

(NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE JOINT COMMITTEE AT ITS NEXT MEETING)



**ERW Joint Committee
Tuesday, 21st July, 2020
Virtual Meeting
10.00 am - 11.20 am**

PRESENT: Councillor Emlyn Dole [Chair], Carmarthenshire County Council

Councillor Rob Stewart	Swansea City Council
Councillor Rosemarie Harris	Powys County Council
Councillor Guy Woodham (substituting for Cllr David Simpson)	Pembrokeshire County Council
Councillor Ellen ap Gwynn	Ceredigion County Council
Ms Caroline Turner	Powys County Council
Mr Eifion Evans	Ceredigion County Council
Mrs Wendy Walters	Carmarthenshire County Council
Mr Phil Roberts	Swansea City Council
Mr Ian Westley	Pembrokeshire County Council
Councillor Robert Smith	Swansea City Council
Councillor Phyl Davies	Powys County Council
Mr Jonathan Haswell	Pembrokeshire County Council (ERW – S151 Officer)
Ms Elin Prysor	Ceredigion County Council (ERW - Monitoring Officer)
Mr Gareth Morgans	Carmarthenshire County Council (Lead Director)
Mr Nick Williams	Swansea City Council
Mr Ceri Davies	Pembrokeshire County Council (ERW - HR)
Ms Helen Lewis	Pembrokeshire County Council (ERW - HR)
Ms Natalie Chambers	ERW Principal Accountant
Mr Stephen Richards Downes	Pembrokeshire County Council
Mr Mark Campion	ESTYN
Mr Alex Ingram	Welsh Government
Ms Melanie Godfrey	Welsh Government

Mr Kevin Thomas

Carmarthenshire County Council (Democratic Services)

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

The Joint Committee considered nominations received for appointments to the positions of Chair and Vice Chair

RESOLVED THAT:

- 1.1 Councillor Emlyn Dole (Carmarthenshire County Council) be appointed Chair of the ERW Joint Committee**
- 1.2 Councillor Rosemarie Harris (Powys County Council) be appointed Vice Chair of the ERW Joint Committee**

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Mr Yan James (ERW Interim Managing Director)

3. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interests made at the meeting.

4. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE JOINT COMMITTEE HELD ON THE 9TH DECEMBER 2019

RESOLVED that the minutes of the meeting held on the 9th December 2019 be signed as a correct record.

5. MATTERS ARISING FROM THE MINUTES

The Following matters were raised:

Minute No. 4 – Matters Arising - It was noted that an item on ERW's governance arrangements had been agendaed under item no 15 for information only.

Minute No. 8 – Risk Register – It was noted that there was no current intention to appoint a Data Protection Officer and that arrangements for that aspect of ERW's work would form part of a wider Service Level Agreement discussion within the ERW footprint agenda

Minute 13 – Leaders of Learning Report – It was noted that the recommendations arising from the report had been subsumed within the Internal Audit Report (agendaed as Item 18 for information)

Minute 15 – ERW Financial and Funding Model for 2021-21 – It was noted that all four of the report recommendations were included within the agenda for the meeting and that under recommendation 15.4 the roles referenced within points 'b-e' had been removed. The Joint Committee was requested to confirm its support for the ongoing secondment of the Head of Curriculum Reform and Innovation on a full-time basis up until the 31st March 2021, with the role being invaluable to

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service delivery providing both the team and the secondee with a greater level of security and consistency

RESOLVED that the Joint Committee confirm its support for the ongoing secondment of the Head of Curriculum Reform and Innovation on a full-time basis up until the 31st March 2021

Minute 17 – Appointment of ERW Managing Director – It was noted that in accordance with the report, an unsuccessful recruitment exercise had been implemented during the Spring Term of 2020 and a report would be presented to the Joint Committee under agenda item no. 8

6. CORRESPONDENCE

The Joint Committee received a report on correspondence received by ERW together with the responses submitted thereto by the Interim Chair, (where appropriate) as detailed within the report.

RESOLVED that the correspondence be received and the responses provided thereto be noted.

7. APPOINTMENT OF LEAD DIRECTOR

The Joint Committee was advised that following its previous Lead Director having left her post with Pembrokeshire County Council, it would need to appoint a new Lead Director

RESOLVED that Mr Gareth Morgans (Carmarthenshire County Council) be appointed Lead Director of ERW.

8. ERW INTERIM CHIEF OFFICER

The Lead Director informed the Joint Committee that following a recruitment and selection procedure for the post of ERW Interim Chief Officer a decision had been made to not appoint a single officer to the post but to make it a shared role for the period 1st September 2020 to the 31st March 2021. The two successful candidates appointed to those posts were Mr Greg Morgan and Mr Ian Altman. The Joint Committee was requested to approve the appointments

He further advised that should the appointments be endorsed, arrangements may need to be made to ensure appropriate levels of staff resources were made available as backfill to effectively support the revised model.

RESOLVED that the action taken in amending the post of ERW Interim Chief Officer to a shared post and the appointments thereto of Mr Greg Morgan and Mr Ian Altman for the period 1st September 2020 to 31st March 2021 be approved.

9. FINANCE UPDATE 2019-20

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The Joint Committee received the updated financial position for the 2019/20 financial year up to the period 31st December, 2019 and noted that work was ongoing to complete the report to the year end. It was noted that the report provided specific detailed information in relation to:

- 2019-120 Central Team Budget
- Service Level Agreements
- 2019-20 Grant Allocations
- 2019-20 Grants, (incorporating a breakdown in Appendix A of the funding for the new ERW Staffing Structure (grant and core funding)
- Risks
- Reserves

The Joint Committee's attention was drawn to page 3 of the report referring to the additional £59k incurred in redundancy costs as a result of continuous service having been omitted from the original £19k calculation, approved on the 9th December 2019, thereby increasing the overall cost to £78k. It was reported that whilst the additional cost had not been included within the Central Team projected outcome for 2019-20 and could not be funded from the grant due to its specific terms and conditions, at outturn it had been funded and would now be met from reserves.

The Joint Committee's attention was also drawn to the Development of ERW's six strategic (321) groups and the virement of £32.5m thereto that required its endorsement.

RESOLVED

- 9.1 The updated ERW financial position as at the end of Quarter 3 2019-20 financial year and the draft outturn position for 2019-20 be noted**
- 9.2 The Virement of funding to the six strategic (321) groups be approved**
- 9.3 To note that the additional £59k incurred in statutory costs as a result of continuous service of the Lead for Secondary Support post, at outturn had been funded and would not now be met from reserves**

10. BUDGET 2020-21

The Joint Committee received for consideration the Outline Budget for the period 2020 - 2021 covering the following aspects:

- Assumptions
- Approved budget 2020-21 Proposals (Joint Committee meeting held on the 9th December 2019)
- Central Team Budget 2020-21
- Indicative Grant Allocations 2020-21
- Risks.

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The Joint Committee was advised that whilst the budget had been prepared on the anticipated contributions from five authorities and the Pupil Level Annual School Census (PLASC)19, there was an element of uncertainty on whether the Welsh Government would approve an additional £500k flexibility payment to ERW which could be used to fund the £91k loss of contribution from Neath Port Talbot, following that authority's decision to leave ERW. If that funding was not forthcoming, the Joint Committee would need to determine how the shortfall should be met. That could be either via the unused Education Workforce Council (EWC) funding carried forward or, by an increased contribution from ERW's five remaining authorities.

The Joint Committee's attention was also drawn to the element of the budget relating to the approved reduction in core costs of £54k from 1st April 2020 with the assumption that each authority would provide a current Service Level Agreement costed service on a reduced or no cost basis. However, as none of ERW's local authorities had responded to that approach, and if no reduction in core costs were agreed, the Central Team Budget would require an additional £54k of funding. The Committee would therefore need to consider the source of that funding, which could be met from unused EWC funds carried forward.

RESOLVED:

- 10.1 That the £91,785 loss of Neath Port Talbot's contribution for 2020-21 be funded from unused EWC funding carried forward**
- 10.2 That the £54,000 savings on Service Level Agreements for 2020-21 is not enforced and the cost thereof be met from unused EWC funding carried forward**
- 10.3 The Central Team budget and £480,355 contributions for 2020-21 based on five authorities and PLASC 19 be approved**
- 10.4 Delegated authority be granted to the S151 officer to amend the Central Team Budget and authority contributions should the Welsh Government confirm any additional transitional flexibility within the Regional Consortia School Improvement Grant for 2020-21 (RCSIG)**
- 10.5 The indicative RCSIG allocations for 2020-21 be noted**
- 10.6 The risks highlighted within the report be noted.**

11. INTERIM MD UPDATE

The Joint Committee received the Interim Managing Directors update report highlighting activities subsequent to its previous meeting held on the 9th December 2019 together an activity report following the Onset of Covid-19 for the period 20th March to 22nd June 2020.

The report focussed on the following areas:-

- Section 1 – ERW Team Structure
- Section 2 – ERW Team Activity
- Section 3 – ERW Business Planning and Service Delivery
- Section 4 – Appendices
- Section 5 – ERW Team Structure Update (June 2020)
- Section 6 – Covid-19 Activity and Contributions (20/3 – 22/6.20)

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- Section 7 – Revised Appendices (22/6/20)
- Section 8 – ERW Activity Covid 19 Report

RESOLVED that the report be noted.

12. TO AGREE TO PROVIDE AGREED SERVICES AND FUNDING TO NEATH PORT TALBOT SCHOOLS DURING 2020/21, AND FOR TEMPORARY REVISION TO THE LEGAL AGREEMENT TO REFLECT THESE CHANGES

The Joint Committee considered a report on the provision of agreed services and funding to Neath Port Talbot schools during 2020/21 and on the temporary revision to ERW's Legal Agreement to effect the changes

The Lead Director outlined to the Committee the discussions undertaken with Welsh Government and Neath Port Talbot on the provision and access to national programmes by ERW to that authority for 2020/21 following its decision to leave ERW. He advised that should the Committee agree to providing those services, it would also need to revise its legal agreement between its constituent authorities accordingly. The Committee was advised that if it were to agree to that revision in principle, it would then need to be referred to each of the authorities for their individual endorsement/approval.

Several references were made to the cost of providing services to Neath Port Talbot and to whether that would fall upon ERW. It was confirmed that if ERW were to agree to providing those services, there would be an administration charge involved and that would be met via a reduction in funds to Neath Port Talbot and the costs would not fall upon ERW

The Chief Executive of Ceredigion County Council advised that whilst that authority would be responsible for amending the legal agreement, the costs incurred in connection therewith would be on a rechargeable basis.

RESOLVED THAT

- 12.1 ERW provides agreed services and funding to Neath Port Talbot Schools during 2020/21, as detailed within the report, subject to the assurance of no costs falling on ERW (save for legal costs incurred in amending the Legal Agreement).**
- 12.2 The ERW's core aims and objectives (as set out in the Legal Agreement) be temporarily extended to include the provision of services and funding to Neath Port Talbot schools during 2020/21**
- 12.3 In consultation with the Executive Board, it be approved in principle that the ERW Legal Agreement be revised/varied temporarily to reflect the above changes, subject to approval being obtained from each of its local authorities**

13. THE FOLLOWING ITEMS ARE FOR INFORMATION ONLY (further discussions to follow during the Autumn Term)

The Joint Committee was advised that item no's 14-18 had been included on the agenda for information and that further discussion on the content would be

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undertaken during its meeting in the Autumn. That decision had been taken due to the challenge of dealing with a high volume of issues in a 'virtual environment'. However, subject to the despatch of the agenda for the meeting Item 18 on the Agenda would now be considered.

NOTED

14. ERW FOOTPRINT PAPER

The Joint Committee received the above report outlining a range of options and proposals in pursuit of an agreed future footprint for ERW. It was reported that given the depth and detail of this issue the work would be progressed via a series of specific 'footprint meetings' within a schedule of 'milestones' to ensure successful completion.

It was reported that Pembrokeshire County Council had now indicated a preference for the Swansea City Deal Footprint and working in the main with Carmarthenshire, Swansea and Neath Port Talbot.

The Committee was advised that the Chair had requested the Lead Chief Executive and Lead Director to develop a project timeline for the work and that the Directors would be meeting over the summer to progress the work.

NOTED

15. ERW GOVERNANCE STRUCTURE

The Joint Committee received the report on Governance arrangements and noted that whilst the paper had previously been presented, and deferred, its content was central to the 'Footprint discussion' and it was therefore proposed to be progressed under the auspices of the 'footprint meetings'

NOTED

16. RISK REGISTER

The Joint Committee received the report on the Risk Register which was a standing agenda item and was advised that its content was in need of revision due to the:

- implications of Covid-19 on ERW's working
- Withdrawal of Neath Port Talbot
- Outcomes of the ERW Internal Audit
- Implications of the ongoing 'footprint' discussion

It was reported that it was proposed to refresh the registers' content and to present a revised Risk Register to the Autumn meeting.

NOTED

17. PRE-DECISION PROTOCOL

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The Joint Committee received the above report produced in response to the request of the ERW Councillor Scrutiny Group for the implementation of a 'pre-decision protocol', as detailed in the report. It was noted that given the impact of Covid -19 on all working practices and on-going ERW footprint discussions the report would be deferred to a future date.

NOTED

18. INTERNAL AUDIT REPORT

The Joint Committee received ERW's 2019-20 Internal Audit Report which whilst receiving a limited assurance opinion had provided a summary of key weaknesses, as identified within the report's executive summary. It was advised that ERW's Senior Officers had collaborated on the management responses to the audit and work would now be progressed with an update to be provided to the Committee's Autumn Meeting.

The Section 151 Officer referred to the report and reported that a revised Schedule of Delegation had been prepared in compliance with recommendation LOL R2 of the audit report, as detailed in Appendix 2, and the Joint Committee's approval was required for the revised Schedule

RESOLVED

- 18.1 To note that the Internal Audit report would be presented to the Committee's Autumn meeting**
- 18.2 That the Revised Scheme of Delegation detailed in Appendix 2 to the report be approved.**

19. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100(4)(B) OF THE LOCAL GOVERNMENT ACT 1972

There were no items of urgent business.

20. EXCLUSION OF THE PUBLIC

AGREED, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following items as the report contained exempt information as defined in paragraphs 12,13, 14 and 15 of Part 4 of Schedule 12A to the Act.

21. HR REPORT

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED**, pursuant to the Act referred to in Minute 20 above, to consider this matter in private, with the public excluded from the meeting as the report contained personal sensitive and confidential information relating to an employee.

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The Joint Committee considered a report on the award of statutory redundancy payment.

RESOLVED that the statutory redundancy payment be agreed.

CHAIR

DATE