



Llywodraeth Cymru  
Welsh Government

CYHOEDDIAD, DOGFENNU

# Cyfarfod y Panel Cyngori ar Amaethyddiaeth: 5 Mawrth 2024

Cofnodion o'r cyfarfod a gynhaliwyd dros Microsoft Teams.

Cyhoeddwyd gyntaf: 5 Mawrth 2024

Diweddarwyd ddiwethaf: 5 Mawrth 2024

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# Cynnwys

## Present

**Item 1 – housekeeping/apologies/conflict of Interest**

**Item 2 – chair’s update**

**Item 3 – Sustainable Farming Scheme**

**Item 4 – Real Living Wage Feasibility Report**

**Item 5 – minutes and action points of AAP 45**

**Item 6 – flexible working and job sharing in the agricultural sector**

**Item 7 – AAP Pages of the Welsh Government website**

**Item 8 – Agricultural Wages Order 2024**

**Item 9 – Agricultural Wages Order 2025**

**Item 10 – any other business**

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# Present

Chair – Dr Nerys Llewelyn Jones

Independents – Steve Hughson, Janatha Stout

NFU Cymru – Simon Davies

FUW – Darren Williams

Unite – Ivan Monckton, Jo Galazka, Barrie Roberts

Legal Adviser – Helen Snow (Geldards)

Welsh Government – Ryan Davies, Sian Hughes, Dan Ricketts (Secretariat)

Guest: Dave Ashford – Engagement Manager, SFS, Welsh Government

## Item 1 – housekeeping/apologies/conflict of Interest

The Chair welcomed everyone to the meeting including Barrie Roberts who will be a new member of the Panel from April 2024 representing Unite the Union (replacing Ivan Monckton).

There were no apologies noted.

A Conflict of Interest Declaration Form had been circulated to all Panel members prior to the meeting. Conflicts should be updated on at least an annual basis (although ideally as soon as something changes).

Ivan Monckton stated that one of the conflicts of interest not listed on the form, especially for the independent members, with regards to membership of a farming union or Unite. This should be included for clarity and transparency.

Amendments would be made to the declaration form and resent to all Panel

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members. The Chair asked for everyone to complete a declaration form by the next meeting in April.

The Chair also stated that her understanding was that these should then be published on the AAP webpages for transparency.

**ACTION POINT 1** – Dan Ricketts to make amendments to the Conflicts of Interest form as discussed and redistribute to all Panel members.

**ACTION POINT 2** – All members to update their conflicts of interest using the declaration form by the next Panel meeting.

## **Item 2 – chair's update**

- Review meetings between the Chair and Panel members will all be conducted by the end of March – some are already booked. These will include those members whose terms end on 31 March 2024 – Steve Hughson, Darren Williams and Ivan Monckton. These will also input into the internal Panel review.
- Farming Connect are undertaking some work to provide the Panel with additional publicity – they will draft an article for the quarterly Farming Connect bulletin. They are also interested in filming a short video on the Order, with both an employer and employee aspect, and a podcast. It was suggested that Will Prichard was approached – he was a former member of the Panel and employs workers and apprentices. One of those apprentices also won a Lantra award so would be a good example of a worker.

**ACTION POINT 3** – Nerys Llewelyn Jones to approach Will Prichard regarding the Farming Connect video and/or podcast.

- The Chair had also attended the Diversity and Inclusion Training as

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discussed in the last meeting and found it very useful.

- The Plan of Action regarding Panel Governance had been circulated to all Panel members prior to the meeting.

All Panel members approved the document without amendment.

- The Panel started their internal review of the Panel last year with a facilitated session in June. A further session would be arranged for the afternoon of 23 April (after the full Panel meeting in the morning). A questionnaire would also be sent out to capture the views of the current Panel members and the new ones starting in April. All this information will be drawn together into a document to be discussed at the July meeting.

## Item 3 – Sustainable Farming Scheme

Dave Ashford, Engagement Manager of the Sustainable Farming Scheme, gave an overview of the scheme and answered questions from members of the Panel. The consultation exercise was closing in 2 days and lots of analysis of the responses would then be undertaken.

The final scheme details and payment rates would then be published in the summer ready for the scheme to start on 1 January 2025.

A formal response to the consultation would not be made, however it was suggested a letter was sent to the Minister outlining the concerns of the Agricultural Advisory Panel, specifically on the following points:

- Potential job losses within the sector were unacceptable as well as the potential loss of farm income and the decrease in livestock;
- The scheduled timing of the final scheme details to come out in the summer could impact the Panel on their negotiations for the 2025 in September; and

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- There should be a lead in time of 12 months after the scheme details are published for farm businesses and also for the Panel who will be required to make decisions on the back of those details.

The Panel unanimously agreed on a letter being sent to the Minister.

The Chair also asked if Dave Ashford could come back to the Panel during their July meeting when the Panel starts to look at the 2025 Order.

**ACTION POINT 4** – Nerys Llewelyn Jones to draft a letter outlining the Panel's concerns around the Sustainable Farming Scheme

**ACTION POINT 5** – Secretariat to liaise with Dave Ashford with regards to attending the July meeting of the Panel

## **Item 4 – Real Living Wage Feasibility Report**

An amended version of the report had been distributed to Panel members prior to the meeting.

The Chair said it fell short of what a feasibility study should be but without relevant and up-to-date data it was impossible to do any more than what had been drafted. After finalisation it will be sent to the Minister and also published on the AAP pages of the Welsh Government website.

The Panel suggested some amendments were made:

- Enhance the section about the Sustainable Farming Scheme;
- To enhance the section regarding the overall package of the Agricultural Wages order – not just the basic wage rate. However, the report needs to be seen as unbiased.
- The process needs to be better explained with regards to negotiation and

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compromise during the discussions for the Order to capture the true nature of the meetings.

- Reference the responses to the consultation which did mention the Real Living Wage.

Subject to the amendments as listed the above, all Panel members were content for the report to be submitted to the Minister.

**ACTION POINT 6** – Nerys Llewelyn Jones and Dan Ricketts to amend the Real Living Wage Feasibility Report as per the meeting discussions.

**ACTION POINT 7** – Dan Ricketts to distribute amended document to all Panel members for approval by email and then submit final report to the Minister.

A draft covering letter had also been distributed to all Panel members before the meeting.

All Panel members approved the letter without amendment.

## **Item 5 – minutes and action points of AAP 45**

The minutes were approved by all Panel members without amendment.

Outstanding action points which were not on the agenda for them meeting were discussed.

Panel to extend invitation to meet with the Low Pay Commission in early 2024.

The Panel agreed for the secretariat to issue an invitation to the Low Pay Commission to attend the meeting in April.

**ACTION POINT 8** – Dan Ricketts to contact Low Pay Commission to invite them

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to a future meeting.

Ryan Davies to draft a discussion paper on the different types of agricultural lettings.

A paper had been drafted however it was a complicated and technical subject so it was suggested to invite a member of the Welsh Government Housing Policy Team to attend a meeting in the near future.

**ACTION POINT 9** – Ryan Davies to contact the Welsh Government Housing Policy Team to invite them to a future meeting to discuss the different types of agricultural lettings.

## **Item 6 – flexible working and job sharing in the agricultural sector**

The amended paper had been distributed to all panel members prior to the meeting.

Darren Williams asked if employers can only refuse a request for animal welfare reasons. Helen Snow stated the eight reasons business reasons listed were the only ones that could be used to reject a request for flexible working or job share but that animal welfare would fit into one of them.

It was agreed that such an example would be added to the paper for reference.

**ACTION POINT 10** – Helen Snow to add a practical agricultural example to the paper on Flexible Working and Job Sharing.

Once finalised the paper will be published as a standalone document on the AAP pages of the Welsh Government website before being added to the main

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guidance document for 2025.

## Item 7 – AAP Pages of the Welsh Government website

An amended paper had been distributed to all panel members prior to the meeting.

The Chair stated that as the AAP pages are hosted by Welsh Government there are certain formatting guidelines that need to be followed but the Panel could choose what content is on the webpages. The pages also needed to be more visually pleasing and easier to navigate and an overhaul would help with transparency in the work of the Panel.

The secretariat would then liaise with the Welsh Government web team to make any changes and to establish what can and cannot be amended.

Steve Hughson said that a google search for the Agricultural Advisory Panel for Wales also did not take you to the AAP “homepage”. This would be looked into to see what could be done.

**ACTION POINT 11** – Dan Ricketts to liaise with Welsh Government Comms Team regarding possible changes to the AAP webpages.

Darren Williams asked if there were any statistics to inform on how many people look at the AAP webpages. The secretariat will enquire with the Welsh Government Communications Team to ascertain what statistics are available.

**ACTION POINT 12** – Dan Ricketts to approach Welsh Government Communications Team regarding any statistics available on the usage of the AAP webpages.

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## Item 8 – Agricultural Wages Order 2024

Dan Ricketts gave an update on the 2024 Order:

- The Order was now finalised.
- It will be laid before the Senedd shortly and will come into force on 1 April 2024.
- Welsh Government had breached the 21 day protocol for the Order to come into force on time and had written to the Presiding Officer of the Senedd to explain the reasons.
- The impact assessments associated with the Order were either cleared or in the process of being cleared.
- The guidance document had been updated with the legal changes and was now being fully updated with the new pay rates etc as well as the additions to the document the Panel had agreed on in previous meetings. Hard copies of the guidance may not be available by 1 April but the guidance should be published online.

The final guidance document will be presented to the Panel at the April meeting. A reduced number of hard copies would still be made available. A suggestion was made as to whether a QR code could be used to download the guidance. This would be looked into to see what could be done.

## Item 9 – Agricultural Wages Order 2025

A document on the subject of overtime within the Agricultural Wages Order had been distributed to Panel members before the meeting. This followed on from the discussion in the last two meetings.

Helen Snow gave an overview of the document and outlined the potential

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confusion over the payment of overtime as it is currently set out in the Order. Changing any overtime provisions would have an impact on agricultural workers and this would be subject to significant scrutiny with regards to the rationale used to make the changes and the consideration given on the impact to workers as a result.

The Panel agreed the provisions should be simpler and more user-friendly.

The Chair asked if it was possible to draft some scenarios showing possible ways of simplifying the overtime provisions and the potential impact on agricultural workers.

Darren Williams stated that care would need to be taken when changing the provisions as some farm businesses may find overtime unaffordable.

**ACTION POINT 13** – Helen Snow to update the paper on overtime within the Agricultural Wages Order to include scenarios for the Panel to discuss at the next meeting.

## **Item 10 – any other business**

The Agriculture Act 2023 had introduced new Sustainable Land Management principles which were relevant to all legislation in Wales. As a result the Panel, when looking at future Orders, would need to recommend policy that best contributes to the principles rather than just give them consideration.

**ACTION POINT 14** – Dan Ricketts to send panel members information on the Sustainable Land Management principles and which duties need to be considered by the Panel.

This meeting would be the last one that would be attended by Steve Hughson, Darren Williams and Ivan Monckton as their terms of office come to an end on

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31<sup>st</sup> March 2024.

Ivan Monckton stated it was a great shame that the last meeting had been held online. He was going to miss being a member of the Panel and has enjoyed his time. He also thanked Ryan for his help and support over the years.

Sian Hughes thanked the three members for their hard work over the years and said they would be missed.

Darren Williams said it had been a challenging 8 years and he has learnt a lot whilst being a member of the Panel. He thanked the other members of the Panel and Helen Snow for all her support. He was very proud of what has been achieved in bringing the Order up to modern day standards. Working with NFU Cymru on the Panel has also shown the two farming unions have worked together.

The Chair thanked Steve, Ivan and Darren for the eight years they have been members of the Panel. It has not been an easy task and requires a lot of time and effort. She was really grateful for their expertise and for the contributions that have been made as well as the welcome that was afforded to her when she became Chair of the Panel in 2021.

The Chair thanked everyone for attending and their contributions and closed the meeting.

**Efallai na fydd y ddogfen hon yn hollol hygyrch.**

Drllench ein [datganiad hygyrchedd](#) i gael rhagor o wybodaeth.

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