

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



ERW Joint Committee
Monday, 9th December, 2019
Y Llwyfan, College Road, Carmarthen
10.00 - 11.49 am

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

Councillor Rob Stewart	Swansea City Council
Councillor Phyl Davies (substituting for Cllr Rosemarie Harris)	Powys County Council
Councillor Guy Woodham (substituting for Cllr David Simpson)	Pembrokeshire County Council
Mr Aled Evans	Neath Port Talbot Council
Mr Eifion Evans	Ceredigion County Council
Mr Gareth Morgans (substituting for Wendy Walters)	Carmarthenshire County Council
Mr Phil Roberts	Swansea City Council
Mr Ian Westley	Pembrokeshire County Council
Councillor Jen Raynor	Swansea City Council
Councillor Catrin Miles	Ceredigion County Council
Mr Jonathan Haswell	Pembrokeshire County Council (ERW – S151 Officer)
Mr Matthew Holder	Pembrokeshire County Council (Audit)
Mr Andi Morgan	ERW (Interim Managing Director)
Ms Elin Prysor	Ceredigion County Council (ERW - Monitoring Officer)
Ms Kate Evan-Hughes	Pembrokeshire 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)
Mr Clive Phillips	ESTYN
Ms Natalie Chambers	ERW



Mr. Osian Evans	ERW
Mr Martin S. Davies	Carmarthenshire County Council (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ellen ap Gwynne (Ceredigion County Council), Councillor Rosemarie Harris (Powys County Council), Councillor Rob Jones (Neath Port Talbot Council), Caroline Turner (Powys County Council), Wendy Walters (Carmarthenshire County Council), Jo Hendy (Pembrokeshire County Council) and Dr. Chris Llewelyn (W.L.G.A.).

2. DECLARATIONS OF PERSONAL INTERESTS

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

3. MINUTES - 8TH NOVEMBER 2019

RESOLVED that the minutes of the meeting held on 8th November 2019 be signed as a correct record.

4. MATTERS ARISING FROM THE MINUTES

Item 4 - Governance Arrangements-It was noted that the Proposed Governance Arrangements (September 2019) document remained deferred.

5. CORRESPONDENCE

The Joint Committee had been circulated with a letter dated 22nd October, 2019, from Councillor Endaf Edwards, Chair of the ERW Scrutiny Councillor Group, specifically seeking responses to the following recommendations:

- That the possibility of including an expert from the business community on the ERW Advisory Board be investigated;
- That a scheme of delegation is written that supports the new governance structure;
- That ERW ensures Governors are made aware that they are able to attend the planned sessions on the Curriculum for Wales;
- ERW must work with local authorities to ensure that the workforce has the necessary skills, infrastructure, connectivity and support to enable digital learning across the region.

The Interim Managing Director advised that he would formulate a suitable letter of response to the points raised on behalf of the Joint Committee.

NOTED.



6. REVIEW AND REFORM UPDATE

The Joint Committee considered a progress report on the ERW review and reform activity and, in particular the enhancement of the central team following recent recruitments. It also detailed the Team's work during the Autumn Term 2019 including Business Plan delivery and future priorities.

In response to a question the Interim Managing Director agreed to circulate details of the membership of each of the 6 ERW Strategy Groups. The ERW Monitoring Officer advised that the status of the Strategy Groups had still to be clarified as a formal decision on ERW's future governance arrangements had been deferred by the Joint Committee at its last meeting.

RESOLVED to receive the report and, whilst noting the current status of the Proposed Governance Arrangements (September 2019) document, to endorse the establishment of the ERW Strategy Groups in principle pending approval of the proposed governance structure in accordance with the Governance Proposals document (which remains deferred).

7. ERW FINANCIAL UPDATE - QUARTER 3 2019-20

[The Joint Committee was advised that this item had been withdrawn.]

8. RISK REGISTER

The Joint Committee considered the Review and Reform Risk Register [Threats] 2019-20 and the Corporate Risk Register (Threats) 2019-20 which detailed the current systemic levels of risk currently within ERW. It was highlighted that currently ERW did not have a clearly designated Data Protection Officer as required by the General Data Protection Regulations.

RESOLVED

8.1 that the report be approved;

8.2 that responsibility for Data Protection be incorporated with the remit of the Interim Managing Director until such time as a Data Protection Officer is appointed.

9. KS4 PERFORMANCE AND POLICY CHANGE

The Joint Committee considered a report detailing Welsh Government's policy changes in relation to KS4 interim performance measures and an overview of schools' performance for 2019 with the ERW region.

The Interim Managing Director, in response to a query, agreed to circulate details of ERW's performance measured against other Welsh regions.

In terms of the 'Capped 9 Measure' concern was expressed with regard to the over-emphasis on formal exams to the detriment of skills development.

RESOLVED that the report be noted.



10. SECONDARY SUPPORT AND SCHOOLS RECEIVING ADDITIONAL SUPPORT

The Joint Committee considered a report detailing Secondary Support and schools receiving additional support through a variety of strategies, placing great emphasis on engagement and collaboration between ERW central officers and locally based Senior Challenge Advisers, Challenge Advisers and LA officers.

Reference was made to the issue of schools causing concern and it was commented that not all the causes would be within the remit of ERW.

It was noted that ERW had a clear role in ensuring that there was a demarcation between its work and the responsibilities of local authorities in order to avoid duplication.

RESOLVED that the report be noted.

11. INTERNAL AUDIT WORK PROGRAMME 2019-20

The Joint Committee considered a report detailing the Internal Audit work programme for 2019-20 which had been prepared in accordance with the requirements of the Public Sector Internal Audit Standards.

RESOLVED to approve the Internal Audit work programme for 2019-20.

12. FEEDBACK FROM REGIONAL EVALUATION AND IMPROVEMENT SESSION

The Joint Committee considered a report which provided an overview of the Welsh Government Evaluation and Improvement Session held on the 21st November 2019 and led by Kirsty Williams, Minister for Education. The Lead Chief Executive expressed the view that the responses received from Welsh Government to ERW's work had been positive.

RESOLVED that the report be noted.

13. ERW INTERNAL AUDIT INVESTIGATION INTO THE LEADERS OF LEARNING PROGRAMME

Further to minute 4 of the meeting held on the 3rd April 2019 the Joint Committee considered a report detailing the findings of the Internal Audit investigation into the funding streams and governance arrangements to support the expenditure associated with the Leaders of Learning Programme. One of the issues highlighted was the lack of monitoring of the Programme by the Joint Committee following its approval. It was also considered that the accounting structure needed to be simplified and that the lessons should be learnt, and reflected in next year's Business Plan. The recommendations put forward in the report had been accepted by the responsible officers and were being addressed.

RESOLVED that the report be noted and a progress report with regard to the implementation of the recommendations be submitted to the next meeting.



14. ANY OTHER ITEMS OF BUSINESS

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

15. ERW FINANCIAL AND FUNDING MODEL FOR 2020-21

The ERW Monitoring Officer advised that although, as indicated in the report, she had originally confirmed that this item should be exempt from publication this was, in fact, only applicable to proposals a-e [page 196] and the remainder could be considered with the public present.

The Joint Committee considered a report on the outcome of the Education Directors discussions on the ERW Financial and Funding Model for 2020-21. Whilst the Education Directors from Powys, Ceredigion, Pembrokeshire, Carmarthenshire and Swansea had been in agreement with the proposals and increased contributions for 2020-21 detailed in the report the Education Director from NPT had been in agreement with the proposals but could not support the net increase in contribution of £26,177.00 for 2020-21.

Concerns were expressed over the fact that if NPT refused to endorse the increase in its contribution the other five authorities would have to meet the shortfall on top of the increased contributions required from each.

It was noted that the ERW Financial and Funding Model for 2020-21 should be based on five authorities, reflecting that NPT was due to withdraw from ERW in March 2020.

Sympathy with NPT's position was expressed and concerns raised at the last meeting over the need for clarity with regard to the future of ERW's 'footprint', e.g. the possibility of a 4/2 split, were reiterated. It was suggested that it would be useful to have a report setting out a roadmap /appraisal with options for any future ERW arrangement taking into account the effect of NPT's withdrawal from ERW and any proposals put forward by Welsh Government. Members were advised of the impact uncertainty with regard to the future of ERW was having on staff morale and the financial implications of any future restructuring.

RESOLVED



- 15.1 to approve the proposals made by the Education Directors in respect of the ERW Financial and Funding Model for 2020-21 based on five authorities (excluding NPT);
- 15.2 to ascertain if Welsh Government would allow additional transitional flexibility within the RCSIG from WG in 2020-21, similar to 2019-20;
- 15.3 that a report setting out a road map / options appraisal for any likely future ERW arrangement be considered at the next scheduled meeting;
- 15.4 that the roles referenced b-e within the report [p.196] be removed.

16. 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 and 15 of Part 4 of Schedule 12A to the Act.

17. APPOINTMENT OF ERW MANAGING DIRECTOR

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED**, pursuant to the Act referred to in Minute 16 above, to consider this matter in private, with the public excluded from the meeting as the report contained information relating to consultations or negotiations or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority and employees of the authority.

The Joint Committee considered a report seeking approval to commence the recruitment process for the Managing Director secondment opportunity.

RESOLVED to approve the appointment of a Managing Director via a one year secondment.

18. ERW INTERNAL AUDIT INVESTIGATION INTO THE LEADERS OF LEARNING PROGRAMME (NOTES OF MEETINGS)

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED**, pursuant to the Act referred to in Minute 16 above, to consider this matter in private, with the public excluded from the meeting as the report contained information which could identify individuals.

With reference to minute 13 above the Joint Committee had been circulated with the notes of meetings conducted with relevant officers as part of the investigation



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into the Leaders of Learning Programme to strengthen governance, internal control and financial management arrangements within the Consortium.

NOTED.

CHAIR

DATE

