

The Role of the Clerk

Tracy Cottee

How Are Clerks seen?



Articles should provide for

- A Clerk!
- The Clerk's responsibilities
- The Clerk's independence

Legal Responsibilities of the Clerk

The Clerk is the primary source of governance advice on:

- the operation of its powers;
- procedural matters;
- the conduct of its business; and
- matters of governance practice.



Ensuring the Corporation fulfills statutory & public responsibilities

- to receive written notice of the resignation of the Chair/Vice Chairs,
- to receive written notice that a member wishes to resign,
- to receive written notice that a governor has been disqualified from membership,
- to maintain and make available on request, a register of interests of members,
- to summon meetings of the Corporation, in writing, at least 7 days in advance and circulate an Agenda.

The Clerk has the authority to act under the Financial Memorandum where they believe governor(s) are acting beyond their powers.



“The skill of advising ... is to do so in such a way that they do not realize you are advising them, or if they do realize it, cannot prove that you were when the advice turns out to be bad”

The Job in practice

For all meetings of the Corporation and its committees, the Clerk should be responsible for –

- Convening the meeting;
- Preparing the agenda and distributing the papers;
- Taking and writing the Minutes; and
- Publishing the Minutes and other papers.



The Clerk should also –

- act as administrative support in connection with any proceedings to suspend or dismiss the holder(s) of a senior post;
- maintain records of the membership of the Corporation;
- monitor the membership to ensure that appointments are properly made;
- ensure that the Corporation remains 'quorate';
- make certain that the Corporation has established a proper scheme of delegation; and
- maintain a Register of Interest of Corporation members.

Partnerships

The clerk has an important part to play in governing body effectiveness and needs to work *in partnership* with

- the chair of governors;
- the other governors; and
- the senior leadership – **particularly the Principal**, making sure the governing body's work is well organised.



Other Roles

A GAME



Other Roles

- Mentor and Trainer
- Planner
- Communicator
- Diplomat
- Challenger
- Search and Succession-planning
- Empath
- Facilitator
- Trouble-shooter
- Change Agent
- Whistle-blower = Scapegoat?



Look after your Clerk



- The Clerk is accountable to the governing body. The governing body cannot delegate any of its responsibilities to the clerk, but the clerk is expected to carry out administrative support to the governing body.
- The Clerk should have the knowledge, information and the tools to do the job and equally know where to get help – invest in knowledge and development.
- Communicate – regularly and appraise annually.
- It can be a lonely job – signpost them to advice and support!

The Blue Fairy, when knighting Jiminy Cricket as Pinocchio's conscience and guardian said –

*“I dub you Pinocchio's conscience,
lord high keeper of the knowledge of
right and wrong, counsellor in
moments of high temptation, and
guide along the straight and narrow
path”*

According to 'DisneyWikia'

How we really are



Further Information

- AoC – ‘A Signposting Guide for New Clerks in College Governance’ (Oct 2014)
- ‘Clerking in the New Era: Implications for College Governance’ (May 2013) -
- The Effective Clerk: Creating Excellence in College Governance’ (March 2015)

Thank you and questions

