decisions, and there for prosperity (and audit of course).

We offer constitutional advice, run your elections, paraphrase your arguments, take your registers, review your websites, remind you of compliance, keep you abreast of changes, support your panels, take part in your governance reviews, analyse your skills audits, share your successes, set your agendas, listen to your stories, have your backs when things get tough, support you during Ofsted inspections; and yet we have no national pay scales, no requirement for appraisal, no one voice shouting on our behalf.

We have a tapestry of experience between us. We have insight into your effectiveness, we have oversight of your impact. We are uniquely placed. We must be impartial, our minutes must be accurate and we deserve to be recognised; but most of all, we ask for our stories about our pay and conditions to be addressed.

The NASCC recognises that in 2016, the National Governance Association (NGA) conducted a survey into clerks' pay and employment and we hope that this interim report adds to the important conversation about clerks pay and conditions, which we think must happen as soon as possible.

We acknowledge that school finances are stretched and we know that many schools are now bringing clerking in-house, rather than purchasing clerking services under a Service Level Agreement from the Local Authority or other providers. Indeed in an increasing number of authorities across the country, there is no service on offer at all.

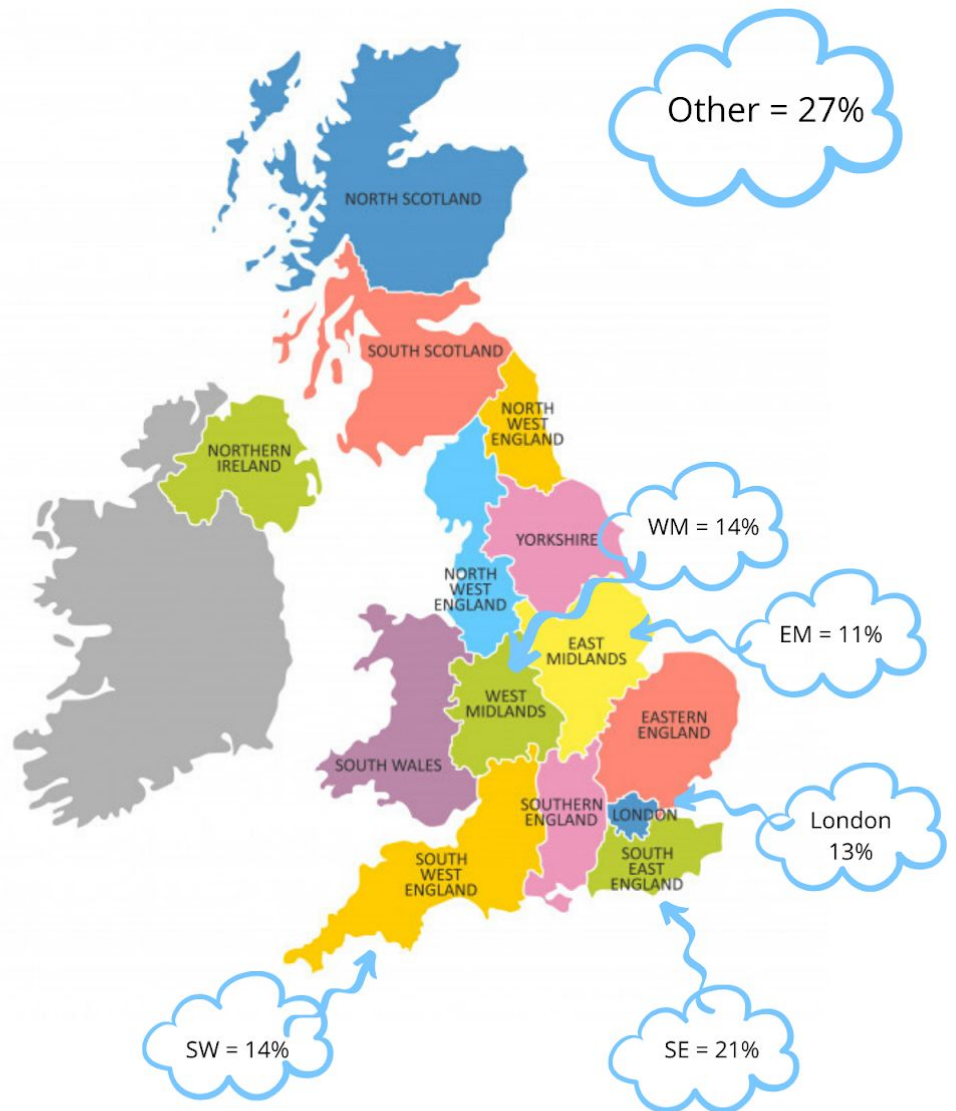
We want to make sure that you have the support you need if you find yourself clerking without qualifications, access to networks or even a mentor; and if you find yourselves without a clerk, we hope this interim report will shine a light on our experiences, so that you can appoint well.

During our research for this interim report, we found that despite there being literally thousands of clerks across the UK, our voices are the same and our stories align. We all have good and bad experiences of clerking and we all love what we do and will climb mountains, lose sleep and often push family members out of the way, just to complete our job and support our schools.

We hope that our interim report adds to conversations we know are happening now and that clerks' pay and conditions receives the profile it deserves.

National Association of School and College Clerks

Our responses came from...



Introduction

School governing dates back many hundreds of years and was first introduced to ensure that money was being wisely spent. It is safe to assume then, even many hundreds of years ago, that someone was taking the minutes! Whilst clerks have moved on from quill and parchment, over 50% of those we surveyed still minute in longhand. Many of us say that this means we can feel more part of the meeting; that we can catch the nuance of your discussions better, if we are not behind a laptop.

Others are extremely proficient at listening, paraphrasing and capturing discussion and decisions, attributing correctly, giving advice, and type at the same time. In 2020 we are still working to minute your financial discussions but now we have to keep abreast of a whole range of legislation, guidance, best practice, competency frameworks, acronyms, performance data, pupil voices and staff surveys.

The list feels endless. Yet in spite of all this, the pay and conditions for many clerks are still lodged firmly in the 1800s or 1900s!

The survey leading to this interim report, was conducted to cover the academic year 2018/2019 and set out to explore how our profession operated in the widely different settings and phases we now find in the education sector; this included FE colleges, special schools and alternative provision. The majority of respondents, as we expected, were from maintained schools or academy trusts, ranging from primary, secondary and some post-16 provisions. We were interested in understanding further the various roles, titles and positions which clerks had; if they were directly employed, working through an agency or were totally independent.

We were keen to understand both the pay and conditions in which clerks worked, and although the main purpose of our survey was about pay, we really wanted to know if clerks felt that they were valued in the role, how they felt about their remuneration in relation to the services they provide, whether they had any performance appraisal and what qualifications they had or were undertaking. This is particularly important given the fact that the DfE are currently funding Clerks Development Programmes nationwide. Although the Founder and Associates of NASCC both facilitate and deliver clerks training, we do not work for any of the licence holders in respect of this programme.

As mentioned in our executive summary, 20% of the clerks responding to this survey were also governors themselves in other schools and for a future report, we will aim to take some time to explore and understand how having these two roles works in practice.

To the clerks reading this report, whether you were able to complete the survey or not, we do hope that as you read through this report, digest its content and understand the recommendations being made, that you do so with a new found sense of pride, as well as determination, to get paid your worth and to receive the recognition you deserve!

We value and support you, always.

**National Association of
School and College Clerks**

Methodology

The primary method employed for this report was an online survey via a dedicated landing page on two specific websites; www.nascc.co.uk and www.eclerk.co.uk. In addition, the use of telephone interviews and written 'stories' were sourced, to fully capture the individual and collective voices of clerks across the UK.

With no membership or network for dissemination of the survey, NASCC utilised social media (Facebook, LinkedIn and Twitter), direct email to existing known networks, word of mouth and approximately 200 flyers were sent out via snail mail (post), all with the aim of encouraging clerks to get involved.

We were pleased with the responses to our survey and the clerks taking part. It is important to note that secondary data has not been easily obtained, due to its nonexistence. Information on this subject conducted by organisations such as the NGA, appeared to be the same...***it's just too hard to make a firm statement on what clerks should be paid!***

This interim report covers the period of responses from February 2019 to January 2020, however the data is based on the academic year 2018/2019. The questions were varied in terms of multiple choice, checkboxes (ie. tick all that apply) and responses requiring some narrative. This interim report is not here to provide scientific fact, nor is it purporting to be statistically ground breaking, however it does provide an interesting and honest insight into the reality of clerking, using the voices of professional clerks from across the UK.

At the time of commencing this interim report, we had received 160 responses to our survey but they are still coming in.

The obvious limitations are that with no ready database to access the 30,000 plus schools and colleges and their respective clerks, the data produced in the following

findings can only be taken as a sample and a snapshot of the real picture. What is clear however, is that something does need to be done about the pay and conditions for clerking as a professional service; otherwise once the highly experienced and extremely tolerant clerks retire or take their services to the more lucrative private sector, the gaps will be even harder to fill.

In analysing the information received, it was important for the authors to remain unbiased and non-judgmental. However, where necessary and for clarity only, interpretations have been given.

Some of the key findings of the clerks who responded include:-

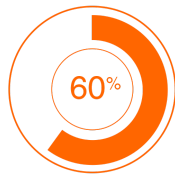
- ❑ The overwhelming majority of clerks were aged between 30 and 70 years. This was not a surprise!
- ❑ 20% of respondents were governors, as well as being a clerk. This can only strengthen and embed knowledge.
- ❑ 40% of respondents clerked a MAT Board and 24% a Single Academy Trust
- ❑ There was a wide geographical spread of replies (*see the regional UK map in the executive summary*)
- ❑ 37% of clerks were travelling more than 10 miles to clerk.
- ❑ 15% worked 35+ hrs per week, with the majority clerking between 16 and 30 hrs
- ❑ 45% of the clerks were working term time only with nearly 40% working all year round.
- ❑ Just over a third of clerks stated that they or their boards were members of the NGA.

Section 1 - Value

As clerking is a statutory role, we asked clerks if they felt valued by the schools they work in and by the boards they clerk

Clerking is a statutory function. Every governing board must have a clerk, and this is stipulated in both the School Governance Regulations for maintained schools and within their Articles of Association for Academies.

We were therefore interested to find out how clerks really felt about how they were valued by the schools and academies for whom they clerked. It is important to note that as well as clerking governance board meetings, we found that 60% of the clerks who replied to our survey were also clerking exclusions and appeals panels.



These, and other panels ie. complaints, grievance and disciplinary, require clerks to have an understanding of the associated legislation, and therefore prior training/CPD should be undertaken. There is statutory guidance in relation to appointing clerks, but training for clerks (including for these specific panels), which are both potentially stressful and sometimes emotional, is not in itself statutory.

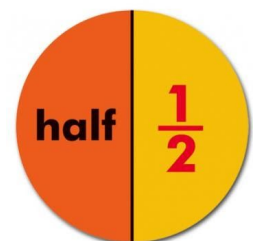
Our survey found that 75% of the clerks felt that they were engaged and involved in their schools and boards, however almost 12% of clerks said they did not feel valued. Considering that the first core function of governance is about ethos, vision and values, this is a cause for concern, particularly as over 50% of respondents were employed in the school or academy in which they clerked.



Several clerks commented that those governors who know and understand the role of the clerk, value them but that it is sometimes *"a challenge to get governing boards to engage (with them) outside of meetings"*. One key example of this is governor elections and appointments – a clerk who only clerks three Full Governing Board meetings per year, may sometimes feel that they are the last to find out about often major issues such as; appointments of senior leaders, Ofsted outcomes and even appointments of governors. It is acknowledged that Ofsted feedback meetings can now be clerked, and this in itself can be of positive support to governing boards.

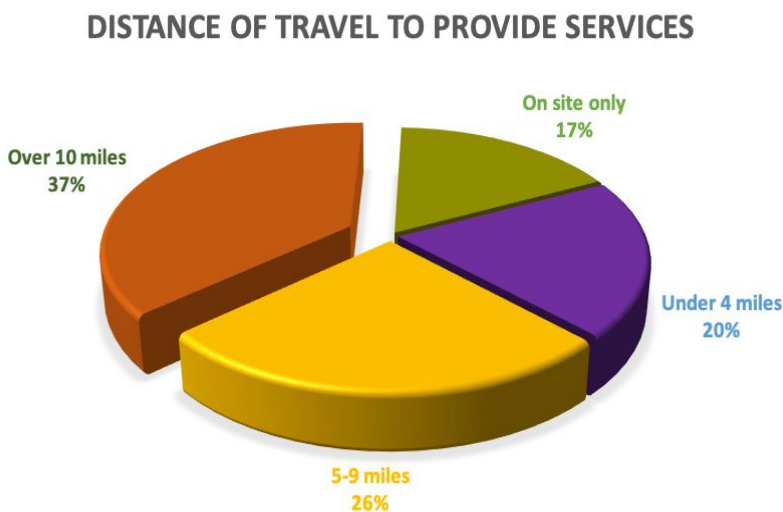
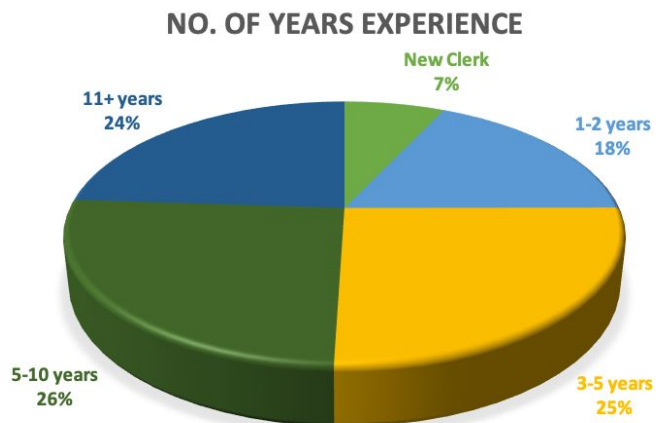
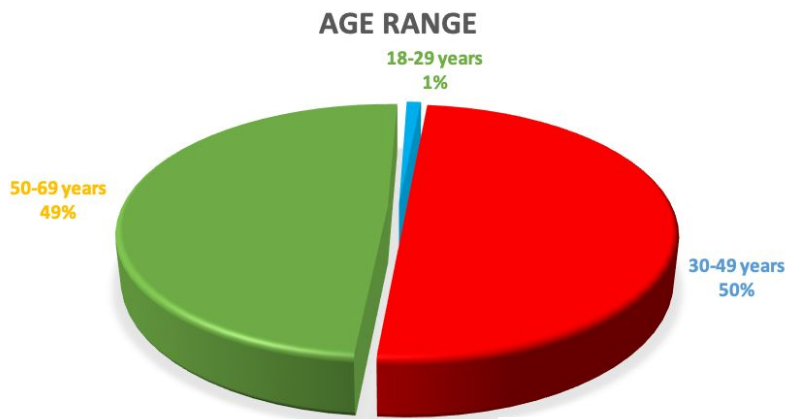
Of the clerks who are also governors, one clerk told us *"I became a clerk so that I would be a better governor"*.

One of the ways that schools and academies can demonstrate that the clerk is a valued member of the governance team, is to undertake appraisals related to the role.



Almost half of the respondents reported that they had some form of appraisal, although of these, a number had reported that this was irregular. Others on the other hand, reported that they had an appraisal twice yearly but somewhat concerningly, for those schools who purchase a clerking service under a Service Level Agreement from the Local Authority, 13% of clerks employed this way reported that they had no form of appraisal.

Almost 70% of clerks who said they were self employed had never had an appraisal, although one commented that *"I arrange to meet all Chairs annually to review the work and my SLA"*.



our collective voices

“

Only been in the job for a year but would like the board and Principal to be aware of what is actually involved.



I feel valued by the Heads and Governors I work with but other staff members within the Trust (central staff) and school staff, do not have an understanding of the role and the time commitment involved.



I work for a MAT which values good clerking. However, it still sees it as an administrative role and does not value or reward me for the strategic input and support I give to Heads, Trustees and LGB members. Few within the schools, apart from the Heads, have a real understanding of my role, remit and the impact that a good clerk can have.

One of my key struggles is that board reports are seen as a burden by those who prepare them and so they are not provided on time so then they go out late to governors. The deadlines for board packs may well be set out in statute but it is not always possible to have the confidence to challenge late papers. I worry that this affects the ability of governors to fulfil their duties properly as well. If governance was valued more, then maybe it would be taken more seriously.



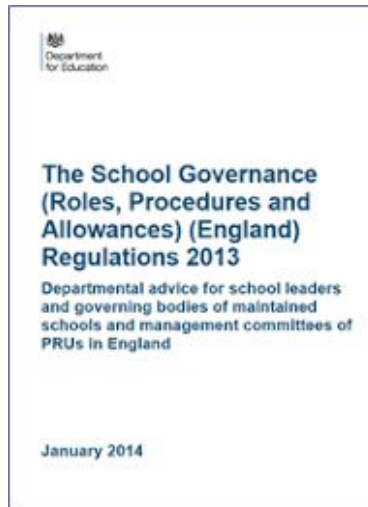
I was given a bunch of flowers and a hug when I clerked the day after a relative had passed away. This meant the world to me. Such a small gesture goes a long way.

”

Section 2 - Pay

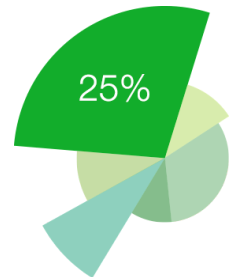
We were interested to find out not just about the employment status of clerks but how they were paid if they were self-employed, how long it was taking to have invoices paid and what they felt about the level of remuneration they currently received

It is clearly stated in the 2013 School Governance Regulations (Regulation 11) that 'Boards should set demanding standards for the service they expect from their clerk and assure themselves that they are employing a clerk with suitable skills and training. Consequently, they should expect to pay an appropriate amount commensurate to the professional service they expect their clerk to deliver'. [1]



they know if their hourly rate meets the National Minimum/Living Wage.

We are still crunching the numbers but initial findings show that **just over 25% of the respondent clerks were unable to make the necessary calculations to determine if they were at least earning the minimum wage** and almost 75% of these clerks worked for a



school or MAT!

In order to ensure that clerking is seen as a profession of choice, we need to help clerks avoid situations such as the following:

- ❑ the role of clerk being compromised when people become clerks thinking *it's just to type minutes and earn a bit of 'pin' money*.
- ❑ instances where someone offers to clerk governance meetings for free, because *it's interesting and they want to give something back*.
- ❑ where clerks are paid a few hundred pounds per term, to clerk all the governance meetings – which when properly calculated, is found to be BELOW the National Minimum Wage!

One of the reasons we undertook this survey was we kept hearing anecdotal comments about the low levels of pay some clerks were experiencing; so we asked clerks an important question - 'Based on the actual hours you work (not the hours they are contracted to work or claim for) could they calculate their actual rate of pay against the hours they worked, and did

A key issue is not how many hours clerks are contracted for but how many hours they are actually working; why this is the case and whether they can, and do, claim for extras. A few clerks reported that they only charge mileage for ad hoc work, if agreed beforehand. This begs the question; how many are not? We know governance relies on goodwill but clerks should feel confident enough to be able to claim out of pocket expenses.

Payment deadlines



Whilst over 90% of clerks reported being paid on time, a number reported that they sometimes have to wait longer than 4 weeks to receive payment.

One clerk, who is self-employed, also travels 10+ miles to clerk meetings, and then waits more than 2 months for payment.

This cannot be acceptable.

Independent clerks are particularly affected if they invoice per meeting because schools are closed for 13 weeks each year and these invoices can be viewed as unimportant, when matched against other suppliers, usually because the work has already been delivered.

What about the extras?

30% of clerks claimed mileage, and whilst this is an 'at cost' payment, it is important that clerks are not out of pocket. This needs to be set against the 40% who claim nothing. Just over half of clerks had access to printing, which leaves the other half having to ask schools to print papers out, or in some cases, Clerks print items at their own cost ie. at home. We all know we need to save the planet, however paper copies are still important and some agency home-based clerks cannot use their own printers, due to adhering to GDPR policy's, and whilst compliant, this is not always helpful. Signed copies of the minutes are required and not every school or board is confident at using electronic signatures for minutes.

In addition, clerks reported verbally that agenda setting meetings are often outside the remit of Service Level Agreements and so either do not take place with the clerk, take place via email or take place without the input of the clerk. Agendas should never come as a surprise to any clerk!



How many hours does it take to draft the minutes?

Many clerks complain that governors think that clerking is just a case of sitting at the meeting, taking a few notes and preparing some minutes. Our survey shows that about 30% of respondents took 4-6 hours to draft the minutes, with a small proportion taking over a day. This may be due to the complexity of the minutes or the length of the meeting. We need to remind ourselves that with the average length of a governing board meeting being 2 hours, at least twice as long needs to be allocated to drafting the minutes and it is unlikely that most clerks have a clear 4 hour slot during the working day to be free to draft their minutes - uninterrupted!

How do clerks feel about how much they get paid?

We asked clerks if they thought they were grossly underpaid, slightly underpaid, or well paid/just about right. We did not define these values as there are no national pay scales for clerks. We were keen to understand how clerks felt about their pay and remuneration and if they understood how they were paid if they were employed in schools or academies and whether they had a separate contract. This is something we intend to explore further.

Responses were received from more clerks employed in schools (including Multi Academy Trusts and Single Academy Trusts) than those employed by Local Authorities which confirms anecdotal evidence that Local Authority governance services, including clerking, are being reduced.

40%

Looking at those respondents who said they were self-employed (23%) 40% were sole traders and 24% were private limited companies. This may be that they are working for organisations which require them to be a limited company.

The remainder stated that they had mixed employment working in both Trusts and for the Local Authority.

One respondent stated they worked on a zero hours contract working in both a maintained school and a SAT.

Of those who felt they were grossly underpaid, 90% of these clerks were employed in a school or MAT; and of this [90%] almost 60% clerked in more than 3 school settings.

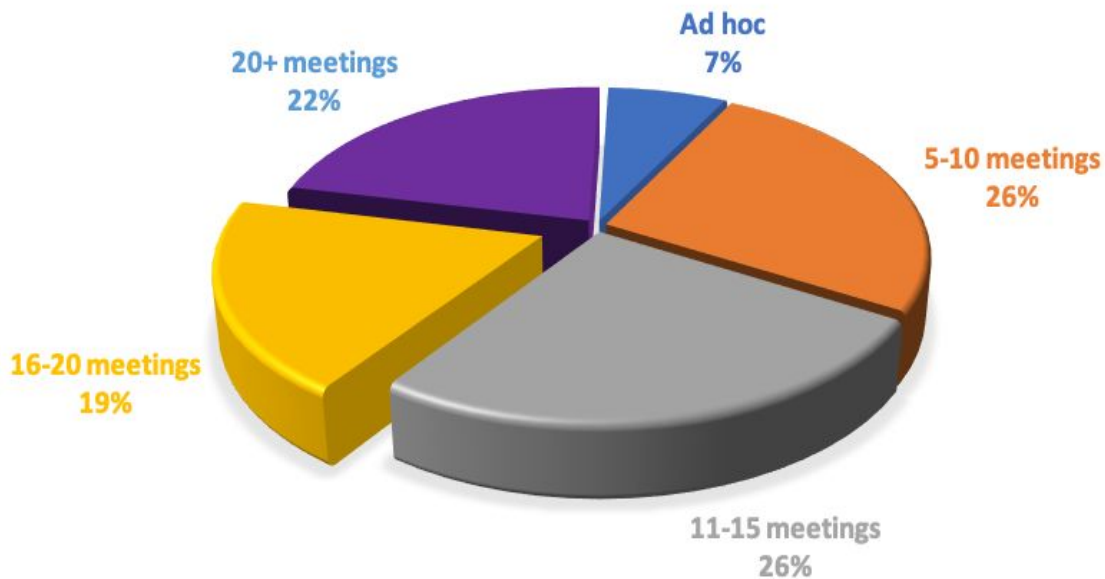
We note that within local authorities the pay scales for clerks are set against similar roles across the authority, and one of our next pieces of work will be reviewing the pay rates on offer for clerks roles advertised nationally. We also have

anecdotal evidence that neighbouring authorities pay different hourly rates and we are keen to understand more.

We also note that the NGA has a model job description (with no salary scale indicated) for clerks which we know from our work in schools is often used as a benchmark of good practice. We also know on the other hand how hard it is for schools and academies to find new clerks when clerks leave or retire.

[1] Source: *The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 and Academy Articles of Association: Model One For use by mainstream, special, 16-19, alternative provision academies and free schools; and studio schools*

NO. OF MEETING CLERKS SERVICE PER YEAR PER SCHOOL



our collective voices

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At a school I clerked for previously, I was made to put my name to, and sign a letter, by the school business manager, which was written by a law firm (supposedly from me), to do with a complaint from a group of Trustees about the Chair and Vice-Chair. I didn't feel comfortable with the contents of the letter either, but was told that I am the Clerk and this is my job! I was then told by the group of Trustees who had complained that my job was at risk for siding with the Chair and Vice-Chair! This was way above my pay grade and was not a situation which I should have been put in, in the first place.



Working in a school where I needed to whistle blow against the Headteacher who was deceiving the Governors. I subsequently resigned. Fortunately, he was then removed by the Local Authority

I have been clerking for 15 years and I think things have improved more recently in terms of the value attributed to the Clerks role generally. It depends where you work - I am lucky to be fully involved and a key part of the management team at the Colleges I Clerk in. I know this does not happen in a lot of Colleges.



I know schools run on goodwill but there is only so much goodwill to go round especially when the meetings last 3/4 hours and it takes an hour to get home! It's underpaid considering the level and complexity of what we do and compared to the school staff we work with. I am usually the lowest paid of all the paid staff in a meeting. I think we end up working a lot more hours than we get paid for!

”

Section 3 - CPD

We wanted to know whether clerks were undertaking specific training, CPD or qualifications and if so what these were

We know that the DfE Clerks' Development Programme is available nationally and there are a number of delivery agencies. The training is available both online and face-to-face and some of the delivery agents are accredited by outside organisations such as ICSA: The Governance Institute. This training can be paid for by the clerk themselves at less than £100, and offers up to 60 hours of training online, face-to-face sessions and through self-directed learning. The training is based on the Clerking Competency Framework and requires an element of self-reflection.

In spite of this national offer we found that 27.5% of respondents reported that they have no specific qualifications for the role. This may be that there is no suitable training locally, that clerks do not want to do online modules, or that they do not want to do any training – after all it's not mandatory!

It was pleasing to note however that 16% of clerks have undertaken or are considering undertaking qualifications with ICSA: The Governance Institute. Whilst none of the respondents specifically mentioned that they were undertaking Company Secretary qualifications, we note that the ICSA: The Governance Institute offers CPD as a Company Secretary and 20% of our respondents stated that they were

16%

undertaking the responsibilities of the Company Secretary in the Trusts they worked for; we are concerned that the importance and responsibility of being a Company Secretary is sometimes misunderstood.

Almost 30% of our respondents had undertaken the NCTL Clerks' Development Programme, which was the predecessor to the current clerking development offer, and 17% are undertaking successor programmes to the National College for Teaching and Leadership (NCTL) with the Institute of School Business Leadership (ISBL), NGA, or GovernorSpace Clerks Programme.

30%

In addition there is a new programme aimed at Trust Governance Professionals which is supported, but not run by the Confederation of School Trusts. This programme is face-to-face and enables participants to actively share and debate the issues around clerking and working as governance managers, administrators and leads in multi academy trusts.

A number of clerks reported other qualifications such as; MBAs, The Accredited Clerk, (development through the Association of Colleges/Warwick University) and the Advanced Certificate in Corporate Governance (though **the governance forum**).

Key Fact: Almost 25% of respondent clerks stated that they did not have a contract for the delivery of their professional services.

our collective voices

“

I am valued and am included within leadership conversations within the trust. However, there is a great misunderstanding about what a clerk does amongst school staff, the skills, knowledge and experience we have, and how bloody hard we work, and how flexible we have to be!!



I waited 4 months in one MAT for a newly converted school to pay me. It took so much work to get paid and I was promised the problems were resolved and then waited 2 months to be paid for the next month. The school and Chair were surprised when I resigned and acted as if being paid were something I should not be bothered about.



I resigned from a MAT when I could see I had no impact at all in trying to change things.

I have been clerking in schools now for almost 7 years. It has been quite a journey so far. I have worked in 12 schools so far, of all types (Academy (Single and Multi) and Maintained) (Infant, Junior, Secondary) and at Local Governing Board and Board level with several Local Authorities and Trusts. I deliberately spread my experience in order to learn my profession quickly and enable me to teach other Clerks.



I wrote an article in January 2017 for the NGA about clerking hours, based on accurate analysis of work done over 3 years in 8 schools. I received many emails, and met many Clerks, telling me their horror stories of being ripped off by their schools.

”

Section 4 - Hours

We all know clerks work unsociable hours – it goes with the territory, but we were keen to find out a little more about when meetings were taking place

We know from our own experience that most governing board meetings take place after school, so noting that clerks were given a multiple choice option, we asked about when meetings actually take place. We found, as expected, that the overwhelming majority (75%) of clerks attended meetings starting after 5.00 pm. We also found just under a quarter of meetings clerked by our respondents started before the school day.

We will be looking at this further in our next report because these figures evidence that in many instances, both employed and self-employed clerks are working more than 12 hour days.

About half the clerks reported that they clerked meetings which started just as the school day was ending; which works well for some clerks but not perhaps those who also have full time jobs in other sectors. We will undertake further research about the type of meetings which take place during the school day as we know some governing boards meet at 1.00pm which could also impact upon governors' attendance. Not all employers abide by or are aware of the guidance on time off for public duties [2]

We would be interested to find out more about the timings of exclusion meetings, and Interim Executive Boards – both of which require either additional knowledge or capacity as meetings are often more regular and quite rightly, fast paced – because anecdotal evidence tells us that these take place during the day.

Clerks reported (through telephone interviews or written case studies) that they often work unsociable hours at the weekends and late into the evening in order to get minutes finished and meetings prepared. This impacts on their wellbeing, their family life and potentially their health.

There are a number of clerks reporting Repetitive Strain and Carpal Tunnel Syndrome, especially those who use laptops to capture minutes at meetings which last over the recommended 2 hours.



Others struggle with frozen shoulders, lower back pain from having to clerk on their knees with no tables, from sitting on Key Stage 1 chairs and sometimes even poor diet due to late meetings in some cases every night of the week due to meeting schedules.

Clerks also report that due to budget cuts refreshments at meetings are often non-existent and whilst they understand this, they are concerned that this shows there is little investment in supporting governors who are, after all, volunteers.

Another question we will be asking in our next report is exactly how long clerks are present for each meeting. We are concerned that there is *'Mission creep' onto clerks' goodwill. Additional activities can include activities such as room set up, pre-meetings with the chair and headteacher, and rearranging the furniture after the meeting. These unpaid hours soon mount up!

**'Mission creep' definition; a gradual shift in objectives, often resulting in an unplanned long-term commitment.*

[2] www.gov.uk/time-off-work-public-duties

our collective voices

“

I once asked a chair if they wouldn't mind doing some performance appraisal and they looked a bit scared. All I wanted to do was make sure I was doing everything I could to help the governors.



I do have a contract with a clerking service but I do not consider myself 'employed' by them or myself as an employee, as I work on a freelance basis and employment law is complex.



In one year I clerked about 120 meetings and provided clerking services for more than 100 governors, trustees and senior leaders...I work hard and my only request is to be paid on time.

I have only just started as a private limited company, having been a local authority employee previously. I think my costs are competitive but schools are expecting more so I need to review (at least on a personal level for next academic year). There has been much talk about raising the profile of clerking but too many people still see it as an admin job around taking minutes. I am lucky that my MAT is taking my role seriously. At a time of pressures on school funding, it is difficult to increase pay rates and hours worked.



It should not be forgotten or overlooked that clerks are the only remunerated role at the governing body level as governors are volunteers. When contextualised against an average £5m budget for a secondary school, a pay rate of anything less than £2.5k per year for clerking, is ridiculous.

”

Section 5 - Line Management

We were keen to understand who clerks reported to as it is important that clerks remain both impartial and independent, whilst supporting the governing board

Just under 40% of clerks replied that they only reported to, or were line managed by the Chair of Governors (in both maintained and academy sectors) with the remaining respondents reporting to a range of people including; Head Clerk, the CEO, the Bursar/Business Manager or the Local Authority. We will be undertaking some further research into what this looks like in practice.


A small but significant number of respondents reported that they have multiple people to report to, although this may be related to the number of people who need to have sight of draft minutes. We believe that it is important that clerks are able to challenge any misconceptions around who is ultimately responsible for the accuracy of the minutes.



100% of our respondents who stated that they were line managed or reported to the headteacher or executive, were based in the academy sector; and those who did not report directly to the chair in the academy sector, reported a range of line management from Head Clerk to Director of Operations and Management (although this respondent commented that they used to report to the Chair).

There is no strong correlation between whether the respondent was a sole trader or whether they were employed and to who they reported, which we expected.

Networking – how do clerks connect with each other?

- ❑ 86% percent of respondents were users of social media such as closed Facebook groups for governors and/or clerks or Twitter as a way of keeping in touch with other clerks as well as keeping up to date on key developments. They may well be doing the majority of this type of CPD in their own time.
 
- ❑ 25 respondents were participating or had completed the DfE sponsored Clerks Development Programme provided by Governor Space which is all online and some of the mentors signpost to social media groups.
- ❑ 30% of respondents were taking part in local clerking or governance networks – this could include Local Authority or other service providers Clerk or Chair Briefings or Governance Update and network meetings.



our collective voices

“

Recently I clerked 3 permanent exclusions in one week on the back of never having done one previously which goes to show how much clerks need to be flexible and adaptable in every situation presented to them.



In certain situations when asked a question and if I'm unaware of the answer, I take pride in finding out, reporting back and in the process, learning something new.



The political landscape changes repeatedly and this puts pressure and unreasonable expectations on the governing body as a whole which impacts clerks.

A real bugbear of mine is when governors, during a meeting, pick up on ridiculous and minute typos or grammatical errors weeks after they have had the minutes for review and reflection. It is very demoralising, demeaning and belittling for governors to behave in this way, especially when the chair allows this to continue unchallenged taking up valuable meeting time unnecessarily.



Bad clerking leads to bad governance and one of the things I have learnt, in particular, is that fundamentally clerks need to know and understand the different things that can go wrong so that we can see it coming and therefore stop it from happening.

”

Why this Report?

This interim report started out as a germ of an idea a few years ago and has been bounced back and forth between us as authors ever since. We realised recently that due to the increase in accountability and compliance placed on governors and trustees, that now is the time to take the issue of clerks pay out of the '**too hard to do**' box and raise its profile in whatever way we can.

We knew from our conversations with clerks that the struggle clerks face, in terms of pay and conditions, is real and the rates are so varied, so we went knocking on the door of the NGA to find out.

The result???

"It's too difficult to answer the question with so much variety in the profession!"

Really?

So we have NQTs, HLTAs, DHTs, EHTs, AHTs, Bursars, PAs, TAs, LTSs etc, who all have a scale of some sort and a rate for the job, but a Clerk should just accept that our profession CANNOT be treated in the same way?

Don't judge our contribution to effective governance by the 2 hour (or often 3 or 4 hour) meetings where you see us take the minutes and this mostly takes place in the evening as well.

Don't tag it onto the scale of another role in school; our role is different and statutory.

Calculate our rate based on the unsociable hours of those meetings, the work prior to the meeting in terms of preparation, the drafting of minutes and the action points afterwards.

Calculate our rate based on the fact that we manage, cajole, support and sometimes

take a lot of backlash from the governors and schools we serve.

Calculate our rate based on the fact that even with set hours for the role, it never, ever works out that way and we can be up late getting minutes done on time, due to impossible scheduling of meetings and we work weekends and holidays just to fit it all in.



Calculate our rate based on the professional advice and guidance we provide, despite not being legally trained but expected to know legislation and company law backwards!

Calculate our rate based on the knowledge and experience we bring to the role.

Once all that calculating is done and a figure is arrived at, remember it's **not** about trading our time for money but it is more focused on providing a professional service and value for money.

Then, and this is a big one.... all we ask is that you **pay us on time!**

Hence this report.

Written by professional clerks, for professional clerks, and the schools and colleges that understand our worth - for those that don't, please read this interim report, digest the comments, quotes and the data, and ask yourself the question...

How am I showing our Clerk that he/she is valued?

Recommendations

A year spent considering and debating this 'task', has culminated in the publication of this interim report. Having done so, NASCC didn't want to then fail to provide clerks and their schools with some basic benchmarks to use in moving forward with their professional conversations about pay and conditions given the support and encouragement we have received from clerks.

Based on the various sections under the Key Findings, we offer the following recommendations:

1. Help the clerk feel part of the governance 'team' by keeping them informed between meetings. This will make their job a lot easier, and whilst clerks have many professional skills, we are not mind readers!
2. Where possible/practicable, ensure clerks have access to any cloud-based systems ie GovernorHub, especially if they are not a school based clerk. Although this may be deemed to be a small thing, it is fundamental in the effective running of meetings.
3. Undertake some form of appraisal of the clerk, at least annually, and this can be as simple as a 'How did it go?' discussion at the end of a meeting or a 'What can we do better together?' conversation. A formal performance appraisal conversation would include a review of the previous period (6 or 12 months), plus target setting for the year ahead, to include CPD.
4. Ensure that clerks are aware of the organisation's lone working policy and especially for independent clerks, have the mobile number of security/ground staff just in case they are caught in the building alone with no key fob/badge to exit.
5. Check that clerks are covered by any occupational health cover available, as the wellbeing of a professional and busy clerk could be considered as part of any whole school approach to wellbeing.
6. Consider removing the micro management of a clerks time and need to complete endless timesheets to 'explain' what tasks they are doing and when. Replace this with an annual figure for professional services which is then 'straight lined' across the year to be paid monthly, in advance. At the risk of placing our heads above the parapet, NASCC believe a realistic salary range would be; a minimum of £300 per meeting for unqualified (but experienced) clerks, and a minimum of £450 per meeting for qualified clerks. For an average school holding 3 governing bodies meetings and 6 committees, per academic year, this would equate to:
 - Unqualified Clerks**
 - ❑ Minimum of £2.7k per annum; equating to:
 - ❑ £245.45 per month (x 11 months) or £225 per month (x12 months to include August)
 - Qualified Clerks**
 - ❑ Minimum of £4k per annum equating to:
 - ❑ £363.63 per month (x 11 months) or £375 per month (x12 months to include August)

*NB: Additional ad hoc meetings ie exclusion panels, complaints hearings, should be added on top as they arise, and clerks should be able to invoice at the beginning of each month with **payment terms of no more than 30 days.***
7. Where clerks are paid hourly, an increased rate should apply for excessive unsociable hours worked, especially where this includes weekend working to meet the demands of the role or where meetings overrun, where the agreed SLA does not cover these matters. This may require a timesheet.

Conclusion

Thank you for taking the time to read our interim report; and thank you again to all the clerks who took the time to talk to us. Your lived experiences and stories helped bring into even sharper focus what we suspected was the situation around clerks pay and conditions.

We absolutely know that school funding is often over stretched. We clerk about the impact this has on pupils, on school wellbeing, on staff retention, on HR discussions and on the well being of those governing.

We understand that resources are scarce but that does not negate any of the issues we raise in our interim report. Clerks deserve support (just as governors do), they deserve access to good quality CPD (how many times have you missed the opportunity to invite the clerk to whole school CPD? They may not be able to attend but at least you have made the offer) and they deserve an open conversation about their contracts.

We have reports of clerks being in the room as governors discuss their pay or impact. It has happened to us too. We have reports of clerks being dismissed or having contracts changed or ended in front of the governing board. We often have no right of reply. We hope this interim report gives clerks the confidence to challenge back.

The reality is, as one clerk previously mentioned, **the clerk is the only remuneration role on the governing body** yet schools receive the wisdom, skills, knowledge and experience of the whole governing body expertly managed and communicated through the clerk. When measured against an overall budget of £2m, it is not unreasonable for a budget of £5k (less than 0.25%) to be set aside for professional governance services.

Some of our recommendations may be small scale – such as ensuring that your

clerk has full access to the same information you do; or the recommendations may give you pause for thought - such as our suggestions for minimum pay; but irrespective of this we hope that you now think about the important role that the clerk plays and consider fair recompense for a good job, well done.

Next Steps

We will be undertaking further research over the coming months because our '*by clerks, for clerks*' approach is one we wholeheartedly believe is both appropriate and valid.

Additional key lines of inquiry will no doubt emerge as we talk about this interim report and we've not forgotten about IR35 and the detrimental impact that is having on the lowest paid in our profession.

We have highlighted some possible areas of further research within this interim report but please do get in touch if you have a story to tell, some good practice you want to share, something to celebrate or something you want us to try and investigate.



**National Association of
School and College Clerks**

about us



NATIONAL ASSOCIATION OF
SCHOOL AND COLLEGE CLERKS

The National Association of School and College Clerks (NASCC) is an organisation formed to become the voice and platform for clerks across the UK.

Following the release of this interim report, the NASCC will be launched and membership will be open to any professional clerk so we ask that schools support them by paying the nominal subscription fee attached to the membership. The NASCC is a legal entity and funds generated will be used to manage the organisation and its commitments.

Our purpose is to be complementary to existing organisations supporting governance for governors. Our aim is to raise the profile of professional clerks and to advocate on their behalf, particularly in terms of remuneration for the professional services they provide.

NASCC will put clerks front and centre so that we can obtain and share information alongside providing support and guidance, from a clerk's perspective and more importantly, undertake targeted and specific CPD to assist us in implementing good governance in our schools.

Membership benefits:

- Clerking resources
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This interim report was first published in February 2020. The contents and opinions expressed in his paper are those of the authors, unless otherwise indicated.

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my best and worst experiences

The best bit for me is when one of my schools gets a good Ofsted judgement, especially when the inspection report mentions that there was governor challenge in the minutes. It's nice to feel that, in a small/indirect way, I have helped with school improvement. It's always good too to feel valued and to get complimentary emails about my work/minutes.

The worst bit for me is when a school has a budget deficit, governors are discussing how to make savings and they say - with me in the room - 'Maybe we could cut back on clerking'. This is in the context of me earning £91 (before tax) for a meeting - including the agenda, travelling to a meeting (which can take up to an hour), attending the meeting, doing the minutes, and doing any admin work. It should also be seen in the context of me being the lowest paid of all the people who are being paid to be at a meeting (with some people there being paid four or fives time more than me), but me being the one they turn to for advice and guidance and who keeps an eye on the meeting process.



no qualifications and no time to get any

I have no relevant or related qualifications and no time or support to do a formal qualification. But I have 7 years of experience and previously worked in audit, accountancy governance roles, which is very helpful.

I'm employed as clerk in addition to another role which already requires me to work far more hours than I'm paid for - so that affects my ability to take on additional clerk training, other than webinars. Expectations are often high without related salary.

Clerking can be very stressful when you care about your school's as I do, and we have a lot of responsibility regarding informing our governing bodies about legislation changes and providing legal and professional advice.

We actually get paid much less than a similar job in the corporate world. It's underpaid considering the level and complexity of what we do and compared to the school staff we work with. I am usually the lowest paid of all the paid staff in a meeting.

Many schools advertise clerking jobs offering to pay for a maximum of two hours per meeting plus perhaps up to three hours for 'admin' outside the meetings, regardless of how many hours it takes to do the job. They're often looking for self-employed clerks which avoids employment law and the payment of employment benefits.

I think my role is better than most as I am a school employee contracted to work 20 hours flexibly during term time. I have a room to myself and all the resources I need for the role. I am on the pay scale equivalent to the Head's PA because that was the only comparison they could think of when they recruited me. The previous clerk had been in post for 40 years and was paid £2k per annum.

It is not recognised in pay or knowledge of the school as a profession.

'Pay' and number of hours is drastically different between schools.

It's not all bad news.

Generally, I am satisfied with the clerking work I do (and the organisation I am currently contracted to) and the flexibility and remuneration. But I am semi-retired and do it on a part-time basis. If I was younger, I think I would struggle in terms of the pay - especially in the London area. I do feel it is important for the role to be valued and to have a higher profile, especially focusing on the valuable governance contribution that clerks can make in schools, academies and the education sector.

I have a good employer and a good manager but the lack of progression is limiting.

my highs and lows



Without doubt, the best experience I've had as a clerk is seeing first-hand the real impact being made on the lives of young people. I am the clerk of an academy, which is a pupil referral unit, and several times I have been brought to tears hearing about how the students' lives have been transformed, achieving qualifications and college places that previously they had not considered even worth trying for.

The students, in the main, have some kind of SEND and difficult home lives, so to know their time at the academy has completely changed their life aspirations for the better, is what working in education is all about.

For me, the hardest part of being a clerk is how lonely the role can be.

Unless you hold another post within the school, you are an independent colleague – the eyes and ears of the governing body – often party to confidential information that cannot be discussed with colleagues, which in itself is isolating. However, we are not alone. I am always blown away by how much clerks support one another and are willing to share their knowledge and experience – I have never worked in a sector where the peer networks are so strong!

i'm the oracle!

I started clerking in 2004 when I was employed by a Local Authority, originally on a 16-hour per week contract for eight different schools. The pay wasn't great, but the hours suited me as they were flexible which I needed because of my young children. The local authority soon added more schools and my hours increased to 25 per week. To be honest there was never enough time to get everything done and I regularly exceeded the 'agreed' hours with no additional pay!!

Sometime in 2009 (5 years later), my pay was reviewed and I went up one pay grade. Clerking was a traded service offered by the LA to schools, but it was not covering costs. Eventually a charity was formed offering a number of traded services which included clerking, on the same pay and conditions. This lasted for 4 years before it folded and I was made redundant.

I then decided to go self employed and it was the best decision I ever made. All my existing schools were happy to keep me on (IR35 was a bit of an issue) and I invoice them termly which leaves me feeling totally in control of my work/life balance.

Governors still use me as the 'oracle', and I'm expected to know everything. Luckily my colleagues at the LA also clerk and we meet at the start and end of each term to discuss agenda, issues etc.

I am also on the clerks group on FaceBook. Frustrations with an ever changing education landscape means that I sometimes feel there are still 'grey' areas on many regulations.

Recruitment and retention of governors is difficult and I am also concerned with succession planning as I intend to retire in 4 years so, unless I 'recruit' a clerk myself I can't see where they are going to get one.



our clerking 'pros'

Working flexibly and out of normal office hours

Knowing a year ahead what our commitments are so we can arrange our lives around them

Becoming accredited/being trained to a professional standard

Training other clerks

Networking with other clerks and sharing best practice

Developing best practice materials for our work and using this expertise in our schools

Supporting schools to improve governance from Good to Outstanding, as assessed by an independent external professional

Working with governors who are passionate about governance and their schools who listen to our advice (and might not always follow it, but give their reasons)

Meeting such an interesting, wide range of professionals on the Board and in school

Working with schools which strive for the best for their students, are efficient, respect governance (and therefore the clerk) for which we feel great pride

Continuing Professional Development – the support and information provided by; Governor Hub, RBWM, Babcock, the National Governance Association (NGA) and Better Governor can be superb

Working with chairs and headteachers who are so passionate and committed – it does not feel like work as we have a meeting of minds

Working with school business managers who have been the clerk and understand the work involved

our clerking 'cons'

Working in schools which have no respect for governance (and therefore the clerk)

See the governing board (and therefore the Clerk) as a cost they do not wish to bear and has no value

Schools which believe that the work of the clerk is simply to take minutes quietly in a corner

School Business Managers who think that the work of the clerk can be done in a fraction of the time, dispute the legitimacy of the recorded hours worked by the clerk and demonstrate a lack of trust

Not being paid when due and fighting continuously to be paid the correct hours for the work done

Being removed by a headteacher for giving my opinions on the Academy conversion process and what to look out for

Not having advice heeded when a school/MAT is putting itself at risk

Working with school business managers who see governance simply as a cost and one to be minimised without understanding the work involved

Schools not paying for clerks training, regarding this as unnecessary and not treating the clerk as they would do their in-house staff

Not being treated as a member of the school team – ie. I have experienced a lack of access to cupboards to file governance documents and had to wait hours until I could get into the room; sitting on my bottom in corridors to file with staff rushing past me; not being given access to governance documents; having my emails ignored completely by one School Business Manager (i.e. no papers ever being sent to me for meetings); being told that my salary would be x, joining and then told it was y (y being noticeably less than x)

Providing great training for new clerks (the feedback was stellar!) but this being discontinued due to lack of Local Authority funding

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Your Role in Meetings: You'll identify the steps of a meeting cycle, clarify the roles of the Chair and the Clerk to ensure that you really understand the responsibilities that come with your role.

Your Meeting Behaviour: This section highlights poor minute taking procedures and bad practice so you can see how not to do it, as well as identifying the best practice approach so you can integrate these into your ways of working.

Agenda and Writing Minutes: Creating an agenda and identifying a variety of styles for writing minutes, will ensure you have a suite of options to choose from that can be used as and when you have different requirements ie GB meetings, Exclusion Panels, Grievance Hearings etc.

Minute Taking Practice: Our practical exercises will help you to develop an effective minute taking style, and possibly adopt more modern ways of working, such as taking minutes from videos of meetings or straight onto a laptop/tablet

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Meet the Authors



Sharon Warmington commenced her career in the private sector as a PA, working at board secretariat and chief executive level in her early 20s. She served as a Parent Governor at Sutton Coldfield Grammar School for Girls and then as Vice Chair of an Interim Executive Board appointed by the DfE, due to her expertise in governance. As a qualified Corporate Governance Practitioner and Licensed Assessor for Governance, Sharon puts Chairs, Headteachers and Clerks through the bespoke Governance Assessment Process (GAP) leading towards a Quality Mark for Governance. For four consecutive years, Sharon was an international mentor for the University of Cambridge and specifically worked with the winners of the Queen's Young Leaders International Programme. Today, Sharon provides independent

professional clerking services for a MAT Board, its committees and LGB, in addition to two local primaries (academy and maintained). Recently, Sharon cemented her work with the governance forum and now works in areas of international and third sector governance, as an Associate. **Contact:** info@educationgovernancesolutions.com

Fiona Stagg is a National Leader of Governance and undertakes External Reviews of Governance, facilitates governance development training (including the DfE governance leadership development programme), speaks at conferences and authors a regular blog on clerking. She is a Chartered Town Planner by profession and became involved with school governance, as many parents do, as a parent governor. Over the last 15 years she has been both chair and vice chair in a number of schools, governed and clerked on Interim Executive Boards and is currently Chair of Trustees of a growing MAT. Until recently, she was Head of Governance of a medium sized MAT and has now returned to consultancy. Today Fiona is an independent clerk in both the maintained and academy sectors and supports and mentors new and existing clerks as both a commissioned and independent governance consultant. She is affiliated with a number of Teaching School Alliances and works with NLEs to support school improvement. **Contact:** fiona@sbwgovernance.co.uk



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