



Llywodraeth Cymru
Welsh Government

CYHOEDDIAD, DOGFENNU

Cyfarfod Cyngor Partneriaeth y Gweithlu: 9 Tachwedd 2022

Cofnodion cyfarfod Cyngor Partneriaeth y Gweithlu a gynhaliwyd ar 9 Tachwedd 2022 (10:00 – 12:00pm) drw Teams.

Cyhoeddwyd gyntaf: 7 Rhagfyr 2022

Diweddarwyd ddiwethaf: 7 Rhagfyr 2022

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Cynnwys

Agenda

Introduction

Social Partnership and Public Procurement (Wales) Bill

WPC Work Plan

Pause and Reflect recommendations

Agile and flexible working mapping paper

CLES insourcing toolkit

Minutes/matters arising

Attendance

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CYNGOR PARTNERIAETH Y GWEITHLU WORKFORCE PARTNERSHIP COUNCIL

Agenda

Item	Agenda item	Lead		Style
1	Introduction	Welsh Government	Deputy Minister for Social Partnership	Verbal
2	Update on the Social Partnership and Public Procurement (Wales) Bill and Social Partnership Forum	Welsh Government	Deputy Minister for Social Partnership	Verbal
3	Equalities Action Plans – context	Wales TUC	Rhianydd Williams	Verbal
4	Review of the WPC Agreement on the Acceptable use of Non-Guaranteed Hours Arrangements (NGHAs)	JEC	Richard Tompkins on behalf of the JEC	Paper
5	Four Day Working Week – Working Group	Welsh Government	Stephen Layne	Paper
6	One Welsh Public Service – update	Welsh	Welsh	Verbal

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Item	Agenda item	Lead		Style
		Government	Government official	
7	WPC Work Plan - update	JEC	Bethan Thomas on behalf of the JEC	Paper
8	Minimum Service Level Bill	Welsh Government	Deputy Minister for Social Partnership	Verbal
9	WPC minutes/matters arising	Welsh Government	Deputy Minister for Social Partnership	Paper
10	Ystadau Cymru – Asbestos report	Welsh Government	Richard Baker	Paper to note

Item 1: Introduction

1. The Deputy Minister for Social Partnership (Chair) welcomed WPC members to the meeting, introduced Councillor Anthony Hunt as the new WLGA political lead for the WPC and confirmed that Rob Thomas would now represent the Society of Local Authority Chief Executives (SOLACE) at the council. The deputy minister outlined the agenda and confirmed apologies and substitutes would be noted in the minute.

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Item 2: Update on the Social Partnership and Public Procurement (Wales) Bill and the Social Partnership Forum

2. The deputy minister confirmed the Social Partnership and Public Procurement (Wales) Bill had been introduced into the Senedd on the 7 June and that Stage 1 scrutiny had nearly been completed. She thanked those WPC members who had participated in the scrutiny process and confirmed Welsh Government would continue to work with social partners as the Bill progresses. The deputy minister noted that Stage 2 scrutiny would take place in January and that subject to the Senedd's decisions, the Bill would receive Royal Assent in April.

3. The deputy minister confirmed the first meeting of the Social Partnership Forum (SPF) had taken place on the 26 October and would now meet every 2 months. She explained that the SPF was a voluntary social partnership forum consisting of representatives from the trade unions, devolved employers and the private sector.

4. Outlining its purpose, the deputy minister explained that the SPF had been established as an interim body to support the establishment of the statutory Social Partnership Council (SPC), subject to the Bill's progression through the Senedd. In addition, it would provide advice to ministers and propose an initial work programme for the SPC. She confirmed discussions at the first meeting were positive, that the terms of reference for the SPF had been agreed and that it would next meet on the 13 December.

Item 3: WPC Work Plan

5. The deputy minister explained that following the meeting of the WPC held on

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the 30 March the JEC had developed a proposed work plan for the council to consider. She confirmed that JEC members had agreed the work plan should focus on a few key deliverables aligned to the Programme for Government. She asked Richard Tompkins to provide more detail and emphasised the importance of agreeing the work plan as a priority.

6. Richard Tompkins (NHS Employers) confirmed the work plan had been initially agreed by the JEC when it met on the 18 October. He explained that the plan comprised of 5 key areas: agile and flexible working, the Welsh Government's equality action plans, a short-term communications plan, an evaluation of current WPC agreements and the cost-of-living crisis, which would begin as a scoping exercise to ensure there was no duplication of activity.

7. Richard Tompkins confirmed that the issue of green representatives in the workplace had been removed from the work plan as it had been agreed at the JEC that this would be better considered at the Decarbonisation Panel. He explained that the trade unions had added the caveat that this issue might be referred back to the WPC if there was a lack of engagement at the Decarbonisation Panel. He asked members if they were content to agree the work plan.

8. Kelly Andrews (GMB) confirmed the trade unions were content to agree the work plan but acknowledged the complexity, importance and cross cutting nature of the cost-of-living item across different policy areas.

9. The deputy minister acknowledged the point made by Kelly Andrews and confirmed the work plan was agreed by the WPC.

Item 4: Pause and Reflect recommendations

10. The deputy minister explained that the JEC held a face-face meeting on the

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26 September as a pause and reflect exercise to discuss the future operation of the WPC. She confirmed that discussions from this meeting were further developed when the JEC met on the 18 October and built into a paper containing a series of proposals for the WPC to consider. The deputy minister explained that members were being asked to agree the proposals as well as consider whether the WPC's vision and mission statement remained an accurate reflection of the council's purpose. She then invited Peter Kennedy to provide more detail to the WPC.

11. Peter Kennedy (Devolved Employers) said that JEC members had felt the challenges of the pandemic had driven a substantial change in partnership working, strengthening relationships, and encouraging a more flexible way of working. As an example, he cited the way the Shadow Social Partnership Council (SSPC) had operated during this time. He explained that the JEC had agreed there was still value in the WPC but that the lessons learnt from the pandemic should be developed, with trust, honesty and mutual respect acting as guiding principles for how social partnership should work.

12. Peter Kennedy highlighted the JEC's focus on developing a more flexible and agile operating model for the council based less on bureaucratic processes and more on trust. He explained that this could involve the WPC advising ministers, recommending best practice and encouraging take up of certain pieces of work, as well as pursuing more formal co-produced agreements. Linked to this, Peter Kennedy explained that the JEC had felt the WPC's purpose needed to be restated to ensure a shared understanding around the aspirations of the WPC.

13. The Deputy Minister for Social Partnership asked the WPC if it was content to agree the proposals contained in the paper and confirm that the Council's vision and mission statement remained relevant.

14. Kelly Andrews (GMB) acknowledged the importance of the WPC whilst also referencing some of its flaws. She explained that social partnership working had

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been crucial during the pandemic and emphasised the need to build on this work for the future.

15. Shavanah Taj (Wales TUC) agreed with the points made by Kelly Andrews and emphasised the continued importance of the WPC as the Social Partnership and Public Procurement (Wales) Bill develops. She referenced the significance of the WPC working flexibly and being a key forum for discussing important issues such as the Covid-19 Public Inquiry.

16. The Deputy Minister for Social Partnership confirmed the paper for this item had been agreed by members.

Item 5: Agile and flexible working mapping paper

17. The deputy minister explained that the WPC's Agile and Flexible Working Task and Finish Group had been meeting for over a year. Established on a tripartite basis she added that it had discussed agile and flexible working practices across the Welsh public sector and produced a report for agreement by the WPC. The deputy minister confirmed that the report contained 7 principles the group recommended when public bodies adopt agile and flexible working practices as well as several additional proposals it felt were important for the future. She invited Chris Llewelyn to update the WPC further on the work of the Agile and Flexible Working Task and Finish Group.

18. Chris Llewelyn outlined the range of social factors impacting on how people work, explaining that these were redefining the agile and flexible working landscape as Wales transitioned to a new normal. He thanked social partners for their involvement in the group and outlined the structure of the report highlighting some of the variations between sectors in adopting agile and flexible working. Chris Llewelyn explained that the report identified the advantages and disadvantages of agile and flexible working, the green issues it raised and listed

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the principles it recommended public bodies follow in adopting this way of working.

19. Bethan Thomas (Unison) confirmed the trade union side were content to recommend the report and its principles for agreement at the WPC. She emphasised the importance of the principle which recognised supporting the survivors of domestic abuse as well as the need for transparent local policies on agile and flexible working across sectors, developed in partnership with the trade unions.

20. Councillor Anthony Hunt welcomed the report. He emphasised the flexibility and effort demonstrated by public sector workers during the pandemic and in the current cost-of-living crisis. Councillor Hunt explained that the choice to work in an agile and flexible way depended significantly on peoples' individual circumstances rather than the sectors they worked in. He emphasised the importance of employers continuing to recognise the support they are obligated to provide to staff despite changing working practices away from the office. To conclude, he supported the need for employers and trade unions to work together in social partnership to ensure workers were effectively supported.

21. Darren Williams (PCS) welcomed the report and its recognition that greater flexibility is required in working practices following the pandemic. He supported the fact the report acknowledged the additional costs of working from home as well as the importance of domestic abuse and mental health issues. Darren Williams stressed the priority of ensuring employees are offered working opportunities that suit their individual circumstances and welcomed the fact the report acknowledged there should be no financial detriment to staff adopting agile and flexible working practices.

22. Sarah Simmonds (NHS Workforce/OD Directors Group) welcomed the report and its key principles. She recommended the reasons for people not being able to work from home safely identified in the report be broadened beyond domestic abuse. Sarah Simmonds also raised definitional issues regarding agile and

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hybrid working. She suggested agile working should be used as opposed to flexible working due to the different definitions people have for the latter and asked whether this had been considered previously. Sarah Simmonds highlighted the importance of the leadership and management principle contained in the report and the need for it to be adopted throughout all organisational levels.

23. The Deputy Minister for Social Partnership confirmed that definitions had been discussed previously but noted the complexity of agreeing this issue.

24. Bethan Thomas (Unison) explained that definitions had been revisited a number of times but that the group had ultimately focussed on agile working. She explained that the terms of the Task and Finish Group meant that members needed to also consider definitions of flexible working during discussions. Bethan Thomas emphasised that as work progressed within the group the conversation broadened beyond flexible working and that this was reflected in the report's recommendations.

25. Chris Llewelyn (WLGA) reiterated the complexities of definitions and the dynamic nature of the current working landscape. He explained that discussions at this meeting reflected those held at the Task and Finish Group.

26. The Deputy Minister for Social Partnership confirmed the report had been agreed by the WPC along with its publication and distribution through members' networks.

Item 6: Centre for Local Economic Strategies (CLEs) Insourcing Toolkit

27. The Deputy Minister for Social Partnership explained that the purpose of this item was to ask the WPC to provide comments on the insourcing toolkit being

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developed by the Welsh Government and the Centre for Local Economic Strategies (CLES). The Deputy Minister added that there was an additional request that both CLES and the Welsh Government continue to work with the WPC in developing the toolkit. She invited Welsh Government official Rhiannon Harry to present the item but explained that John Heneghan and Sean Benstead from CLES were also on standby to cover any issues raised by members.

28. Rhiannon Harry (Welsh Government) explained that the report had been designed to address the Programme for Government commitment to explore insourcing and related issues. She outlined the areas it covered, confirming engagement had taken place with WPC members and that feedback from this had been included in the version of the report provided for this meeting.

29. Rhiannon Harry explained that in addition to the report a toolkit had been developed to encourage public sector bodies to consider insourcing at the initial stage of planning service delivery. She explained that Welsh Government and CLES were seeking feedback on the toolkit from the WPC to refine the current draft that had been provided to members. Rhiannon Harry also offered further direct engagement with members outside of the meeting.

30. Shavanah Taj (Wales TUC) explained that the toolkit was a positive starting point for the Programme for Government commitment. She added that the insourcing toolkit could support the improvement of local employment conditions and welcomed the work that had been carried out so far.

31. Kelly Andrews (GMB) emphasised the importance of this work and its significance to other areas such as social care and children's services to ensure insourcing remains the preferred option for public sector organisations.

32. Councillor Anthony Hunt welcomed the report and related toolkit. He felt the report was a good counterpoint to some of the advice provided on insourcing by the private sector. He welcomed further engagement with the WLGA on this work. Councillor Hunt emphasised the continued challenge of austerity

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measures by the UK government on public services and insourcing. He suggested any joint lobbying by the WPC to the UK government would be beneficial.

33. John Heneghan (CLES) supported the comments made and previous engagement with the WPC. He explained that the rationale behind the toolkit was to support the objectives of the Wellbeing of Future Generations Act. He added that the work had been developed with a strategic focus on wider Programme for Government commitments whilst also taking into account the local economic context. He recognised the challenges of austerity measures on contracted services and the need for insourcing to be embedded in commissioning processes.

34. Councillor Anthony Hunt emphasised the importance of holistic services during extremely challenging times and the need for contractual flexibility in these.

35. The Deputy Minister for Social Partnership confirmed the WPC had agreed that it would continue to work with Welsh Government and CLES in developing the toolkit. The deputy minister asked WPC members to provide any further comments directly to Rhiannon Harry and that her details would be provided to the council by the Secretariat.

Item 7: WPC minutes/matters arising

36. The Deputy Minister for Social Partnership outlined matters arising from previous meetings of the WPC and asked members if they were content. No issues were raised.

37. The Deputy Minister for Social Partnership confirmed the next meeting of the WPC would be on the 29 March 2023 and thanked members for their

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contributions.

Attendance list – WPC – 9 November 2022

Minister

- Chair - Hannah Blythyn MS – Deputy Minister for Social Partnership

Trade unions

- Shavanah Taj – Wales TUC
- Kelly Andrews – GMB
- Nicola Savage – GMB
- David Evans – NEU
- Darren Williams – PCS
- Bethan Thomas – Unison
- Jessica Turner – Unison

Devolved employers

- Councillor Anthony Hunt – WLGA
- Chris Llewelyn – WLGA
- Karen Higgins – WLGA
- Richard Tompkins - NHS Wales Employers
- Peter Kennedy – Devolved Sector Group
- Huw Jakeway – Fire and Rescue Service
- Sarah Simmonds – NHS Workforce/OD Directors Group (Deputising for Julie Rowles)
- David Michael – Devolved Sector Group

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Welsh Government

- Jo Salway – Social Partnership, Employability and Fair Work
- Neil Surman – Social Partnership, Employability and Fair Work
- Rhiannon Harry – Commercial Lead Corporate Procurement
- Albert Heaney – Social Services and Integration
- Judith Cole – Local Government

Guest speakers

- John Heneghan – Centre for Local Economic Strategies
- Sean Benstead – Centre for Local Economic Strategies

WPC Secretariat

- Amber Courtney – WPC Secretariat, Welsh Government
- Mark Lewis – WPC Secretariat, Welsh Government
- Gerwyn David – WPC Secretariat, Welsh Government
- Catrin McCarthy - WPC Secretariat, Welsh Government

Observers

- Sharon West – Social Partnership, Employability and Fair Work, Welsh Government
- Nisreen Mansour – Wales TUC
- Ceri Williams – Wales TUC

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Apologies

- Dave Rees – Unison
- Dominic MacAskill – Unison
- Paul Gage - GMB
- Richard Munn – Unite
- Margaret Phelan – UCU
- Robert Thomas – Society of Local Authority Chief Executives (SOLACE)
- Julie Rowles – NHS Workforce/OD Directors Group
- Steve Moore - NHS Chief Executives
- Reg Kilpatrick - Covid Recovery and Local Government, Welsh Government
- Owain Lloyd – Education, Welsh Government
- Helen Arthur - Health, Welsh Government
- Sam Huckle – Employability and Skills, Welsh Government

WPC actions arising

9 November 2022

Number	Action	Owner
1	Officials to arrange publication of the WPC's Agile and Flexible Working Task and Finish Group report on the WPC's website.	WPC Secretariat
2	WPC members to promote and circulate the Agile and Flexible Working Task and Finish Group report through their established networks.	WPC members
3	The WPC to provide any further comments on the Insourcing	WPC

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Number	Action	Owner
	Toolkit being developed by Welsh Government and the Centre for Local Economic Strategies (CLES) to official Rhiannon Harry.	members
4	Welsh Government officials to provide the contact details for Rhiannon Parry to WPC members.	WPC Secretariat

4 November 2021

Number	Action	Owner
1	The Joint Executive Committee (JEC) to review implementation of the Principles on Digitalisation after a 6-month period taking into account the issues raised by the trade unions.	JEC Members

1 July 2019

Number	Action	Owner
1	The Welsh Government agreed to explore whether a form of words could be agreed with FE and HE, to enable participation in the WPC.	Welsh Government

Efallai na fydd y ddogfen hon yn hollol hygyrch.

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

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