

Summary of the Minutes of the Agricultural Advisory Panel (AAP) Meeting 16 – 17 June 2019

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

Attendance

Lionel Walford – Chair
Ivan Monckton – Unite
Darren Williams – FUW

Peter Rees – Independent
Neil Beveridge – Unite
Will Prichard – NFU Cymru

Helen Snow – Geldards

Welsh Government:

Ryan Davies – Panel Manager
Spencer Conlon - Agricultural Strategic Framework Project Leader
Mark Alexander - Head of Agriculture, Sustainable Development Division
Karla Price & Dan Ricketts – Secretariat

Apologies

Steve Hughson - Independent

Agenda Item 1 – Welcome

The Chair welcomed attendees to the meeting including Mark Alexander who is Head of Agriculture, Sustainable Development Division based in Cardiff.

Agenda Item 2 – Chair's Update

There was nothing to report.

Agenda Item 3 – Approval of Minutes of the Last Meeting and Action Points

The minutes of the previous Panel's meeting were discussed and approved. Several Action Points from the previous meeting were on the agenda for this meeting.

An update was given on the Progress made with Farming Connect with regard to obtaining statistical data. When a business registers with Farming Connect some statistical data is gathered with regard to the business but no information is obtained on individuals / workers – ethnicity, age, gender etc. if individuals then register with Farming Connect then this information is gathered. Approximately 9,000 businesses had registered with Farming Connect along with 14,000 individuals (including self-employed contractors). Around 12,000 businesses claim under the Basic Payment Scheme but it is estimated there could be up to 24,000 farmers in Wales. The information gathered by Farming Connect under the registration process was not

developed for information regarding wages and it was going to be very difficult to progress this further.

Agenda Item 4 – Publicising Future Consultations

The costings of advertising in various publications (Farmers Guardian, Farmers Weekly, Agri Trader Magazine) were summarised to the Panel. It was agreed that there was a need to try and improve the response rate. Farming Connect could be approached to help with some more “active” publicity.

It was noted that the NFU/FUW will already respond to the consultation after taking on board the views of their members so despite it only being one response from each Union it will be a truly representative view of the membership.

The Panel agreed that for £470 (+VAT) a full page advert could be bought in all 3 editions of Agri Trader which was read by both employees and workers. An advertisement would be drafted and the publication contacted with regard to timing and publication of the advert.

Agenda Item 5 – Fair Work (Wales) Commission Report

A summary of the Report was presented along with specific recommendations that it gives specifically with regard to the work of the Panel. The view of Ministers on this report is that the Panel will be asked to consider the recommendations and respond to them accordingly. The Chair stated that the report must be considered and discussed in negotiations relevant to future orders.

Agenda Item 6 – Modernisation of the Agricultural Wages Order

Unite presented a paper responding to the NFU/FUW proposals submitted in AAP15. They had concerns over how much simplification can be done especially with regard to Apprenticeships. They had therefore looked at the re-banding of grades and put forward their own proposals. The Panel discussed the age bandings that were included in the “Development Agricultural Worker” and “Agricultural Worker” grades and around experience of workers and how that should be recognised. It was provisionally agreed the age bandings should be substituted by the wording of “less than five years’ experience” for a Development Agricultural Worker and “five years or more experience” for an Agricultural Worker. The category of Senior Agricultural Worker would also be looked at further.

The changes would be made to paper for further discussion at the next meeting.

The Panel were presented with a Legal Advice document in response to comments made by the Constitutional and Legislative Affairs Committee (CLAC) concerning two areas of the 2019 Order. It was agreed that the wording of Article 15, Article 21(2) and

Article 16b would be redrafted for clarification purposes and to ensure the wording is consistent with UK Law

A first draft of the timeline for the Orders in 2020 and 2021 was presented to the Panel. The timeline for the 2020 Order is the same as previous years and a parallel timeline for full modernisation by 2021 was also discussed. It was agreed that by the next meeting the Panel will give their views on what is realistic in respect of having a fully modernised Order come into force on 1st April 2021. The farming unions would also provide a list to Unite of what they believe needs to be looked at in the Order. It was also agreed that the timeline for 2021 would be constantly reviewed to keep a realistic target of the Order coming into force on 1st April 2021.

Agenda Item 7 – Discussion of Dates for Submission of Papers for the Negotiation Meeting

The Chair stated that in order for the Negotiation meeting on 2nd September to run smoothly both sides need to submit their papers on the 2020 Order by 16th August. Both sides agreed to this.

Agenda Item 8 – Any Other Business

- There had been an agricultural wages dispute in North Wales that was now coming to an end but had resulted in an underpayment to a worker of around £26,000 accumulated over several years
- A Labour Provider had its licence revoked due to multiple breaches of the Agricultural Wages Order. The provider was based in Cheshire but had provided workers to businesses in Wales
- These cases show that the Agricultural Wages Order is working and that people take notice of it

Agenda Item 9 – Next Meetings

- Monday 2nd September
- Thursday 24th October
- Wednesday 2nd October (Skills Development and Training sub-committee)

The Chair stated that he wanted to hold a Modernisation Meeting on a monthly basis up until the end of January 2020 to ensure momentum is gathered on the modernisation for the 2021 Order. A date in November will be confirmed as soon as possible. The Chair then closed the meeting.