

# CYDBWYLLGOR ERW TACHWEDD 13EG, 2020

## Y PWNC: Y Wybodaeth ddiweddaraf ar ddatblygu'r Consortiwm

Y Pwrpas: Rhoi'r wybodaeth ddiweddaraf i'r Cydbwyllgor ynghylch sut y mae'r camau y cytunwyd arnynt yng nghyfarfod 21ain o Orffennaf yn cael eu datblygu.

### YR ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

#### 1. Ystyried a chytuno ar y camau gweithredu arfaethedig:

#### MATER 1: Diddymu ERW

Amlinellir y camau gweithredu gofynnol mewn papur ar wahân o'r enw 'Gwneud newidiadau i'r Cytundeb Cyfreithiol ar y Cyd yn unol â Chymal 25'.

#### MATER 2: Cymorth Ychwanegol

1. Er mwyn sicrhau capasiti Adnoddau Dynol ychwanegol i gefnogi'r broses newid, cynghorir bod angen swyddog llawn amser ychwanegol, ar lefel uwch. Dywedwyd wrthym fod swyddog profiadol o sir Benfro ar gael ac y gellid delio 'a'r costau cysylltiedig o fewn y gyllideb bresennol oherwydd swyddi gwag. (Cafwyd cytundeb gan bob Arweinydd ar 7 Hydref 2020 mewn perthynas â'r cynnig hwn- mae angen cadarnhau hyn yng nghyfarfod y Cydbwyllgor). Efallai y bydd angen cyngor cyfreithiol cyflogaeth allanol hefyd.
2. Yr Uwch Swyddog Adnoddau Dynol i sefydlu Gweithgor gyda chynrychiolwyr Adnoddau Dynol o bob Cyngor Sir i gyflawni'r newidiadau y cytunwyd arnynt.
3. Yr Uwch Swyddog Adnoddau Dynol i roi cyngor ar gynnwys contractau presennol y gweithwyr mewn perthynas â dileu swyddi a chyfrifo'r gost diswyddo posibl er mwyn i'r Cydbwyllgor allu gwneud penderfyniadau gwybodus. (Adroddiad Drafft a gynhwysir yn Atodiad 1)
4. Yng ngoleuni cymhlethdod yr holl brosesau Adnoddau Dynol ac Ariannol sy'n gysylltiedig â symud i fodel newydd, ac effaith COVID ar allu swyddogion allweddol i ddatblygu'r gwaith, cynigir bod dyddiad gweithredu Medi 1af 2021 yn llawer mwy cyraeddadwy nag Ebrill 1af 2021. Byddai hyn yn ei gwneud yn ofynnol i bob partner sydd wedi cyhoeddi hysbysiad o dynnu'n ôl gytuno i ohirio'r cam gweithredu hwn tan ddiwedd mis Awst 2021. Efallai na fydd y cytundeb hwn ar gael.
5. Gall ERW fodoli y tu hwnt i 31/3/20 gyda dim ond dau Awdurdod, ond gellir lleihau'r cyfnod rhybudd i dynnu'n ôl i 4 mis neu lai (sy'n dod i ben ar 31/3/21) os yw pob awdurdod yn cydsynio i ddiwygiadau priodol i'r Cytundeb Cyfreithiol.
6. Trefnu cynghorwyr cyfreithiol allanol mewn perthynas ag unrhyw drefniadau partneriaeth/consortia newydd rhwng partneriaid sy'n weddill a chyn- bartneriaid.



### MATER 3: Rôl y Cydbwyllgor wrth symud ymlaen

1. Bydd angen i bartneriaid sy'n bwriadu cydweithio mewn partneriaeth/trefniant newydd ddatblygu a chytuno ar strwythur partneriaeth/trefniadau newydd a'r swyddi sydd eu hangen i gyflawni'r swyddogaethau. Bydd angen i'r holl bartneriaid presennol weithio yn unol â'r un amserlen a chysoni cynlluniau i leihau rhwymedigaethau a diswyddiadau.
2. Bydd angen i gonsortiw/partneriaeth newydd sicrhau cyngor priodol e.e. cyfreithiol
3. Bydd angen i gydbwyllgor cysgodol reoli consortiw/partneriaeth newydd tan adeg pan fydd y corff newydd ar waith.
4. Bydd angen penodi swyddogion statudol i unrhyw gonsortiw/partneriaeth Newydd

**2) Cadarnhau penderfyniad a wnaed y tu allan i strwythur cyfarfod ffurfiol- Secondiad Ceri Davies i ERW i ddarparu capasiti ychwanegol i ymdrin â chau ERW a sefydlu trefniadau partneriaeth newydd. (Cytunwyd drwy ymateb e-bost i gais y Cadeirydd a anfonwyd ar Hydref 7fed, 2020).**

**Y RHESYMAU: Sicrhau bod cynnydd pellach yn cael ei wneud o ran darparu gweithgareddau gwella ysgolion yn y rhanbarth yn y dyfodol.**

Awdur yr Adroddiad:  Phil Roberts Gareth Morgans  ar ran y Cyfarwyddwyr Addysg/Prif Swyddogion Addysg	Swydd:  Prif Weithredwr Arweiniol ERW Cyfarwyddwr Arweiniol ERW	phil.roberts@swansea.gov.uk  EDGMorgans@carmarthenshire.gov.uk
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# EXECUTIVE SUMMARY ERW JOINT COMMITTEE November 13th, 2020

## Consortium Development Update

In the Joint Committee meeting held on the 21<sup>st</sup> of July a document in regard to the future of ERW was tabled. The decision of the Joint Committee (*from Draft Minutes*) was as follows-

### **Minutes:**

*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.*

### **Update**

Due to COVID-19 it has been a challenge to progress this work nonetheless, draft values, principles and functions of possible new consortia arrangements have been developed for consideration of the partners.

It is clear that moving from the current arrangements to new partnership arrangements will be a complex process and will require dedicated resources at a time when key officers are supporting schools and services in response to COVID-19. In light of the work entailed a delay to the implementation date should be considered.

There are a number of specific issues which need to be resolved and agreed at this meeting to enable the Lead Chief Executive and Lead Director in partnership with all Directors, to progress the work.

These are explained in the attached paper.

DETAILED REPORT ATTACHED?

YES



## IMPLICATIONS

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>YES</b>	Finance <b>YES</b>	Risk Management Issues <b>YES</b>	Staffing Implications <b>YES</b>
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### Legal

There are legal issues to be resolved:

- 1) To clarify how the current Consortium can be dissolved. The current Legal Agreement needs to be reviewed to incorporate the necessary provisions, and how this can be achieved by March 31<sup>st</sup>, 2021.

This will require Legal input between respective Heads of Legal. This is addressed in a separate paper.

- 2) to allow (some remaining and former) partners to develop alternative working arrangements to address school improvement challenges and deliver educational improvements in our schools. This will require additional external legal input. This is addressed in a separate paper.

### Finance

Funding has been secured to provide an additional resource to manage the change process and associated HR procedures. Funding has been identified to secure any additional legal advice required.

### Risk

The lack of clarity in regard to the dissolution of ERW and the liabilities poses a risk.

### Staff

There are risks to the current staffing complement which need to be considered.

## CONSULTATIONS

Relevant stakeholders will be consulted on the preferred partnership approaches/solutions on the dissolution of ERW.

These will include-

- Staff Side Representatives and other Organisations
- ERW Scrutiny Committee
- Headteacher Board
- Each LAs Headteachers
- Welsh Government

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Agreement signed 16th July, 2014	1	Available in each LA

