

# Document Pack



**WEDNESDAY, 24 MARCH 2021**

**ERW JOINT COMMITTEE  
VIRTUAL MEETING AT 2.00 PM,  
ON TUESDAY, 30TH MARCH, 2021**

## **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 9TH FEBRUARY 2021** 3 - 8
4. **MATTERS ARISING FROM THE MINUTES**
5. **ERW BUDGET 2021-22 (APRIL - AUGUST)** 9 - 20
6. **NEATH PORT TALBOT LETTER - PROCUREMENT OF SERVICES** 21 - 26
7. **CEREDIGION LETTER - PROCUREMENT OF SERVICES** 27 - 32
8. **Y LLWYFAN LEASE** 33 - 34
9. **LEGAL AND MONITORING ARRANGEMENTS APRIL - AUGUST 2021** 35 - 38
10. **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

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



**ERW Joint Committee  
Tuesday, 9th February, 2021  
Virtual Meeting  
2.00 - 3.20 pm**

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

Councillor Rob Stewart	Swansea City Council
Councillor Rosemarie Harris	Powys County Council
Councillor David Simpson	Pembrokeshire County Council
Councillor Ellen ap Gwynn	Ceredigion County Council
Mr Richard Brown	Pembrokeshire County Council
Dr Caroline Turner	Powys County Council
Mr Eifion Evans	Ceredigion County Council
Mr Phil Roberts	Swansea City Council
Councillor Phyl Davies	Powys County Council
Councillor Jennifer Raynor	Swansea County Council
Councillor Guy Woodham	Pembrokeshire County Council
Mr Jonathan Haswell	Pembrokeshire County Council (ERW – S151 Officer)
Ms Elin Prysor	Ceredigion County Council (ERW - Monitoring Officer)
Mr Stephen Richards-Downes	Pembrokeshire County Council (Deputy Lead Director)
Mr Aneirin Thomas	Carmarthenshire County Council
Mr Greg Morgan	ERW Chief Officer
Mr Ian Altman	ERW Chief Officer
Mr Ceri Davies	Pembrokeshire County Council (ERW - HR)
Ms Helen Lewis	Pembrokeshire County Council (ERW - HR)
Mr Matthew Holder	Pembrokeshire County Council (ERW – Internal Audit)
Ms Ruth Lee	ERW Business Support Manager
Ms Natalie Chambers	ERW Principal Accountant

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

Ms Ffion Lloyd	Ceredigion County Council
Mr Mark Campion	ESTYN
Mr Alex Ingram	Welsh Government
Dr Chris Llewelyn	WLGA
Mrs Jessica Laimann	Carmarthenshire County Council (Democratic Services)
Mrs Rhian Lloyd	Carmarthenshire County Council (Democratic Services)
Ms Siwan Rees	Carmarthenshire County Council (Translation)
Mr Jonney Corner	Carmarthenshire County Council (Technical Support)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Wendy Walters (Carmarthenshire County Council), Gareth Morgans (Carmarthenshire County Council) and Joanne Hendy (Pembrokeshire County Council – ERW Audit).

**2. DECLARATIONS OF PERSONAL INTERESTS**

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

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE JOINT COMMITTEE HELD ON 13 NOVEMBER 2020**

**RESOLVED** that the minutes of the ERW Joint Committee meeting held on 13 November 2020 be signed as a correct record.

**4. MATTERS ARISING FROM THE MINUTES (IF ANY)**

No matters were raised at the meeting.

**5. CORRESPONDENCE**

The Joint Committee received the following correspondence:

- Letter from Estyn, dated January 2021, with regard to the work of ERW between March and October 2020;
- Letter from the Chair of the ERW Scrutiny Councillor Group to the Chair of the Joint Committee reflecting on views following the last meeting of the ERW Scrutiny Councillor Group on the 26<sup>th</sup> November 2020;
- Draft response from the Chair of the Joint Committee in reply to the aforementioned letter from the Chair of the ERW Scrutiny Councillor Group.

**RESOLVED that**

**5.1. The correspondence be received;**



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

**5.2. The Chair's draft response letter in reply to the letter from the Chair of the ERW Scrutiny Councillor Group be approved.**

**6. ERW UPDATE**

The Joint Committee received an update presentation on the following key areas;

- ERW Strategy Groups
- ESTYN Thematic Report
- ERW Professional Learning Offer
- Curriculum for Wales
- Secondary Curriculum Support
- Professional Learning and Research
- Equity and Wellbeing
- Leadership
- Digital Skills
- Cymraeg

Several comments were made thanking ERW for their valuable work in supporting schools during the pandemic.

In response to a query, Members were advised that the level of engagement with live and on-demand resources would be monitored.

**RESOLVED that the update presentation be received.**

**7. CONSORTIUM DEVELOPMENTS**

The Joint Committee received a progress report on Consortium Developments.

Members were advised that Directors had agreed a draft mission statement including key principles, core aims and values for the new ERW model as detailed in the report. Legal officers were developing a draft legal agreement for the future arrangements.

The Lead Director had requested all LAs to confirm what services would be required at a local level, whether the LA intended to join the new Consortium and what commissioned services would be required if they did not wish to join the new Consortium. The Joint Committee was advised that a response from NPT was still outstanding. Once this had been received, the draft legal agreement could be progressed and a costing structure for the new model developed. Independent legal advice was being sought from public procurement specialists in relation to commissioning and potential implications on statutory responsibilities for school improvements.

The meeting was advised that Ceredigion County Council would not be joining the new model but was looking to commission services in the future. Carmarthenshire

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

County Council and Swansea Council would temporarily rescind their notice to leave the Consortium to facilitate an extension of the new implementation date to 31 August 2021.

Several comments were made welcoming the extension of the implementation date to 31 August 2021 to minimise financial risks and provide stability during the pandemic.

**RESOLVED that the date for the dissolution / termination of ERW and the implementation of a new Consortium model be extended to 31 August 2021.**

## **8. FINANCE UPDATE 2020-21**

The Joint Committee received a presentation on the ERW Financial Update 2020-21 as at 31 December 2020, relating to the following areas:

- Central Team Budget
- Service Level Agreements
- Local Authority Contributions
- Grant Allocations
- Pupil Development Grant (PDG)
- Regional Consortia School Improvement Grant (RCSIG)
- Grants - Business Plan Priorities
- Risks
- Reserves
- Recommendations

The Joint Committee was advised that SLAs remained unchanged and all LA contributions for 2020/21 had been received.

Grant allocations remained largely unchanged with the exception of a variation letter providing an additional £35k for Supporting Adopted Learners and NPEP Funding. The projected outturn is a £229k underspend, mainly due to staff vacancies and new ways of working during the pandemic.

£10k had been added to the budget to cover the legal costs of the forthcoming changes to ERW, based on an estimate provided to the Lead Director of Education. This cost was covered through savings found elsewhere within the core funded budget.

With regard to School Improvement Budgeted Expenditure, strategy groups were on track to spend the remaining budget in accordance with agreed priorities. Risks continued to be identified around dependency on grants, the future ERW footprint and diminishing reserves.

**RESOLVED that**

**8.1. The updated ERW financial position at 31 December 2020 be noted;**



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

**8.2. The amendments to the Central Team budget for 2020-21, namely the legal costs for the anticipated changes to ERW, be approved.**

**9. ERW RISK REGISTER**

The Joint Committee received the Risk Register detailing the main strategic business risks to ERW's objectives. It was advised that the risks in relation to qualifications 2021 had been updated to reflect recent Welsh Government announcements.

**RESOLVED that**

**9.1. The change in risk profile be noted;**

**9.2. The risk register be received.**

**10. INTERNAL AUDIT WORK PLAN**

The Joint Committee received a report on the Internal Audit Work Programme for 2020/21.

Members were advised that the Programme had been prepared in accordance with the requirements of the Public Sector Internal Audit Standards and had been developed in consultation with the Lead Chief Executive, Lead Director, Section 151 Officer, Monitoring Officer and Interim Chief Officers.

**RESOLVED that the Internal Audit Programme for 2020/21 be approved.**

**11. 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.

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

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



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## ERW JOINT COMMITTEE 30 MARCH 2021

### OUTLINE DRAFT BUDGET 1 APRIL – 31 AUGUST 2021

**Purpose:** To provide the ERW Joint Committee with an update on the outline draft budget for April to August 2021 and seek Joint Committee approval of funding.

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- The Joint Committee notes the assumptions and estimates made in compiling the outline budget for 1 April to 31 August 2021;
- The Joint Committee notes the risks associated with the uncertainty over ERW from 1 September 2021 onwards;
- The Joint Committee approves the outline budgets for 1 April to 31 August 2021;
- The Joint Committee approves the Local Authority Contributions for 1 April to 31 August 2021;
- The Joint Committee approves the use of reserves and unused funding carried forward to support the outline core Central Team budget for 1 April to 31 August 2021;
- The Joint Committee approves the transfer of RCSIG, including EIG, and PDG funding from each Local Authority to ERW as outlined in the report;
- The Joint Committee approves the transfer of PDG LAC funding from each Local Authority to ERW as outlined in the report;
- The Joint Committee authorises the ERW S151 Officer to make amendments to the outline budget as assumptions and estimates are confirmed.

#### REASONS:

Compliance with Financial Regulations

<p><b>Report Author:</b> Jon Haswell</p>	<p><b>Designation:</b> ERW Section 151 Officer</p>	<p><b>Tel No.</b> 01437 775836</p> <p><b>E. Mail:</b> haswellj@pembrokeshire.gov.uk</p>
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## EXECUTIVE SUMMARY ERW JOINT COMMITTEE 30 MARCH 2021

### OUTLINE DRAFT BUDGET 1 APRIL – 31 AUGUST 2021

#### BRIEF SUMMARY OF PURPOSE OF REPORT

To provide the ERW Joint Committee with an update on the following:

- Outline draft budget for 1 April to 31 August 2021;
- Outline Local Authority Contributions for 1 April to 31 August 2021;
- Outline Grant Allocations required from Local Authorities to ERW for 1 April to 31 August 2021;
- Outline the risks for 1 April to 31 August 2021;

<b>DETAILED REPORT ATTACHED?</b>	YES
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## IMPLICATIONS

Policy, Crime & Disorder and Equalities	Legal	Finance	Risk Management Issues	Staffing Implications
<b>NONE</b>	<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>
<b>1. Finance</b>  The outline draft budget will assist the Joint Committee in making decisions relating to 1 April to 31 August 2021.				
<b>2. Risk Management</b>  The key financial risks for ERW in 2021 are: <ul style="list-style-type: none"> <li>• The financial viability of ERW as a going concern</li> <li>• The uncertainty of funding from Local Authorities as no funding will be issued to ERW by Welsh Government (Depending on above)</li> <li>• The level of reserves.</li> </ul>				

## CONSULTATIONS

N/A

### 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
N/A	N/A	N/A

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# **ERW Outline Budget 1 April – 31 August 2021**

**30 March 2021**

## **ERW S151 Officer**

## 1. Introduction

This report presents the Joint Committee with an outline budget for five months, 1 April to 31 August 2021, based on an alliance of 4 Local Authorities (following the departure of Ceredigion County Council on 31 March 2021).

## 2. Assumptions and Estimates

A number of assumptions and estimates have had to be made to create the outline budget and should be considered throughout.

The assumptions and estimates for the outline budget, based on an alliance of 4 Local Authorities, are:

- The assumptions and estimates are subject to change as they are confirmed;
- The funding for the RCSIG is indicative only, is subject to change by Welsh Government and will be paid to the Local Authorities (*in previous years it has been paid direct to ERW*);
- For budgeting purposes, where elements of the RCSIG and PDG are still to be confirmed, the funding level has been excluded as agreement will need to be made to transfer any funding to ERW in the future;
- No commissioning of ERW services from NPT or Ceredigion has been included within this outline budget, for prudence and due to the “TBC” status of these funding streams within the indicative funding, other than the HLTA and future leaders programme for NPT on a pro-rated basis.
- All posts which are currently filled for 2020-21 have been included;
- A 1.5% pay increase from April 2021 has been budgeted for anyone on the non-teaching pay grades;
- Salaries for all other staff have remained the same as their increases do not come into effect until September 2021;
- Remote working will continue for this period due to uncertainty around Covid-19 and to reduce costs;
- Minimal staff investment in training including Welsh language courses and Professional Learning;
- For rent, service charge and utilities, we have budgeted for 1 April 2021 – 31 October 2021 as this will cover our liability if we give notice on Y Llwyfan prior to 30 April 2021;
- Service Level Agreements (SLA’s) – the cost has been pro-rated for the five month budget, however, it was agreed several years ago that twelve months’ notice would be given to terminate any SLA’s, which would result in an annual expense of £139,000 based on 2020-21 SLA’s;
- We anticipate a duplication of costs for 2021-22 in respect of some SLA’s, e.g. Internal Audit, as two will be required, one for each structure. Agreement of new SLA’s may be more expensive, as some current SLA’s haven’t increased in many years.
- Audit Wales have not been contacted for an estimate of their fees for 1 April – 31 August 2021. Whilst their fees normally cover a financial year, they will charge for additional work, e.g. two Statements of Accounts for 2021-22, to be audited.
- £10k has been budgeted in respect of legal fees, as in 2020-21.
- Laptop replacements were put on hold due to Covid-19. Future requirements to be considered, ensuring technology is fit for purpose especially if remote working is to continue. Three months’ notice is required to exit mobile phone contracts.
- £3k for office decoration to ensure compliance with the terms and conditions of the lease.

### 3. Directors of Education Decisions

The Directors of Education have agreed to extend the following secondments to 31 August 2021:

Secondments in to ERW:

- Head of Curriculum Reform & Innovation (1 FTE);
- Area of Learning and Expertise Development Lead (1 FTE);
- Area of Learning and Expertise Development Lead (0.6 FTE);
- Area of Learning and Expertise Development Lead (0.4 FTE).

### 4. Central Team Budget 1 April – 31 August 2021

Local Authority contributions for 1 April – 31 August 2021 would be £181,922 which is 5/12<sup>th</sup>'s of the 2020-21 contributions. No increase has been added to account for the withdrawal of Ceredigion County Council in line with the approach following the withdrawal of NPT (*when the shortfall was covered by unused funding carried forward*).

The below table is based on PLASC-19 and may change if a move is made to PLASC-20, however, the impact of this is minimal.

Local Authority	2019-20 Contribution £	2020-21* Contribution £	2021-22 Contribution £	2021-22 Contribution £ (5/12)
Powys	33,535	81,934	81,934	34,139
Pembrokeshire	33,895	79,898	79,898	33,291
Carmarthenshire	53,167	123,998	123,998	51,666
Swansea	69,998	150,785	150,785	62,827
Ceredigion	18,692	43,741	-	-
NPT	40,713	-	-	-
<b>Total</b>	<b>250,000</b>	<b>480,356</b>	<b>436,615</b>	<b>181,923</b>

\* The change in contribution levels for 2020-21 was due to a requirement to fund the structure following the review and reform work undertaken in 2019 as outlined in the report considered and approved by the Joint Committee on 9 December 2019.

## Service Level Agreements (SLA's)

The budgets presented within this report are based on the costs of the 2020-21 SLA's, pro-rated for five months. The SLA's for 1 April – 31 August 2021 are budgeted as follows:

SLA's	2020-21 Total	Pro Rated 5 months
Committee Services (Carmarthenshire)	£5,000	£2,083
Scrutiny (Swansea)	£5,000	£2,083
Finance (Pembrokeshire)	£40,000	£16,667
Internal Audit (Pembrokeshire)	£25,000	£10,417
Human Resources (Pembrokeshire)	£20,000	£8,333
Information Technology (Pembrokeshire)	£24,000	£10,000
Procurement (Pembrokeshire)	£20,000	£8,333
<b>Total Budgeted SLA's</b>	<b>£139,000</b>	<b>£57,916</b>



The central team budget is as follows:

Budgeted Expenditure	Core Budget		Central Budget	Total
	Core Funded £000's	Grant Funded £'000s	Grant Funded £'000s	
<b>Staffing Costs</b>				
Salaries, Secondments, Specialists	246	11	905	1,162
Travel, Subsistence, Training and Development	1	-	2	3
IT Hardware & Mobiles	-	-	1	1
	<b>247</b>	<b>11</b>	<b>908</b>	<b>1,166</b>
<b>Development and Running Costs</b>				
Rent and Accommodation	36	-	-	36
General Office Expenses	5	-	-	5
Stationary, Telephone, Photocopying	3	-	-	3
Translation	3	-	11	14
Software, Marketing,	22	-	5	27
Service Level Agreements	33	25	-	58
External Audit	14	-	-	14
Legal Expenses	10	-	-	10
Business Plan Objectives	-	-	202	202
	<b>126</b>	<b>25</b>	<b>218</b>	<b>369</b>
<b>Total Estimated Expenditure</b>	<b>373</b>	<b>36</b>	<b>1,126</b>	<b>1,535</b>
<b>Budgeted Income</b>				
LA Contributions	182	-	-	182
Reserve (Unused Contributions from 2020-21)	77	-	-	77
EWC (Unused Funding Carried Forward)	114	-	-	114
Grant Funding RCSIG (Less EIG)	-	36	750	786
Grant Funding RCSIG (EIG ERW Retained Only)	-	-	315	315
Grant Funding RCSIG (PDG Co-ordinator Only)	-	-	27	27
Grant Funding RCSIG (NPT)	-	-	34	34
Grant Funding RCSIG (TBC Estimate)	-	-	-	-
Grant Funding RCSIG (Ceredigion)	-	-	-	-
<b>Total Estimated Income*</b>	<b>373</b>	<b>36</b>	<b>1,126</b>	<b>1,535</b>

\* NB - The above does not include an estimate for PDG LAC as this is TBC, however, 10% is usually retained by ERW to fund workstreams in this area.

## 5. Grant Funding from Local Authority Allocations 1 April to 31 August 2021

Grant funding for the Pupil Development Grant (PDG) and the Regional Consortia School Improvement Grant (RCSIG) will be disaggregated to each Local Authority within ERW (*In previous years, it has always been paid to ERW*). As it currently stands, no grant funding for the PDG and RSCIG will be paid to ERW. In order to fund ERW and allow delivery of the Business Plan until 31 August 2021, each Local Authority will need to transfer the following RCSIG and the Co-ordinator aspect of the PDG to ERW:

Local Authority	Powys £	Pembs £	Carms £	Swansea £	Total £
RCSIG	59,058	57,817	90,131	107,994	315,000
EIG of RCSIG	186,564	159,435	210,011	230,350	786,360
PDG Coordinator	5,775	6,417	6,096	8,342	26,630
<b>Total</b>	<b>251,397</b>	<b>223,669</b>	<b>306,238</b>	<b>346,686</b>	<b>1,127,990</b>

Indicative Funding Pro-Rated	2,216,765	2,146,966	3,308,389	3,942,775
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The Indicative Funding is based on a pro-rated 5/12<sup>th</sup>'s split per Local Authority of their indicative funding for 2021-22. This will allow £202,000 for delivery of the Business Plan based on the current indicative funding.

Professional Learning and Leadership funding is still TBC. A similar approach would be advisable once the funding is confirmed.

### PDG LAC from Local Authority Allocations 1 April to 31 August 2021

PDG LAC funding is TBC from Welsh Government. ERW would usually retain 10% to carry out work across the region in line with the Business Plan approved by the Joint Committee and the LAC Plan approved by the Directors of Education. It is suggested that a pro-rated 10% be made available for this purpose once funding is confirmed. Based on 2020-21 funding and LAC numbers on a pro-rated basis, each Local Authority would need to transfer the following grant funding to ERW:

LA	5/12 <sup>th</sup> Estimate £
Carmarthenshire	10,120
Powys	8,240
Swansea	15,430
Pembrokeshire	4,260
<b>Total</b>	<b>38,050</b>

## 6. Risks

The ERW reserves are diminishing (only £45k at the commencement of 2020-21) and any remaining reserves, pending the closure of 2020-21, will need to be utilised to contribute towards funding the Core Central Team in 2021-22.

Work is ongoing in respect of the future financial and funding model from 1 September 2021, but uncertainties remain. Continued reliance upon grant funding remains a risk.

## 7. Recommendations

- The Joint Committee notes the assumptions and estimates made in compiling the outline budget for 1 April to 31 August 2021;
- The Joint Committee notes the risks associated with the uncertainty over ERW from 1 September 2021 onwards;
- The Joint Committee approves the outline budgets for 1 April to 31 August 2021;
- The Joint Committee approves the Local Authority Contributions for 1 April to 31 August 2021;
- The Joint Committee approves the use of reserves and unused funding carried forward to support the outline core Central Team budget for 1 April to 31 August 2021;
- The Joint Committee approves the transfer of RCSIG, including EIG, and PDG funding from each Local Authority to ERW as outlined in the report;
- The Joint Committee approves the transfer of PDG LAC funding from each Local Authority to ERW as outlined in the report;
- The Joint Committee authorises the ERW S151 Officer to make amendments to the outline budget as assumptions and estimates are confirmed.

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## ERW JOINT COMMITTEE 30 MARCH 2021

### ERW Consortium- 2021/22 Provision of Services to Neath Port Talbot County Borough Council

**PURPOSE:** To consider the letter from Councillor Rob Jones, Leader of Neath Port Talbot Council, dated 25<sup>th</sup> February 2021.

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To consider the request from Neath Port Talbot County Borough Council:

1. to extend the current arrangements to provide Neath Port Talbot (NPT) schools with access to agreed services until 31st March 2022 (or on the dissolution of the existing consortium, if earlier) on the current terms and subject to a formal contractual agreement.
2. to establish clear lines of communication with the consortium over the next period. In particular in regard to their financial liability attached to the dissolution of the current arrangements.

**REASONS:** To ensure clarity for current ERW partners and staff in regard to provision of services for Neath Port Talbot County Borough Council schools.

<p><b>Report Author:</b></p> <p>Phil Roberts</p> <p>Gareth Morgans</p>	<p><b>Designation:</b></p> <p>Lead Chief Executive</p> <p>Lead Director</p>	<p>E. Mail: edgmorgans@carmarthenshire.gov.uk</p>
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**EXECUTIVE SUMMARY**  
**ERW JOINT COMMITTEE**  
**30 MARCH 2021**

**ERW Consortium- 2021/22 Provision of Services to Neath  
Port Talbot County Borough Council**

Neath Port Talbot left ERW on 31/3/20. From 1/4/20 to date, NPT schools have been receiving services from ERW including:

- Innovation & QI Schools Quality Improvement
- Engaging Non Pioneers
- Professional Learning - Pioneer Schools
- Initial Teacher Education Partnership Pilots
- Initial Teacher Education Part time & work based
- Non-pioneer Cluster funding
- Higher Education Institutions Accreditation Manager funding
- Higher Level Teaching Assistants
- National Professional Qualification for Headship programme
- Newly Qualified Teachers programme
- Emerging Leader Programmes e.g. Middle Leaders

The Joint Committee agreed on 13/11/20:

1. the proposed changes to the Legal Agreement to enable ERW to provide Neath Port Talbot schools with access to agreed services as detailed within the variation report, subject to the assurance of no costs falling on ERW (save for legal costs incurred in amending the Legal Agreement).
2. to the preparation of a separate legal agreement between ERW and NPT.

It is understood that to date, neither the Deed of Variation deed (clause 1 above), nor the preparation of a separate legal agreement (clause 2 above ) have been completed. Reminders have been sent to partner authorities regarding Clause 1.

On the 25th February 2021 a letter was received from Councillor Rob Jones, Leader of Neath Port Talbot County Borough Council.

The letter outlined their position in regard to regional working in regard to school improvement and their focus for 2021/22. The letter refers to the

There was a request to extend the current arrangements until 31st March 2022 (or on the dissolution of the existing consortium, if earlier) on the current terms and subject to a formal contractual agreement.

In addition there was a request to establish clear lines of communication with the consortium over the next period in particular in regard to NPT's financial liability attached to the dissolution of the current arrangements.

There is also the following request- *'Officers have already asked for details of these potential costs and associated legal and HR advice, however, to date we have not received the information requested. I therefore formally request such information together with the plans that the ERW Joint Committee has approved to minimise the risk of these costs materialising.'*

I have been advised that the information requested (underlined) has now been provided.

In regard to minimising the risks of the costs the fact that NPT and other partners have left ERW could result in redundancies as the current core team was set up to service the whole region. We are not currently in a position to provide any partner with information in regard to liabilities.

<b>DETAILED REPORT ATTACHED?</b>	<b>YES- NPT Letter</b>
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## 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>
<p><b>Legal</b> In regard to providing services to anyone outside the current partnership agreement needs to be entered into to clarify what is to be delivered and any associated matters.</p>				
<p><b>Finance</b> The full allocations for the element of provision to be recouped (<i>namely the national leadership programmes</i>) and any additional costs associated with delivering and managing the programmes.</p>				
<p><b>Risk Management</b> An identified risk is the capacity of the core team to provide services to others outside the current partnership agreement. Their priority should be the current partners.</p>				
<p><b>Staffing Implications</b> Linked to the above risk we need to ensure we have the staff capacity to deliver for the partnership's schools and any others outside the current partnership.</p>				

## CONSULTATIONS

NONE
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<p><b>Section 100D Local Government Act, 1972 – Access to Information</b>  <b>List of Background Papers used in the preparation of this report:</b>  <b>THESE ARE DETAILED BELOW</b></p>		
<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
N/A	N/A	N/A







Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

Dyddiad/ Date 25 February 2021  
Rhif Ffôn/ Direct Line 01639 763309  
E-bost/ Email [leader@npt.gov.uk](mailto:leader@npt.gov.uk)  
Cyswllt/ Contact  
Eich cyf / Your ref  
Ein cyf/ Our ref RGJ.AP

## Leaders – ERW Consortium

Dear Emlyn,

### **ERW Consortium – 2021/22 Provision of Services to Neath Port Talbot County Borough Council**

Neath Port Talbot County Borough Council ('The Council') withdrew from the consortium on 31<sup>st</sup> March 2020 having served notice of its intention to do so in March 2019. On 13<sup>th</sup> November 2020, the ERW Joint Committee approved proposed changes to the ERW Legal Agreement, allowing Neath Port Talbot County Borough Council to purchase a limited number of services, namely the national leadership programmes, from the consortium during 2020/21.

We had understood that it was the ERW Joint Committee's intention to dissolve the consortium by 31<sup>st</sup> March 2021. However, we understand that the ERW Joint Committee agreed at its meeting on 9<sup>th</sup> February 2021 to continue with arrangements until at least the end of August 2021. Given that is the case, I am writing to confirm that Neath Port Talbot County Borough Council wishes to extend the current arrangements until 31<sup>st</sup> March 2022 (or on the dissolution of the existing consortium, if earlier) on the current terms and subject to a formal contractual agreement. I would be grateful if you could confirm that this is acceptable to the consortium.

Our priority during 2021/22 will be on supporting learners to catch up following a significant loss of face to face learning during the last academic year and also on supporting schools with their recovery. As we work through these issues we will clarify

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Swyddfa'r Arweinydd Y Cyngor

**Rob Jones, Arweinydd y Cyngor**

Y Ganolfan Ddinesig, Port Talbot SA13 1PJ  
Ffôn 01639 763309

Leader's Office

**Rob Jones, Leader of Council**

Civic Centre, Port Talbot SA13 1PJ  
Phone 01639 763309

[www.npt.gov.uk](http://www.npt.gov.uk)

future collaborative arrangements from our perspective, in particular how these might shape/be shaped by the new collaboration vehicles being established by the Local Government and Elections (Wales) Act 2021. It would be helpful if we could establish clear lines of communication with the consortium over the next period. In particular, we have been advised that there is a potentially significant financial liability attached to the dissolution of the current arrangements. Officers have already asked for details of these potential costs and associated legal and HR advice, however, to date we have not received the information requested. I therefore formally request such information together with the plans that the ERW Joint Committee has approved to minimise the risk of these costs materialising.

Neath Port Talbot County Borough Council is committed to working in partnership where such arrangements improve outcomes for our learners. For the Council to deepen collaboration in the region beyond the limited number of services it is currently commissioning, significant assurances would need to be evidenced regarding the extent to which proposed arrangements are fit for purpose in the new Covid-19 context as well as providing assurances that Council's previous concerns about governance, value for money and effectiveness have been fully addressed. I am sure you will agree that these are not trivial issues to be dealt with at pace but to be worked through in a measured way and on the basis of equal partnership.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Rob Jones', with a horizontal line extending to the right and a small arrowhead at the end.

Councillor Rob Jones  
Leader of Neath Port Talbot Council

**Cc**

Leaders and chief executives of authorities within the ERW consortium



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## ERW JOINT COMMITTEE 30 MARCH 2021

### ERW Consortium- Provision of Services to Ceredigion Council for the Summer Term 2021

**PURPOSE:** To consider the letter from Ceredigion's Leader, Cllr. Ellen ap Gwynn, dated 22<sup>nd</sup> March 2021.

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- To consider the request from Ceredigion County Council to provide specific programmes to Ceredigion schools until the 31<sup>st</sup> of August 2021.
- To develop a formal contractual agreement to agree the terms and conditions.

**REASONS:** To ensure clarity for current ERW partners and staff in regard to provision of services for Ceredigion County Council schools.

#### Report Author:

Phil Roberts

Gareth Morgans

#### Designation:

Lead Chief Executive

Lead Director

Tel No.

E. Mail:

edgmorgans@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
ERW JOINT COMMITTEE  
30 MARCH 2021**

**ERW Consortium- 2021/22 Provision of Services to  
Ceredigion Council**

On the 31<sup>st</sup> March Ceredigion County Council will leave the ERW Consortium as planned. On the 22<sup>nd</sup> of March 2021 a letter was received from Ceredigion's Leader, Cllr. Ellen ap Gwynn.

The letter makes a request to the Joint Committee for ERW to provide some services to Ceredigion's schools until the end of August 2021. These include the following leadership programmes-

- Commission places on the National Professional Qualification for Headteachers (NPQH) Pathway (as the Welsh Government pays the NPQH grant for every successful applicant the course fee should reflect the sum paid by Welsh Government)
- Commission places on the Higher Level Teaching Assistant (HLTA) Pathway (want to commission on a per capita amount- to be arranged)
- Commission places on the Newly Appointed and Interim Headteacher programmes (want to commission on a per capita amount- to be arranged)

In addition they request Joint Committee's agreement to be involved in:

- The regional Newly Qualified Teacher Moderation Process for the summer term, 2021. (cost to be agreed)
- That their Head of Pupil Referral Unit continues to attend the regional network for leaders of PRUs. (cost to be agreed)

**DETAILED REPORT ATTACHED?**

**YES- Ceredigion Letter**

## 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>
<p><b>Legal</b> In regard to providing services to anyone outside the current partnership agreement needs to be entered into to clarify what is to be delivered and any associated matters.</p>				
<p><b>Finance</b> The full allocations by the Welsh Government for the element of provision needs to be recouped and any additional costs associated with delivering and managing the programmes.</p>				
<p><b>Risk Management</b> An identified risk is the capacity of the core team to provide services to others outside the current partnership agreement. Their priority should be the current partners.</p>				
<p><b>Staffing Implications</b> Linked to the above risk we need to ensure we have the staff capacity to deliver for the partnership's schools and any others outside the current partnership.</p>				

## CONSULTATIONS

<p>Details of any consultations undertaken are to be included here</p> <p>NONE</p>
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<p><b>Section 100D Local Government Act, 1972 – Access to Information</b>  <b>List of Background Papers used in the preparation of this report:</b>  <b>THESE ARE DETAILED BELOW</b></p>		
Title of Document	File Ref No.	Locations that the papers are available for public inspection
N/A	N/A	N/A



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**At sylw:**

Y Cynghorydd Emlyn Dole,  
Cadeirydd Cyd-Bwyllgor ERW /  
Arweinydd Cyngor Sir Gaerfyrddin  
a  
Mr. Gareth Morgans, Cyfarwyddwr Addysg,  
Cyngor Sir Gaerfyrddin

Dyddiad  
Date

22 Mawrth, 2021

Gofynnwch am  
Please ask for

Y Cynghorydd Ellen ap Gwynn

Llinell uniongyrchol  
Direct line

01545 570881

Fy nghyf  
My ref

EaG/SAD

Ebost  
Email

[Ellen.apGwynn@ceredigion.llyw.cymru](mailto:Ellen.apGwynn@ceredigion.llyw.cymru)

*Drwy ebost yn unig*

Annwyl Emlyn a Gareth,

**Rhanbarth ERW – cais am gomisynu gwasanaethau o Ebrill 1af 2021 hyd at Awst 31ain 2021**

Fel yr ydych chi'n ymwybodol, ni fydd Cyngor Sir Ceredigion yn rhan o ranbarth ERW yn dilyn 31.3.21.

Mae ein cynlluniau ar gyfer Ebrill 1af 2021 ymlaen bellach wedi'u cymeradwyo gan y Llywodraeth ac yn cynnwys datblygu cyd-weithio gyda Chyngor Sir Powys ar rai blaenoriaethau ac agweddau o welliant addysgol.

Mae ychydig agweddau y byddai Cyngor Sir Ceredigion yn hoffi eu comisynu gan ERW hyd at Awst 31ain 2021, gyda diddordeb pellach mewn parhau i'w comisynu oddi wrth yr endyd newydd wedi hynny. Yn benodol, yr agweddau hynny ydy:

- bod Pennaeth yr Uned Gyfeirio Disgyblion (PRU) yn parhau i fynychu rhwydwaith arbenigol y rhanbarth ar gyfer unedau cyfeirio. Rydyn ni ar ddeall mai cyfarfod rhwydwaith tymhorol ydy hynny a byddai Ceredigion yn talu am eu lle ar y rhwydwaith hwn - swm i'w drefnu;
- ymuno yn y broses o gymedroli rhanbarthol ar gyfer proffiliau Athrawon Newydd Gymhwysu yn nhymer yr Haf 2021;
- comisynu llefydd ar gyfer yr achrediad Uwch Gynorthwy-wyr dosbarth (HLTA). Mae tua 4 o gynorthwy-wyr dosbarth yn llwyddiannus i gael lle ar y cwrs hwn yn flynyddol ac felly byddai Ceredigion eisiau comisynu ar raddfa tâl y pen – swm i'w drefnu;

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

- comisynu llefydd ar gyfer y rhaglen penaethiaid newydd a phenaethiaid dros dro. Byddai Ceredigion eisiau comisynu ar raddfa tâl y pen – swm i'w drefnu;
- comisynu llefydd ar gyfer yr achrediad CPCP. Ar hyn o bryd mae pedwar aelod o staff yn dilyn yr achrediad hwn a fydd yn dod i ben yn Ionawr 2022. Eto, byddai Ceredigion yn dymuno comisynu ar raddfa tâl y pen. Gan fod y Llywodraeth yn talu'r grant am CPCP fesul nifer yr ymgeiswyr llwyddiannus i'r cwrs dylai'r ffi am hynny fod yn adlewyrchu'r swm a delir gan Llywodraeth Cymru.

Hyderaf y gall y Cyd-Bwyllgor ystyried y cais uchod yn ffafriol.

Yn gywir,



Y Cyngorydd Ellen ap Gwynn  
Arweinydd Cyngor Sir Ceredigion





## ERW JOINT COMMITTEE 30<sup>TH</sup> MARCH 2021

### Y LLWYFAN LEASE

**Purpose:** To discuss future accommodation requirements and implications on the lease of the office space at Y Llwyfan.

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- To come to an agreement in relation to the current Llwyfan lease
- To consider future accommodation requirements.

#### REASONS:

ERW have a lease agreement with Trinity St David's University for office space in Y Llwyfan building in Carmarthen. As ERW draws to a formal close the lease needs to be considered.

<p><b>Report Author:</b>  Gareth Morgans</p>	<p><b>Designation:</b>  Lead Director</p>	<p><b>E. Mail:</b> edgmorgans@carmarthenshire.gov.uk</p>
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**EXECUTIVE SUMMARY  
ERW JOINT COMMITTEE  
30 MARCH 2021**

**Y LLWYFAN LEASE**

**BRIEF SUMMARY OF PURPOSE OF REPORT**

To provide a verbal update and to ensure that Joint Committee members are aware of the current situation with regard to the lease of Y Llwyfan.

**DETAILED REPORT ATTACHED?**

**NO**

**IMPLICATIONS**

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

The new partnership will require a registered postal address to support the functions.

**Finance**

The new partnership will require a base and some office space. However, we recognise that a reduced floor space will be required which will realise efficiencies.

**Staffing Implications**

The new partnership will require some space for staff to be able to undertake their roles effectively and on occasion space for face to face meetings etc.

**CONSULTATIONS**

None

**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
N/A	N/A	N/A



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## ERW JOINT COMMITTEE 30 MARCH 2021

### Legal and Monitoring Officer Services from April to August 2021

**Purpose:** To consider the provision of Legal and Monitoring Officer service arrangements from April to August 2021.

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To appoint the Lead Authority responsible for Legal and Monitoring Officer services, from 1<sup>st</sup> April to 31<sup>st</sup> August 2021.

**REASONS:** Currently the Legal and statutory Monitoring Officer function is undertaken by Ceredigion. As from 1<sup>st</sup> April 2021, Ceredigion will no longer be a member of the ERW Consortium and therefore one of the remaining Local Authorities needs to provide these functions.

<p><b>Report Author:</b></p> <p>Phil Roberts</p> <p>Gareth Morgans</p>	<p><b>Designation:</b></p> <p>Lead Chief Executive</p> <p>Lead Director</p>	<p>Tel No.</p> <p>E. Mail: edgmorgans@carmarthenshire.gov.uk</p>
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**EXECUTIVE SUMMARY  
ERW JOINT COMMITTEE  
30 MARCH 2021**

**Legal and Monitoring Officer Services from April to August 2021**

In ERW's Joint Committee Legal Agreement, the roles of the Lead Authorities are noted. These include Human Resources, Financial & Section 151 Officer functions, Administration of Committees and Legal and Monitoring Officer Services.

It states clearly that the Joint Committee shall be responsible for appointing the Lead Authority for each of the functions.

To date, Ceredigion have been effectively providing ERW with the Legal and Monitoring Officer services. As Ceredigion will no longer be an ERW partner from the 1<sup>st</sup> of April 2021 they will no longer provide this function.

The Legal Agreement clarifies the respective functions. The Lead Authority responsible for Legal and Monitoring Officer services shall supervise the governance arrangements and operation of the Joint Committee, the Executive Board and the Consortium in accordance with the terms of the Legal Agreement, conduct legal proceedings under Clause 11 of it, and ensure compliance with relevant legislation and good practice.

The Joint Committee needs to secure interim arrangements for the period 1<sup>st</sup> April to 31<sup>st</sup> August 2021.

A permanent arrangement will need to be made from 1<sup>st</sup> September 2021 onwards in respect of any new organisation formed

**DETAILED REPORT ATTACHED?**

**NO**



## IMPLICATIONS

Policy, Crime & Disorder and Equalities <b>YES</b>	Legal <b>YES</b>	Finance <b>NO</b>	Risk Management Issues <b>YES</b>	Staffing Implications <b>NO</b>
<p><b>Policy, Crime &amp; Disorder and Equalities</b> ERW needs to ensure it complies will all policies and related legislation and the Monitoring Officer is a key role in ensuring compliance.</p>				
<p><b>Legal</b> Legal advice is required by the Joint Committee and officers on a regular basis to ensure compliance with legislation. The Legal Agreement requires the appointments to be made.</p>				
<p><b>Risk Management</b> If these functions are not covered, it places the organisation at risk.</p>				

## CONSULTATIONS

<p>Details of any consultations undertaken are to be included here</p> <p>NONE</p>
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<p><b>Section 100D Local Government Act, 1972 – Access to Information</b>  <b>List of Background Papers used in the preparation of this report:</b>  <b>THESE ARE DETAILED BELOW</b></p>		
<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
Joint Committee Legal Agreement		Available from each partner Local Authority.

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