

**TUESDAY, 21 MAY 2019**

**ERW JOINT COMMITTEE  
Y LLWYFAN, COLLEGE ROAD, CARMARTHEN AT 10.00 AM,  
ON THURSDAY, 30TH MAY, 2019**

## **A G E N D A**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTERESTS**
- 3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE JOINT COMMITTEE HELD ON THE**
  - 3.1 8TH FEBRUARY 2019** 3 - 10
  - 3.2 3RD APRIL 2019** 11 - 16
- 4. MATTERS ARISING FROM THE MINUTES (IF ANY)**
- 5. UPDATE ON ERW RECRUITMENT** 17 - 20
- 6. CORRESPONDENCE** 21 - 28
- 7. APPOINTMENT OF CHAIR AND VICE-CHAIR** 29 - 32
- 8. 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**



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# Agenda Item 3.1

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



**ERW Joint Committee**  
**Friday, 8th February, 2019**  
**Y Llwyfan, College Road, Carmarthen**  
**10.00 am - 12.50 pm**

**PRESENT:** Councillor Ellen ap Gwynn [Chair], Ceredigion County Council

Councillor Glynog Davies	Carmarthenshire County Council
Councillor Rosemarie Harris	Powys County Council
Councillor Rob Jones	Neath Port Talbot Council
Councillor David Simpson	Pembrokeshire County Council
Councillor Jennifer Raynor	Swansea Council
Mr Eifion Evans	Ceredigion County Council
Mr Steven Phillips	Neath Port Talbot County Council
Mr Ian Westley	Pembrokeshire County Council
Councillor Peter Rees	Neath Port Talbot Council
Mr Ian Budd	Powys County Council – Lead Director ERW
Mr Gareth Morgans	Carmarthenshire County Council
Mr Mark Sheridan	Swansea Council
Mr Geraint Rees	ERW Senior Leadership Team
Mr Jonathan Haswell	Pembrokeshire County Council (ERW - S151 Officer)
Mr Ian Eynon	Pembrokeshire County Council (Deputy S151 Officer)
Ms Elin Prysor	Ceredigion County Council (ERW-Monitoring Officer)
Mr Steve Vincent	Welsh Government
Mr Matthew Holder	Pembrokeshire County Council (Audit)
Ms Katie Morgan	Senior Accountant, ERW
Mr Mark Campion	ESTYN
Mrs Jessica Laimann	Carmarthenshire County Council (Democratic Services)
Ms Janine Owen	Carmarthenshire County Council (Democratic Services)



## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Emlyn Dole (Carmarthenshire County Council), Councillor Rob Stewart (Swansea Council), Mark James (Carmarthenshire County Council), Phil Roberts (Swansea Council) and Jo Hendy (Pembrokeshire County Council).

The Chair advised that ERW's Managing Director Ms Betsan O'Connor had resigned and thanked her for her work.

## VARIATION OF BUSINESS

The Joint Committee agreed, at the Chair's request, to vary the order of the business on the agenda so as to bring Item 10 (ERW Review and Reform Proposal) forward to discuss after Item 6 (Correspondence).

## 2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

## 3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE JOINT COMMITTEE HELD ON THE 12TH OCTOBER 2018

In relation to Agenda Item 7 – Budget, the Monitoring Officer suggested that for accuracy, decision 7.2 should be amended to read as follows:

**7.2. “that the issue of what action can be taken in the event of Neath Port Talbot County Council not paying its share of the £250k Local Authority Contribution for 2018-19 be left in abeyance. Neath Port Talbot County Council's position to be noted.”**

Furthermore, an observation was made that the “Lead Director” term be removed in relation to the NPT representative in Item 6.1. to avoid confusion with the designation of ERW Lead Director. [The representative is the Director for Education in NPT.]

**AGREED that the minutes of the meeting held on the 12th October 2018, be signed as a correct record, subject to the amendments detailed above.**

## 4. MATTERS ARISING FROM THE MINUTES

Minute 6.1 - Welsh Government Reviews of Education Improvement Grant and Pupil Development Grant

The Chair made reference to the value for money audit undertaken by Rod Alcott and asked if any feedback was available. Unfortunately, in Ruth Conway's absence no feedback was available.

## 5. LEAD CHIEF EXECUTIVE UPDATE AND ACTION LOG

The Chair advised that the item was not relevant to today's meeting as no update had been received.

## 6. CORRESPONDENCE

### ERW SCRUTINY COUNCILLOR GROUP

The Joint Committee considered a letter from Councillor Alex Thomas, Chair of the ERW Scrutiny Councillor Group dated 1<sup>st</sup> February, 2019 which provided responses to matters raised at the ERW Scrutiny Councillor Group meeting on the 10<sup>th</sup> January 2019. It was noted that this additional meeting had been convened to discuss the progress of the ERW Review and Reform Programme and that the Chair of the ERW Joint Committee, the ERW Lead Chief Executive and the Acting ERW MD had been invited to attend. The Chair expressed her appreciation to Mr Geraint Rees for his presentation of the Review and Reform Programme.

**NOTED.**

## 7. ERW REVIEW AND REFORM PROPOSAL [FORMERLY AGENDA ITEM 10]

The Joint Committee considered an ERW Review and Reform Proposal on the future role and structure of ERW. The Joint Committee was advised that the proposal had been informed by extensive engagement with the Leaders of the six Local Authorities' Education Departments and over 300 headteachers across the region. It was also advised that moving the Review and Reform Programme forward was crucial given that many staff contracts was due to expire at the end of March and a new curriculum would be announced at Easter.

The following issues were raised in relation to the proposal:

- Several comments were made welcoming the engagement with Education Directors and headteachers.
- A table in the proposal outlining the responsibilities of the Region, Local Authorities and Schools was welcomed. It was suggested that a further column could be introduced in relation to Education Directors' responsibilities.
- Several comments were made suggesting that welfare and well-being of staff were major concerns and that a decision on the future staffing structure was urgently needed given the imminent expiration of contracts.
- Several comments suggested that finance was a main concern in relation to the proposal. In response to a comment with regard to Local Authority contributions, the Joint Committee was advised that the Welsh Government had committed to providing £500k additional "Review and Reform" funding for 2019-20, meaning that Local Authority contributions may not quadruple but only double. The Joint Committee was advised that the funding was provided subject to Ministerial approval and on the understanding that all six Local Authorities would contribute and that a sustainable funding methodology had been agreed by the Joint Committee.



- Given the concerns about funding, it was suggested that a letter be sent to the Welsh Government asking for flexibility in using the Regional Consortia School Improvement Grant to fund provision of the ERW core Central Team.
- Given the concerns over staff well-being and the need to provide staff with certainty, it was suggested to approve the Staffing Structure independently of the 2019-20 Budget.

**UNANIMOUSLY AGREED that:**

- 7.1 the ERW Review and Reform proposal be approved as a working model, subject to further discussions regarding the budget;**
- 7.2 the total Local Authority contribution for 2019-20 remains at £250k;**
- 7.3 a letter be sent to the Welsh Government to include the following:-**
  - 1. the Joint Committee's unanimous decision to approve the ERW Review and Reform proposal as a working model;**
  - 2. to request that £750K of the Regional Consortia School Improvement Grant be ringfenced. This agreement from Welsh Government should run for a minimum of 5 years and Local Authorities would commit to a minimum total of £250k annual contribution over the same period;**
  - 3. to seek clarification in relation to the £500k additional Review and Reform funding.**
- 7.4 as a way forward, ERW would fund the Managing Director and administrative staff posts only.**

**8. FINANCE REPORTS [FORMERLY AGENDA ITEM 7]:**

**8.1. BUDGET MONITORING REPORT [FORMERLY AGENDA ITEM 7.1]**

The Committee received the updated financial position for the year 2018-19 which provided specific detailed information in relation to:

- 2018-19 Central Team Budget
- Service Level Agreements
- 2018-19 Grant Allocations
- 2018-19 Grants – Regional Consortia School Improvement Grant (RCSIG)
- 2018-19 ERW Business Plan Priorities
- ERW Review and Reform Programme
- Risks
- Reserves.



An updated grant funding table which included additional RCSIG funding had been circulated to the Committee. The Committee was advised that the additional total grant funding amounted to £4.542m.

The Joint Committee was advised that the projected annual contribution from reserves to the Central Team for 2018-19 could rise to £85K in the event that Neath Port Talbot County Council do not pay their share of the Local Authority Contribution. Neath Port Talbot County Council stated that they may give notice of withdrawal from ERW by the 31<sup>st</sup> March 2019.

## **AGREED**

**8.1.1 That the amendments to the 2018-19 Central Team Budget be approved;**

**8.1.2 That the actions in relation to NPT CC not paying their share of the £250k Local Authority Contribution for 2018-19 be held in abeyance;**

**8.1.3 That the allocation of the remaining £30k from the £250k Welsh Government funding for the Review and Reform Programme be approved;**

**8.1.4 That the additional grant funding totalling £4.542m since the last meeting be noted.**

## **8.2. FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES [FORMERLY AGENDA ITEM 7.2]**

The Joint Committee considered a report on the Pembrokeshire County Council revised Financial Regulations and Contract Procedure Rules for use by ERW. The Joint Committee had resolved to use the Financial Regulations of its Lead Authority for Finance and the Contract Procedure Rules of its Lead Authority for Contract and Procedures. It was advised that Pembrokeshire County Council was currently the Lead Authority responsible for both areas and had approved revised Financial Regulations and Contract Procedure Rules in December 2018.

### **AGREED that**

**8.2.1 the Pembrokeshire County Council revised Financial Regulations (November 2018) be adopted for use by ERW;**

**8.2.2 the Pembrokeshire County Council Contract Procedure Rules (December 2018) be adopted for use by ERW;**

**8.2.3 the ERW Chair (or Vice-Chair in her absence) be approved as the Independent Cabinet Member for the purpose of the Financial Regulations and Contract Procedure Rules.**





### **8.3. INTERNAL AUDIT WORK PROGRAMME FOR 2018-19 [FORMERLY AGENDA ITEM 7.3]**

The Joint Committee considered the Internal Audit work programme for 2018-19.

**AGREED to approve the Internal Audit work programme for 2018-19.**

## **9. RISK REGISTER [FORMERLY AGENDA ITEM 8]**

The Joint Committee received the Corporate Risk Register for 2018-19 which contained strategic business risks (threats) which could be detrimental to the achievement of ERW's Vision and Aims as outlined within the ERW Business Plan.

It was advised that the Risk Register had been updated and some risks re-categorised since the previous Joint Committee meeting, following advice from the region's Section 151 Officer and the feedback from the ERW Executive Board.

**AGREED that:**

**9.1 the risk register be received;**

**9.2 the addition of the tolerance levels agreed at the previous Joint Committee meeting be noted;**

**9.3 the recommendation to remove the risk surrounding Central Team Accommodation be approved.**

## **10. LEAD FUNCTIONS/SLAS [FORMERLY AGENDA ITEM 9]**

The Joint Committee considered a report on the present distribution of Lead Authority functions and SLAs. It was noted that the Joint Committee was responsible for appointing the Lead Authority for each of the lead functions and had done so in the 2014 Legal Agreement. The Joint Committee was advised that, since that Legal Agreement, some Lead Authority functions had changed and SLAs in relation to additional functions had been established with respective Lead Authorities, without corresponding formal Joint Committee approval.

**AGREED that:**

**10.1 the functions of the Lead Authorities as set out in the 2014 Legal Agreement be noted;**

**10.2 the current allocations of Lead Authority functions where changes have been effected, in particular Pembrokeshire County Council's function as Lead Authority for Contracts & Procurement and for Human Resources be approved;**



**10.3 the current allocation of additional functions subject to SLA agreements be approved.**

**11. BUDGET REPORT 2019-20**

The Joint Committee agreed, at the Chair's request, to postpone discussion of this item to the next meeting.

**12. 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**

In light of the Joint Committee's earlier decision (Minute Item 7 refers) regarding the Review and Reform Proposal, Mr. Geraint Rees advised that he would issue a statement to staff informing them that the Joint Committee had unanimously approved the new Staffing Structure and would work to resolve budgetary issues as quickly as possible. He also noted he would begin work on securing the capacity of the Central Team for the interim period before the implementation of the new structure. No objections were raised.

**13. EXCLUSION OF 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 13 and 15 of Part 4 of Schedule 12A to the Act.

**14. ERW HR PROPOSAL**

The Joint Committee was advised that it was no longer quorate and therefore was not able to consider this item or make a formal decision.

**15. BUDGET 2019-20**

The Joint Committee was advised that it was no longer quorate and therefore was not able to consider this item or make a formal decision.

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**CHAIR**

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**DATE**



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# Agenda Item 3.2

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



**ERW Joint Committee**  
**Wednesday, 3rd April, 2019**  
**Y Llwyfan, College Road, Carmarthen**  
**10.00 am - 12.35 pm**

**PRESENT:** Councillor Ellen ap Gwynn [Chair], Ceredigion County Council

Councillor Glynog Davies	Carmarthenshire County Council
Councillor Myfanwy Alexander	Powys County Council
Councillor Rob Jones	Neath Port Talbot Council
Councillor David Simpson	Pembrokeshire County Council
Councillor Jennifer Raynor	Swansea Council
Mr Eifion Evans	Ceredigion County Council
Mr Steven Phillips	Neath Port Talbot County Council
Ms Caroline Turner	Powys County Council
Mr Ian Westley	Pembrokeshire County Council
Ms Kate Evan-Hughes	Pembrokeshire County Council (ERW Deputy Lead Director)
Mr Gareth Morgans	Carmarthenshire County Council
Mr Mark Sheridan	Swansea Council
Mr Geraint Rees	ERW Senior Leadership Team
Mr Jonathan Haswell	Pembrokeshire County Council (ERW - S151 Officer)
Ms Elin Prysor	Ceredigion County Council (ERW-Monitoring Officer)
Mr Ian Eynon	Pembrokeshire County Council (Deputy S151 Officer)
Mr Ceri Davies	Pembrokeshire County Council (HR)
Mr Chris Llewelyn	WLGA
Mr Steve Vincent	Welsh Government
Ms Ruth Conway	Welsh Government
Ms Katie Morgan	Senior Accountant, ERW
Mr Clive Phillips	ESTYN
Mrs Jessica Laimann	Carmarthenshire County Council (Democratic Services)



## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Emlyn Dole (Carmarthenshire County Council), Councillor Rosemarie Harris (Powys County Council), Councillor Rob Stewart (Swansea Council), Mr. Phil Roberts (Swansea Council), Mr. Mark James (Carmarthenshire County Council) and Mr. Mark Campion (ESTYN).

The Chair welcomed Ms Caroline Turner (Powys County Council) to the Joint Committee.

## **2. DECLARATIONS OF PERSONAL INTERESTS**

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

## **3. BUSINESS PLAN 2019-2020**

The Joint Committee considered the Business Plan for 2019-20, outlining the division of functions between the three tiers in the regional system – Region, Sub-region/LA and Schools.

The Joint Committee was advised that the Business Plan had two main parts. Pink pages outlined the main work associated with the aims of ERW, including the new curriculum for Wales, skills of workforce, developing leaders, strong and inclusive schools and supporting a self-improving system. This was followed by detailed regional/local operational plans for each activity relating to the overall aims of ERW. The Business Plan would be updated in response to feedback from LA Leaders.

**UNANIMOUSLY RESOLVED that the Business Plan be approved on basis it can be revised/amended.**

## **4. FINANCES FOR 2019-20**

The Joint Committee considered the Budget Report 2019-20, which provided an update on the following:

- 2018-19 and 2019-20 Central Team Budget
- Local Authority Contributions
- 2019-20 Progression
- 2019-20 Grant
- 2019-20 Grant Funded Budget
- Risks
- Reserves
- Recommendations

The Chair advised that copies of correspondence in relation to the budget had been circulated at the meeting. This included a letter to the Minister for Education, dated 11<sup>th</sup> February 2019, asking the Minister to ring-fence ca. £790k grant money to employ central staff, and the Minister's responses from the 1<sup>st</sup> March 2019 and 2<sup>nd</sup> April 2019. The Minister's response from 2<sup>nd</sup> April stated that the Joint Committee could lever up to £500k from current grant funding on the condition that LAs addressed the shortfall and total funding was equally split between LA's and Welsh Government.

The correspondence further included:

- A letter from Pembrokeshire County Council, dated 20<sup>th</sup> March, asking in their role as Employing Authority and Budget Holder for assurance from all authorities in the partnership;
- A letter from Neath Port Talbot Council, dated 27<sup>th</sup> March 2019, giving notice of their intention to leave ERW by 31<sup>st</sup> March 2020 but reserving the right to withdraw that notice if issues could be resolved;
- The Chair's statement to the press in response to NPT's notice.

The Joint Committee was advised that the Budget Report was identical to the one received at the last Joint Committee meeting as confirmation from the Minister regarding the use of grant funding had only been received last night.

A number of questions and comments were raised in relation to the report, including the following:

In response a query regarding Schools Causing Concern, the Joint Committee was advised that budget increases were required to establish a sustainable model for schools helping schools and that this was core business for ERW. The number of schools classified as amber or red had reduced from 165 to 87 under ERW and the categorisation of schools was a means of allocating support.

Several comments were made expressing concern that the Minister's response left a funding gap of £290k which might have to be covered by increasing LA contributions. Neath Port Talbot stated that while they would remain ERW members until 31<sup>st</sup> March 2020, they would not support an increase in LA contributions. NPT confirmed that they would pay their outstanding 2018-19 contributions and those for 2019-20 at the same level.

In response to a query regarding staff funding, Mr. Geraint Rees advised that, previously, £2.5.m had been used to second 56 ERW FTEs. These were managed locally with payments being invoiced through schools. The Section 151 Officer advised that details regarding the source of the funding were not contained in the present budget report but further details could be provided at the Committee's request. The Joint Committee was advised that the Finance Team had acted appropriately from an Audit perspective and budget/monitoring reports had been prepared and submitted to the Joint Committee as required. While the Finance Team recorded and reported incoming funding streams, decisions regarding the



source and authorisation of funding were made by the Managing Director and Directors of Education. It was suggested that the Internal Audit Team could provide a review of the source, authorisation and quantum of the relevant funds and that WAO could be notified of the review.

A comment was made suggesting that, if the use of £2.5m for seconding ERW staff had been compliant with the Terms and Conditions for grant funding, this would suggest that the terms and conditions already provided the needed flexibility and Ministerial Authorisation to ring-fence grant funding for the employment of central staff might not be required. It was suggested that the flexibility of the terms and conditions could be ascertained as part of the Internal Audit Review.

A comment was made suggesting that a letter could be sent to the Minister thanking her for the commitment to ring-fence up to £500k but pointing out that there was no leeway for LAs to increase their contributions. The letter could notify the Minister of the plans for an Internal Audit Review to look into the source, authorisation, quantum, and terms and conditions of extant staff funding arrangements.

It was further suggested that the Joint Committee could agree the budget for 2019-20 in principle, subject to confirmation that the funding gap for staffing costs could be covered with grant funding. It was suggested that the Joint Committee could notify the Minister of this decision in the letter and asking her to respond within 14 days.

The grant distribution formulas were discussed and the S151 Officer advised that these were just an example and any variation of the formulas could be chosen. A further query was made seeking clarification on who would determine which formula to use and the S151 Officer advised that the decision would be made by the Managing Director and the six Education Directors.

Mr. Geraint Rees advised that today was the latest possible date to start the recruitment process and that recruitment could not commence on the basis of the Joint Committee's conditional approval of the budget as the appointments in question were permanent. The lack of certainty was having a negative impact on staff health and well-being and further delays would risk compromising the successful implementation of the new structure. He further advised that it was uncertain whether the terms and conditions provided the flexibility to employ central staff. The representative from ESTYN noted that, should these issues of recruitment be realised, they would be significantly concerned.

A comment was made suggesting that the recruitment process could commence today if candidates were advised that their appointment was subject to Welsh Government confirmation. The Section 151 Officer advised that the level of confidence was sufficient to commence recruitment and that any potential redundancy costs would have to be split between Local Authorities as per the Legal Agreement.





**RESOLVED**

- 4.1. To approve in principle the Central Team Budget for 2019-20, the Local Authority Contributions and the basis for their calculation, and the distribution funding formulas;**
- 4.2. To undertake an ERW Internal Audit Review into the authorisation, source (of £2.5m from RSIG) quantum, and terms and conditions of Leaders of Learning (56 FTE) staff funding arrangements. WAO to be notified of the review;**
- 4.3. To write a letter to the Minister for Education containing the following:**
  - i. Notification of the Joint Committee's approval in principle of the Budget 2019-20;**
  - ii. Request for the Minister to clarify whether terms and conditions of extant grant funding provide the flexibility to cover central staffing costs;**
  - iii. Request for the Minister to respond within 14 days due to urgency;**
- 4.4. That the Managing Director proceed with the implementation of the new structure, subject to the further work and confirmation in 4.1. and 4.3 above, with a view to ensuring its completion by the end of the Summer Term.**

## 5. EXCLUSION OF THE PUBLIC

**UNANIMOUSLY RESOLVED**, 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 item as the report contained exempt information as defined in paragraph 13 and 15 of Part 4 of Schedule 12A to the Act.

## 6. FINANCIAL STAFFING INFORMATION

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED**, pursuant to the Act referred to in Minute 5 above, to consider this matter in private, with the public excluded from the meeting as the report contained information which might identify individuals and information relevant to negotiations/consultations relating to the workforce.

The Joint Committee considered a report on financial staffing information, which provided information on the finances of potential Central Team Staffing in 2019-20. The report contained the potential ERW Staffing Structure from April 2019 and the current staffing commitments that would roll into the 2019-20 financial year.

**UNANIMOUSLY RESOLVED** that the report be noted.

[Note: Following the consideration of the above item, the public was readmitted to the meeting]

## 7. APPOINTING LEAD DIRECTOR AND TEMPORARY LEAD CHIEF EXECUTIVE



The Joint Committee was advised that the following nominations had been received:

- Temporary Lead Chief Executive: Mr Eifion Evans (Ceredigion County Council)
- Lead Director: Ms Kate Evan-Hughes (Pembrokeshire County Council)

The Joint Committee was advised that further discussion was to take place in relation to the apportionment of roles and responsibilities in the consortium.

**UNANIMOUSLY RESOLVED that**

**7.1. Mr Eifion Evans be appointed Temporary Lead Chief Executive;**

**7.2. Ms Kate Evan-Hughes be appointed Lead Director.**

**8. 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**

The Chair advised that there were no other items of business that should be considered as a matter of urgency.

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**



## ERW JOINT COMMITTEE 30.5.19

### RECRUITMENT PROGRESS

#### Purpose:

To inform the Joint Committee of progress made for recruiting posts in the new structure

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the Joint Committee note the report

#### REASONS:

Keeping JC informed on Review and Reform progress

#### Report Author:

Geraint Rees

#### Designation:

Interim MD

Tel No. 01267 24 5640

E. Mail: [geraint.rees@erw.org.uk](mailto:geraint.rees@erw.org.uk)

# EXECUTIVE SUMMARY

## ERW JOINT COMMITTEE

### 30.5.19

#### Recruitment Progress

#### BRIEF SUMMARY OF PURPOSE OF REPORT

The following permanent roles have been appointed by ERW since the last Joint Committee:

Head of Special Schools and Education in Alternative Settings

Lead for Digital Systems

Lead for Health and Wellbeing

Lead for Welsh in Education

Lead for Secondary Curriculum and Examinations

Lead for Leadership

Lead for Research and HEI Partnerships

Secondary Subject Specialists for:

Welsh

English

Science

Mathematics

Humanities

Pedagogy and Curriculum Development AOLE Leads x 12

DETAILED REPORT ATTACHED?

No



## IMPLICATIONS

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>YES</b>
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Staffing Implications <b>YES</b>
<b>1. Staffing Implications</b> <b>The report is notifying the JC of changes in staffing</b>

## CONSULTATIONS

Details of any consultations undertaken are to be included here
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### 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



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## ERW JOINT COMMITTEE 30.5.19

### CORRESPONDENCE

#### Purpose:

That the Joint Committee receive the latest correspondence from the ERW Scrutiny Councillor Group and agree a letter of response

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the Joint Committee agree the draft letter of response attached to this report

#### REASONS:

Current Governance Arrangements

<b>Report Author:</b>	<b>Designation:</b>	<b>Tel No.</b>
Cllr Ellen ap Gwynn	Chair of Joint Committee	<b>E. Mail:</b>

# EXECUTIVE SUMMARY

## ERW JOINT COMMITTEE

### 30.5.19

#### CORRESPONDENCE

#### BRIEF SUMMARY OF PURPOSE OF REPORT

#### OPTIONS AVAILABLE AND THEIR PROS AND CONS

The Scrutiny Councillor Group has formed a letter which requires a response from the Joint Committee. A draft response has been included for the Committee's consideration

DETAILED REPORT ATTACHED?

YES



## IMPLICATIONS

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

Details of any consultations undertaken are to be included here

### Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report: **THESE ARE DETAILED BELOW**

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To:  
**Cllr. Ellen ap Gwynn**  
Chair of the ERW Joint Committee

Please ask for: **Scrutiny**

Scrutiny Office Line: **01792 637256**

e-mail [scrutiny@swansea.gov.uk](mailto:scrutiny@swansea.gov.uk)

Date **18 April 2019**

Dear Councillor ap Gwynn

### **ERW Scrutiny Councillor Group – 25 March 2019**

The Scrutiny Councillor Group would like to thank Geraint Rees and Aneirin Thomas for attending our meeting and for presenting the information we requested and answering our questions. I am writing to you to reflect the views from that meeting.

We were disappointed not to have received a written response to our letter to you dated 28 January 2019. We had highlighted a number of recommendations and concerns that we would like you to address. We would be grateful for an early response.

After discussing the issues around the ERW reform programme with you in January, we felt more reassured that progress was being made and in a timelier manner. Unfortunately we heard today that the ERW Joint Committee met on February but only partially agreed the way forward. We understand that there are a number of sticking points around the budget and financial aspects of the new way forward that not all Councils were ready to sign up to. We understand that one Council is considering giving one year's notice to leave ERW. We heard that their leaving will be contingent on whether they feel the reform programme has moved forward effectively and if they believe it has, they may then rescind that notice to leave. However, this in itself causes problems and we had concerns about the impact this would have on the overall budget of ERW. We also recognise this uncertainty may cause a number of challenges.

We heard that the uncertainty in the ongoing delay to the reform programme has been difficult for staff working for ERW. We do recognise this and wish to express our appreciation for their commitment to ERW and education improvement through this difficult time.

Geraint outlined the position and progress made with the programme of reform, which included the developing of phases/milestones for schools including a package of learning and moving forward with the appointment of permanent primary and secondary leads and other key staff at ERW. We were also pleased to hear about the developing work with the university around research and teacher training and note that professional learning will

now be seen as a career long process. We were pleased to hear that key staff appointments will be made towards the end of May.

We received a presentation on the categorisation of schools across the region. We had previously discussed concerns the group had about the time that some schools are spending in the red category and the churn of these out and in of that category. We looked at what is being done to intervene in this process and assist those schools to improve, especially how we progress when a school is consistently underperforming. The link between Estyn outcomes and our assessment and categorisation was raised, particularly when the assessment of the Education Improvement Service and the Estyn Inspection outcome are vastly different.

As a part of this discussion the issue of consistency, robustness and standardisation of the support system across the region was considered and we felt that we wanted more information on this and how it is being improved. We will invite the Lead Director and Geraint to provide further information to our next meeting in June.

We also discussed how we would like the ERW Scrutiny Councillor Group to progress in the future and are currently updating our Terms of Reference to reflect what we believe is our role moving forward. We have agreed to meet four times a year, with three of these meetings preceding the ERW Joint Committee and one being a wider information sharing good practice session. We will write to you following each meeting and would request that you respond to us in writing within 28 days of receipt of that letter. We will share our updated terms of reference and agreed ways of working once agreed in due course.

We welcome your thoughts on any of the issues raised in our letter and would be grateful if you could respond in writing addressing the following issues by 9 May 2019.

- 1) We have concerns about the impact of the financial deficit if one Council leaves ERW on the overall budget. Can you update us on how this will be addressed moving forward?
- 2) We would like to ensure that the scrutiny and the ERW Scrutiny Councillor Group are clearly reflected in the Governance procedures of ERW, including the two way communication process and that expectations are agreed. I would be grateful if you would consider our request and let us know how you might address this?

Yours sincerely,

**Cllr Lyndon Jones**  
**Chair ERW Scrutiny Councillor Group**  
[Cllr.lyndon.jones@swansea.gov.uk](mailto:Cllr.lyndon.jones@swansea.gov.uk)



Dear Councillor Jones

Firstly, I would like to thank you for your letter. I hope you find this response useful, and that it reassures you with regard to the concerns your letter outlines.

Your first questions regarding the impact of the financial deficit if one Council leaves ERW on the overall budget is of course pertinent when one considers that Neath Port Talbot County Council have notified the Joint Committee of their intention to withdraw from ERW by April 2020.

While this is of course a concerning development within the region, I would point out that Neath Port Talbot can reverse this decision at any point between now and their exit date next year, and that their Council Leader has been very clear in his position that the Review and Reform of ERW will play a large part in this decision moving forward. Therefore, the current Review and Reform work being undertaken is of the utmost importance, and we will all work towards improvements that should sufficiently reassure Neath Port Talbot County Council. It should also be noted that Neath Port Talbot have back-paid their contribution for 18-19 and 19-20 in order for the reform programme to continue.

The Joint Committee is fully aware of the risks associated with the withdrawal / non-contribution of a member authority, both in terms of core and grant funding, and this risk has been articulated in our Risk Register which we receive termly. In terms of impact of a financial deficit itself, there are several clauses in the ERW Legal Agreement that safeguard ERW Financially under paragraph 15 – “withdrawal and indemnity for consequences of withdrawal”. If NPT were to complete their withdrawal, the Joint Committee would then take advice from our Monitoring Officer on the best course of action.

Your second question regarding the alignment of governance arrangements with the Scrutiny Councillor Group. I am pleased to hear of your re-structure of your meeting schedules, and believe it will go a long way in streamlining our correspondence, as both groups will now be meeting termly.

In terms of the ERW’s governance arrangements, there is a mandate for a top to bottom review of how the operational work of ERW is reviewed in the Review and Reform document we signed off this year. Some points of note in that agreed document were a Peer Review system between Local Authorities, and a model of Working Groups for key areas of work that would comprise of 3 practitioners, 2 Local Authority staff, and 1 Director of Education.

It is also worth noting that our Directors of Education have jointly agreed that in future, they will receive a monthly overview of regional activities, including exception reporting. The aim of this system is to ensure that any operational shortcomings or concerns can be flagged at Director level, which will then allow the Joint Committee to take a more strategic approach to their function.

While much of this work is in its developmental stage, we would be happy to keep you informed as it develops. I anticipate that the Interim Managing Director and newly appointed Lead Director will have information for you in your June meeting that will prove helpful, particularly on the progress of recruitment and on our reform journey.

Yours Sincerely,

Cllr Ellen ap Gwynn



Ein Rhanbarth ar Waith  
Education through Regional Working  
www.erw.cymru  
www.erw.wales

## ERW JOINT COMMITTEE 30.5.19

### APPOINTMENT OF CHAIR AND VICE-CHAIR

#### Purpose:

That the ERW Joint Committee vote on a Chair and Vice-Chair

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the 6 Council Leaders vote on a Chair and Vice-Chair moving forward.

#### REASONS:

ERW Legal Agreement

#### Report Author:

Geraint Rees

#### Designation:

Interim MD

Tel No. 01267 24 5640

E. Mail: [geraint.rees@erw.org.uk](mailto:geraint.rees@erw.org.uk)



**EXECUTIVE SUMMARY  
ERW JOINT COMMITTEE  
30.5.19**

**APPOINTMENT OF CHAIR AND VICE-CHAIR**

**BRIEF SUMMARY OF PURPOSE OF REPORT**

The ERW Legal Agreement requires the Joint Committee to hold a vote for a Chair and Vice-Chair.

**DETAILED REPORT ATTACHED?**

**NO**



## IMPLICATIONS

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

Details of any consultations undertaken are to be included here

### 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



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