

(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

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| 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 |
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| Mr Eifion Evans | Ceredigion County Council |
| Mr Steven Phillips | Neath Port Talbot County Council |
| Mr Ian Westley | Pembrokeshire County Council |
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| 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 1st February, 2019 which provided responses to matters raised at the ERW Scrutiny Councillor Group meeting on the 10th 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.



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- 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.



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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 31st 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.



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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;



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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.

CHAIR

DATE

