



Llywodraeth Cymru
Welsh Government

CYHOEDDIAD

Cyfarfod y Panel Cyngkori ar Amaethyddiaeth: 22 Medi 2020

Crynodeb o'r cyfarfod a gynhaliwyd ar-lein oherwydd cyfyngiadau Covid-19.

Cyhoeddwyd gyntaf: 22 Medi 2020

Diweddarwyd ddiwethaf: 22 Medi 2020

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cyngkori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

Cynnwys

Present

Agenda Item 1 – Welcome

Agenda Item 2 – Chairs Update

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

Agenda Item 4 – Continued Discussion of Draft Wages Order 2021

Agenda Item 5 - Other Issues

Agenda Item 6 - Next Steps

Present

Chair - Lionel Walford

Independents - Steve Hughson, Peter Rees

Unite – Brian Troake, Ivan Monckton, Bridget Henderson

FUW - Nick Fenwick

NFU Cymru - Will Prichard, Dylan Morgan, Lucy Ralph

Panel Legal Adviser - Helen Snow (Geldards)

Welsh Government - Ryan Davies (Panel Manager), Sian Hughes, Dan Ricketts (Secretariat)

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

Guest – Mark Alexander - Deputy Director for Agriculture - Sustainable Development Division

Apologies: Darren Williams (FUW), Daryl Williams (Unite).

Agenda Item 1 – Welcome

The Chair welcomed everyone to the meeting including Mark Alexander. Apologies were given and there were no new conflicts of interests raised.

Agenda Item 2 – Chairs Update

Mark Alexander gave an overview of the Welsh Government position regarding EU Transition and Covid-19. He thanked the industry for their work to keep the supply chain operating.

He stated the work the Panel undertakes with regards to the Order is integral in helping to maintain the profitability and resilience of the industry.

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

One change to the record was requested. In the table outlining the negotiation starting positions the employer proposal was incorrectly marked as the NFU proposal. This should have read NFU/FUW. The minutes were changed accordingly and then approved.

Updates were given on the Action Points from Meeting 22:

Proposed wording for the amended text of the 2021 Order regarding Parental Bereavement Leave had been drafted and distributed to the Panel. The paper

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

also included the amended text for the 2021 Order regarding On-Call Allowance and Accommodation Offset Allowance which had previously been agreed by the Panel (subject to the upcoming negotiations).

The wording was unanimously agreed by the Panel.

Agenda Item 4 – Continued Discussion of Draft Wages Order 2021

Student Agricultural Worker Rate

A discussion took place regarding the NFU/FUW proposal from Meeting 22.

Proposal: The Order does not include a definition of Student Worker but the guidance has a statement of the individuals eligible to be student workers and that a recommended pay at 60% of the equivalent rate. It will be clearly stated this is not a maximum or a minimum rate but a fair value which balances the work the student will undertake and that the farmer is providing an element of training to the student whilst on the farm.

A vote was held on the principle of the proposal (due to the FUW member of the Panel not being present there would be 4 votes: 1 from NFU Cymru, 1 from Unite plus the independents)

FOR - 3

AGAINST - 0

ABSTENTION - 1

It was agreed a form of words to be placed into the guidance around Student Agricultural Workers would be drafted and distributed to the Panel before a formal decision is made.

Proposed Wage Rates

Unite stated their disappointment that no time has been given to discuss the

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Enwch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

merits of their own proposal.

The Chair reiterated the Fair Work Wales Report recommendations that asked the Panel to look at:

- a) pay bandings with no reference to age whilst modernising the Order; and
- b) the feasibility of paying the Welsh Living Wage (equating to the Real Living Wage) in Welsh agriculture, phased in over a three year period.

It was clarified the recommendation was to consider the suggestions.

The employers stated the removal of the age bands would discourage employers from taking on young people if they had to pay them at the higher rate. They reiterated that the aim is to get people to go through formal training and questioned what incentive would there be to complete apprenticeships if the pay rate is set so high.

Accommodation Offset Allowance

A clarification was made that the term “house” under the Order is different from “house” in general terms as it referred specifically to accommodation in which the worker was contractually obliged to live. If it was optional as to whether the worker lived on the farm the employer could charge whatever is considered to be a fair rent - if an offset was made in respect of accommodation in these circumstances it would be subject to the accommodation offset allowance under National Minimum Wage legislation.

It was suggested moving the definition from the beginning of the Order to the actual relevant provision so as to be explicit what is meant by “house” and “other accommodation” and a clarification would be written in the guidance.

The suggestion was unanimously agreed by the Panel.

Other Allowances

Unite proposed the Dog Allowance, Night Work Allowance and Birth Adoption Grant raise by 3.1% - the NFU/FUW proposed an increase of 2.5% as part of their overall proposal.

After discussions the Chair for a vote on the two overall packages:

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Enwch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

NFU/FUW PROPOSALS: FOR: 3 AGAINST: 1
UNITE PROPOSALS: FOR: 1 AGAINST: 3

Agreed proposal:

Category of Worker	Proposed 2021 Rates
A1 – Agricultural Development Worker (16-18 years)	NMW (currently £4.55)
A2 – Agricultural Development Worker (18-20 years)	NMW (currently £6.45)
A3 – Agricultural Development Worker (21-24 years)	NMW (currently £8.20)
A4 – Agricultural Development Worker (25 years+)	NLW (currently £8.72)
B1 – Agricultural Worker (16-18 years)	NMW (currently £4.55)
B2 – Agricultural Worker (18-20 years)	NMW (currently £6.45)
B3 – Agricultural Worker (21-24 years)	NMW (currently £8.20)
B4 – Agricultural Worker (25 years+)	NLW rate +3.1%
C – Agricultural Advanced Worker	Grade B +3%
D – Senior Agricultural Worker	Grade C +9.72%
E – Agricultural Manager	Grade D +9.74%

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Evch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

Category of Worker	Proposed 2021 Rates
Apprentice Year 1	NMW Apprentice Rate (currently £4.15)
Apprentice Year 2 (under 19 years)	NMW Apprentice Rate (currently £4.55)
Apprentice Year 2 (19 years and over)	Relevant NMW (dependant on age)
Dog Allowance (per dog per week)	£8.53 (a rise of 2.5%)
Night time work allowance (per hour of night work)	£1.62 (a rise of 2.5%)
Birth / adoption allowance (for each child)	£67.09 (a rise of 2.5%)

Agenda Item 5 - Other Issues

The Chair advised the new grading structure no longer requires Schedule 1, 2 and 3 which had details on the certificates required for each grade – however it needs to be considered whether they need to be on there for the people on the existing grading structure. Helen Snow will look at the current Order in this regard to ensure it is compatible with the new grading structure and any consequential changes will be sent to the Panel.

Holiday Pay and Unpaid Leave were not raised during discussions so it was

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

presumed everyone was content with how it is laid out in the current Order.

Agenda Item 6 - Next Steps

The consultation document will be drafted and distributed. It is unlikely to be open for more than four weeks.

Next Meeting

The next meeting will take place on Wednesday 18 November via Microsoft Teams - after the consultation period is over.

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).

Ynghylch y ddogfen hon

Mae'r ddogfen hon yn gopi o'r dudalen we [Cyfarfod y Panel Cyngori ar Amaethyddiaeth: 22 Medi 2020](#) a lawrlwythwyd.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cyngori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Efallai na fydd y ddogfen hon yn hollol hygyrch; darllenwch ein [datganiad hygyrchedd](#) i gael rhagor o wybodaeth.

Gwybdaeth am [hawlfraint](#).

Cafodd y ddogfen hon ei lawrlwytho o LLYW.CYMRU, efallai nad dyma'r fersiwn mwyaf diweddar.

Ewch i <https://llyw.cymru/cyfarfod-y-panel-cynghori-ar-amaethyddiaeth-22-medi-2020-html> i weld y fersiwn ddiweddaraf.

Gwybdaeth am [hawlfraint](#).