

Summary of the Minutes of the Agricultural Advisory Panel (AAP) Meeting 5 – 19 September 2017

Hafod a Hendre, Royal Welsh Showground, Llanelwedd

Attendance

Lionel Walford – Chair	Bridget Henderson – UNITE
Peter Rees – Independent Member	
Darren Williams – FUW	Helen Snow – Geldards
Nick Fenwick – FUW	Kim Howell – Geldards
John Davies – NFU	
Dylan Morgan – NFU	Paula Whitfield – Welsh Government
Bronwen Gardner – NFU	Helena Bird – Welsh Government
Dylan Morgan – NFU	Gary Haggaty – Welsh Government
Lucy Ralph – NFU	Lorri Browning – Welsh Government
Ivan Monckton – UNITE	
Bryan Godsell – UNITE	

Apologies

Steve Hughson – Independent Member

Item 1 - Welcome, Photography Shoot, Conflicts of Interests

The Chair welcomed everyone and facilitated photographs of the Panel to be used in Panel publications. One apology was noted.

Item 2 - Brief overview of Welsh Government's legislative procedures

The process of making legislation in Welsh Government was re-affirmed. The Panel's remit is to propose Orders for the consideration of Welsh Ministers who would then submit the Order to full Assembly scrutiny and either make the Order or refer back to the Panel for clarification as required. It is important to record the rationale behind all decisions / recommendations the Panel make.

Item 3 - Retrospective introduction of the pay rises in the proposed 2017 Order.

The UNITE Union stated that retrospective introduction of the Order was needed. The Union had written to the Cabinet Secretary to express their concern that workers had not had their pay rise on 1 April as intended. UNITE strongly maintained that the proposed 2017 Order should be backdated so that the increases in rates would be paid to agricultural workers from 1 April 2017.

The NFU and FUW agreed the implementation of the Order should be 1st April 2017, however they did not want retrospection to be open ended due to financial planning which would make it difficult for employers planning their finances with regard to paying their workers. They suggested a time limit could be applied. It was also pointed out that the provision in the Order for holiday pay, and other provisions, would also impact on the amount of back pay needed, and that people could end up entitled to more holiday pay than they had received.

The principal of retrospective introduction was accepted. All wanted the order to be introduced as soon as possible. The Panel agreed to leave the issue of limiting the period where back pay would be acceptable for discussion at their next meeting if the Order was not made by then. The Chair would write to the Cabinet Secretary accordingly.

Item 4 – Approval of Notes of Meeting 4 (11 May 2017)

The minutes of the previous Panel's meeting were discussed and approved.

The Panel agreed that guidance needed to be clearer about when trainees were employed or engaged in education. It was stated that an Apprenticeship was employment however it was not as clear in other cases as people on placements were at various educational levels often below a formally recognised Apprenticeship level. Some worked on farms in the period after school before college.

Item 5 - Update from Chair

The Chair informed the Panel that there was some research being undertaken on collating Labour Market Information on the sector to inform the Panel's work. The Panel's needs were being confirmed before the funding would be fully committed. The findings of the work would be widely shared.

The Farming Connect Programme is considering improvements to Continued Professional Development (CPD) and the Panel would be kept informed of developments. Examples of how CPD was used in other countries and in other industries would be collated for the Panel's information.

Item 6 – Modernisation / Review of the Agricultural Wages Order

The Panel stated its intention to focus on a thorough review of Agricultural Wages Orders and agreed this should be the focus of one of the sub-groups.

UNITE put forward their view there should be only one age consideration in the Minimum Agricultural Wages order - an over 18 / under 18 split - as it would attract more and much needed workers into the industry. Apprenticeships should continue to be treated separately

and the number of grades would remain the same. It was agreed that this issue should be fully considered by the Panel when reviewing the structure of Wages Orders.

Item 7 – Presentation of Employer (Farming Unions) and Employee (UNITE) Papers

Two position papers had been submitted in advance of the meeting. One from the NFU and FUW jointly and one from UNITE.

Both parties presented their papers in terms of their positions with regards to any rise in Agricultural Wages from 1 April 2018. It was agreed that both were excellent submissions and would now be discussed further.

Item 8 – Discussion of Draft 2018 Order

The Panel discussed possible increases in the minimum rates of pay for the next Order. After negotiations it was agreed that the Panel would propose minimum rates of pay for agricultural workers as follows:-

Grade	Proposed Minimum Rate of Pay	Increase
Grade 1 <16	£3.47	
Grade 1 16 – 24	£7.34	
Grade 2	£8.29	9.9%
Grade 3	£8.54	3.9%
Grade 4	£9.16	3.9%
Grade 5	£9.78	3.9%
Grade 6	£10.48	3.9%

Yr 1 Apprentice	£3.93	3.9%
Yr 2 (16 – 17)	£4.21	3.9%
Yr 2 (18 – 20) Apprentice	£5.82	3.9%
Yr 2 (21 – 24) Apprentice	£7.35	4.2%
(25+) Apprentice	£8.05	7.33%

Other Allowances	3.9%
Dog Allowance	£8.02
Night Allowance	£1.52
Birth / Adoption Grant	£63.09

Item 9 – Next Steps

The Panel would hold a public consultation on the result of the Panel's proposals for the next order during October. The Chair then closed the meeting.