

Summary of the Minutes of the Agricultural Advisory Panel (AAP) Meeting 8 – 9 April 2018

Welsh Government Pavilion, Royal Welsh Showground, Llanelwedd, Builth Wells

Attendance

Lionel Walford – Chair
Peter Rees - Independent Member
Steve Hughson – Independent Member
Darren Williams – FUW
Will Prichard – NFU
Ivan Monckton – UNITE
Bryan Godsell – UNITE
Paula Whitfield – Welsh Government
Ryan Davies – Welsh Government
Karla Price – Welsh Government

Item 1 – Welcome

The Chair welcomed attendees to the meeting.

Item 2 – Update from Chair

The Chair stated the guidance for the Agricultural Wages (Wales) Order 2018 had not yet issued nor was it imminent – the Wages Order had been in force since 1 April 2018. The Panel recorded its dissatisfaction about the delay as its ideal approach was to have the Order and the guidance issued on the same day. However it was accepted that the Government's standard legislative timetable needs to be adhered to and the guidance could not be issued until this process had concluded satisfactorily.

The Panel had proposed in Meeting 6 if there was scope for the Farm Business Survey (FBS) to include additional questions about agricultural labour. The response received from the Welsh Government was inconclusive and expressed concern. The Panel did not agree with the paper's assertion that the proposed questions were either complex or sensitive. Could the June Census be amended instead as this had many more respondents. The Chair pointed out that the June survey had a very different profile.

Item 3 – Approval of Notes of Last Meeting (15 February 2018)

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

Item 4 – Modernisation of Wages Orders

Various areas were discussed:

- Volunteer Workers – as these are unpaid the Panel did not suggest a provision was included in the Order. It was agreed that a sentence should be added to the guidance for consideration to signpost readers to HMRC Guidance on this matter.
- Apprentices (Article 11 of the Order). The Article stipulates that Apprentices are to be “...within the first 12 months after the commencement of that employment under 19 years of age”. This was questioned as Apprentices can be older than 19 years in their first year. Such Apprenticeships are supported by the Welsh Government. It was agreed that legal advice would be sought on this matter.
- The Panel agreed to the principle that future Orders could be introduced on a less than annual basis. Further discussion on the detail was scheduled for the meeting in June 2018. There was a provision intention to propose an Order for 2019 but this would be confirmed or rejected at the June meeting.
- A proposal was made to change the Orders to one minimum rate for all grades and ages of worker was proposed with top up payments related to skills. This was similar to the Wages Orders in Scotland. The Panel agreed that this needed further consideration and that the Chair would seek a meeting with colleagues in Scotland to explore the impact and rationale for decisions made there on a similar approach.

The other issues raised in Meeting 7 were deferred to the June meeting

Item 5 – Any Other Business (AOB)

The Panel’s Annual Report is currently being drafted. It will be sent to the Panel asking for approval and comments shortly