

COUNCIL MINUTES: Open Business - 11.30 a.m., Thursday 30 March 2023

A hybrid meeting held at 9 Coopers Yard, Curran Road, Cardiff
and at multiple other locations via Zoom software

Council Open Business - minutes 1 to 15 inclusive.

1. Attendance and Apologies

Present: John Graystone (in the Chair), Jan Tiley, Chris Franks, Stephen Nicholls, Jenni Jones-Annetts, Cathy Clark, Nicole Kinnaird, Siôn Aled Owen, Tim Palazon, Sam Emmett; Marion Burke and Salamatu Fada (to minute 10 only). The meeting was quorate throughout, with six people at the physical location in Cardiff.

In Attendance: Kathryn Robson (Chief Executive), Cath Hicks (Head of Learner Services & Resources), Mark Baines (Head of Curriculum and Performance - to minute 8 only), Stephen Thomas (Company Secretary/Clerk); Steffan Alun (interpreter). Also Karen Morgan & Tina Hawkins for minutes 1 and 2 only; and Mary Morris (Human Resources Manager) & Tamara Garnault (CDC and Health & Wellbeing Champion) for minutes 7-9 only.

Apologies: Caroline Davies, Judith Evans, Victory Ezeofor, Dona Lewis, Sonia Reynolds (vice Chair).

2. Presentation by Karen Morgan (Head of Post-Compulsory Education and Training / Reform Branch, Welsh Government) and Tina Hawkins (Head of Adult Learning, Welsh Government) on Tertiary Education Reform in Wales

The two Welsh Government representatives introduced themselves and used a PowerPoint presentation to highlight key points on the current reforms. **The bilingual presentation would be shared with all Council members after the meeting.** John Graystone declared an interest, in that he was also a member of the Higher Education Funding Council for Wales (HEFCW) board.

The Tertiary Education and Research (Wales) Act had received royal assent in September 2022, and would dissolve HEFCW while creating a Commission for Tertiary Education and Research (CTER). The CTER's Chair and Deputy Chair had been appointed and a closing date for applications to its six other board seats had closed the previous week, with a broad and diverse set of applicants. CTER would be operational from April 2024, with a transitional running period until spring 2026. The primary responsibilities of CTER were covered, as were the 6 innovations to be brought in by it, the most relevant in ALW's case being: **A commitment to lifelong learning - The Act creates a new duty to fund proper facilities for further education for eligible adults.** That was in line with the Minister for Education and the Welsh Language's speech commitment to making Wales 'a nation of second chances in education'. The Section 94 commitments within the legislation on lifelong learning were emphasised: secondary legislation on these would be published for consultation in summer 2023, at which stage an 'eligible adult' would be defined. Indeed, adult education was at the centre of what CTER was to be about: the importance of informal and non-accredited learning as part of that, and not merely as a pathway to other formal qualifications, had been underlined by many in the planning stage.

In discussion, it was stated that while the commitment to adult education was clear, the Council was also aware that other, bigger sectors' agenda and priorities existed for CTER to deal with too. Discussions on adult education budgets were already in train, for present and future funding, before the institution of CTER. Was the fact that there would be a single finance pot now mean that there was in fact less certainty that adult education would retain its dedicated, and fair, funding? Given that CTER was committed to being transparent in its financial dealings there would be continuing clarity on that, though it could not be denied that the funding pressures on the Commission would be immense. Relations with the Student Loans Company were touched upon, and it was confirmed that CTER would assimilate the statutory duty HEFCW currently had, within the Social Partnership and Public Procurement Bill, to consider socially responsible public procurement, to set objectives in relation to well-being goals, and to publish a procurement strategy.

Commitments to Welsh language education were to be carried out in consultation with the Coleg Cymraeg Cenedlaethol: **in terms of dovetailing with the WESP (Welsh in Education Strategic Plan) framework, a written answer would be forthcoming.** Similarly, a question about the Hazelkorn review's recommendation for collaboration with those responsible for community regeneration and its implementation would be passed on to her colleagues by Karen Morgan.

There had been a failed appointment process for the Commission's chief executive role a few weeks earlier: it was asked how that could adversely affect the implementation timetable. There was awareness that it might have a detrimental impact and various options had been looked at to ensure that that was not the case. Karen Morgan and Tina Hawkins were thanked for their input and left the meeting at this point, with a request that they consider returning to discuss similar matters with the Council in a year or so's time.

Kathryn Robson stated that she had submitted an application to sit on the CTER board, and that there was to be a meeting in April between the Chair and Deputy Chair of CTER and the officers of the Council.

3. Council membership news: proposals on extended periods of office for three Council members; and election of Chair and vice Chair(s) for 2023-24

In the first instance, John Graystone expressed his great appreciation to the two Council members - Sonia Reynolds and Caroline Davies - who had decided not to take up the option of extending their 6-year terms and would step down as Council members on 31 March 2023. Their contributions had been significant, and they had been a major support to him as the Organisation's Chair.

He then left the meeting temporarily, along with Cathy Clark and Chris Franks. These were the three Council members who had been interviewed by a panel, representing the Search Committee, in the previous weeks concerning a prolongation of their terms of office beyond their original 6 years. Stephen Thomas, Jan Tiley and Steve Nicholls as panel members each spoke of the strengths of experience, diversity of backgrounds and admirable attendance record that each candidate had. The panel's recommendation was that all three be offered a further 2-year term as governors, to come to an end definitively on 31 March 2025. **The Council approved the recommendation that John Graystone, Cathy Clark and Chris Franks have their terms of office prolonged by two years from 1 April 2023.** They each then returned to the meeting.

Turning to office-holders on the Council (an annual process of election), Chris Franks proposed that John Graystone be elected as Chair for another one-year term due to his active expertise in so many fields related to the Organisation's work. **This was confirmed by the Council** and John Graystone thanked members for their continued backing of him. He in turn nominated Steve Nicholls and Salamatu Fada as

joint vice Chairs for the year, confirming that they were willing to stand. **They were approved by the Council for this shared role, with their time in post to start on 1 April 2023.**

4. Minutes of Open Business at the Council meeting of 17 January 2023 and matters arising

The minutes of the Open Business proceedings of the previous (hybrid) Council meeting, held via Zoom, were approved as a correct record. The three action points quoted there had all been implemented.

5. Chief Executive's Report, March 2023

John Graystone declared personal interests on two items in this report - the National Academy for Educational Leadership Wales (as a board member of it); and the matter of teachers'/tutors' pay, as he was on the Independent Welsh Pay Review Body that oversaw school teachers' pay in Wales.

The viable funding of the Organisation represented the greatest challenge at present, as the current formula no longer covered all costs. As a response to that, 2 management posts and 6 FTE equivalent roles amongst support staff had been removed as part of a cost-cutting exercise. Revised relationships which incorporated potential new funding were being tried with WEA England & Scotland (experienced in the *Multiply* programme), local authorities and FE colleges, and the Department for Work and Pensions. The possibility of seeking other funding through access courses in further/higher education was raised by one Council member.

A couple of Council members expressed concern that educational services for Wales's poorer communities could suffer as a result of having to face such harsh financial realities. In response, managers assured members that there remained support for and a commitment to continue working in those communities. On another matter, recent visits by a Council member to the Cardiff and Ebbw Vale offices had shown significant empty spaces there. There was an awareness that ALW was not necessarily making full use of its current office facilities: the Estates Strategy put before the Resources Committee meeting earlier in the month had shown that some downsizing was being prepared as a result, that renting out of certain office space to other bodies was in train, and that the possibility of no office-based working on Fridays to save on heating and lighting bills was being contemplated.

On the 2022-23 pay award, there had been an additional 3% offer made on top of the 5% already received for this academic year, with a written commitment from the Welsh Government that it would cover it.

On equalities matters, the **final version of the Organisation's anti-racism plan had been submitted earlier in the week and would be copied to Council members.** There was also a need to respond to the Welsh Government's LGBTQ+ plan. The fact that the Organisation did not have a specific officer to lead on these, plus other diversity matters, was acknowledged.

6. Minutes of the Annual General Meeting/Members' Event of 22 February 2023; and update on the Organisation's representative on Swansea University's Court

The technical problems faced at the meeting were noted. A feeling was expressed by a number present that AGMs had become more like rubber stamping exercises in their run of 4 consecutive virtual format gatherings, with less vitality and spark than in previous years' physical meetings. Attendance figures had remained pretty constant over those 4 years since the last physical gathering (Wrexham, 2019 - which itself had had a smaller turnout than in previous years). It was confirmed that the 2024 version would be

a face-to-face gathering and a venue for it would be consulted upon. Marion Burke was thanked for organising Wales TUC Cymru's input to the trade unions and trade union education event.

Seeking a new organisational representative on Swansea University's Court had been raised at the AGM. Jan Tiley had come forward - a former alumna of the institution - and her first representational role had occurred at a Court meeting earlier that week on which she gave brief verbal feedback. Partnership working and community regeneration (as raised in a separate discussion with Tim Palazon) had been discussed with University staff, who were also interested in knowing more about ALW's present work in the Swansea area.

7. Management Accounts for 1 August 2022 - 28 February 2023

The forecast deficit for the year (as at the end of February) was £81,000 and it was conceded that that could well worsen as the financial year progressed. The likely result would be a greater use of cash reserves, as approved by the Council at its previous meeting. The inadequate support provided by the part-time education financing methodology was still being discussed with funding heads in the appropriate unit within Welsh Government. Arguments being put forward included that it was not a proper fit in terms of the range of back-up services which ALW was expected to provide, and was iniquitous as 80% of the funds received were based on provision, with different financial weightings applied according to the course being delivered (with arts and crafts courses tending to be the ones with lowest hourly payment rates).

8. Risk Register for March 2023

The Audit Committee had reviewed this version of the Register the previous week and been reassured about frequent internal monitoring of its contents. It was noted that three risks in the financial section remained (stubbornly) Red - 'unacceptable' - in their net risk rating, despite the mitigating actions taken on them. On the matter of 85%+ reliance on Welsh Government funds quoted in one of those (Risk 1.1.1), the actual proportion of dependency had fluctuated over recent years. However, much of the rest of the Organisation's funding was also governmental in nature (from, or via, UK government departments) so that was a further factor to consider.

9. Adult Learning Wales as a Trauma Informed Organisation

Mary Morris and Tamara Garnault were introduced for this item. **A PowerPoint presentation** was shared with all and **would be circulated to all Council members after the meeting**. The FE sector was now becoming involved in the field of Adverse Childhood Experiences (ACEs). A definition of trauma was provided and being Trauma Informed had 5 core principles. To be clear, the Organisation would not seek to treat any trauma which it encountered, but signpost onwards any individuals who wished to receive support. Links between experiencing childhood trauma and increases in criminality, violence and alcohol/drug abuse in older life were well attested, while the Covid epidemic had undoubtedly added to levels of trauma.

A self-assessment period was currently underway, with a 3-year plan for how to approach the subject just being initiated within the Organisation. Training for colleagues would be provided and be open for Council members to participate in as well, and Kathryn Robson believed that the Organisation was ahead of the curve on this issue as its history showed it had been doing much of this work already when dealing with people who had big challenges in life. But terminology and acceptable approaches within this field were changing and needed to be broadly adopted.

Mary Morris and Tamara Garnault were thanked for their input and left the meeting at this point.

10. Minutes of the Learner Experience Committee meeting held on 27 February 2023

Certain Council members were concerned that attendance figures for adult basic education and essential skills courses were significantly down on target, as they considered these to be ‘bread and butter’ parts of the Organisation’s mission. It was confirmed that efforts were in hand to increase the numbers attending such courses. Minute 9 talked of why Regional Forums had been set aside, given the membership scheme review: Siôn Aled Owen very much hoped that they would return in future. There was a fear that too many Forum meetings in the recent past had predominantly involved staff talking to other staff, and that through the health and wellbeing work of Tamara Garnault there had been more creative examples of bringing learners together, in coffee mornings or other forms of engagement. That seemed to work better, for that audience, than the more stylised Forum gatherings.

On the Two Sisters factory closure on Anglesey, there would be further reports on what courses (including ESOL) were to be offered there for redundant workers. In a case of tutor feedback, it was claimed that bilingual Welsh/English sheets and forms for ESOL classes had produced some confusion - were they actually necessary in that format for those courses? **That would be followed up.** And the employability agenda pursued by both national and local governments was causing some stress amongst learners and tutoring staff alike.

11. Minutes of the Resources Committee meeting held on 2 March 2023

The Council noted the minutes as a whole. The Committee had approved the provisions of a new Additional Voluntary Contribution shared cost proposal within the Local Government Pension Scheme, and awaited presentation of a final business continuity plan at a future meeting. Estates strategy changes for 2022-23 had been noted. Minute 4 referred to continuing challenges in recruiting tutors, and there was a brief Council discussion on contractual flexibility and limitations in that sphere.

12. Minutes of the Audit Committee meeting held on 21 March 2023

While Council noted the minutes, Chris Franks reported good progress in meeting recommendations made in recent audit reports (internal and external); and that details of a tendering exercise and its timetable for appointment of external auditors had been agreed. The matter of acceptability of certain asylum seekers receiving education from the Organisation was of import, so as not to put ALW or individual learners in jeopardy. A report on the data behind expansion of ESOL provision at the Organisation would come to the committee’s summer term meeting, and **the committee membership gaps left by Sonia Reynolds and Caroline Davies would be further discussed with the Council.**

13. Self-assessment of meeting’s proceedings by Council members

With the two departures from the Council noted earlier, membership stood at 15 (of a maximum size of 20). Four of the vacant seats were for elected members and one for an appointed member. While that latter position was being pursued for filling, there were practical challenges in pursuing the regionally-based elected vacancies because of the continuing review of the Organisation’s membership scheme, which could alter the means of election involved. It was acknowledged that other governing bodies were

facing recruitment difficulties too. The Chair felt that the pair of presentations in the meeting had been useful discussion opportunities which had elicited good contributions from Council members.

14. Confidential Business minute at the Council meeting of 17 January 2023

The minute of the Confidential Business proceedings at the previous (hybrid) Council meeting, held via Zoom, was approved as a correct record.

15. Council and other meeting dates for remainder of 2022-23 academic year

- Tuesday/Wednesday 23-24 May (Strategic Planning Day, Stackpole, south Pembrokeshire): further details on this, including the programme, accommodation options, outdoor activities and public transport possibilities, would follow
- Thursday 6 July (tbc – this could be changed to a different working day within that same week)

ACTION POINTS

Reference	Minute name	Action agreed	Action by whom	Action by when
Minute 2	Presentation on Tertiary Education Reform in Wales	The bilingual presentation would be shared with all Council members after the meeting; and in terms of dovetailing with the WESP (Welsh in Education Strategic Plan) framework, a written answer would be forthcoming.	ST / Karen Morgan	April 2023
Minute 3	Council membership news: proposals on extended periods of office for three Council members; and election of Chair and vice Chair(s) for 2023-24	The Council approved the recommendation that John Graystone, Cathy Clark and Chris Franks have their terms of office prolonged by two years from 1 April 2023. The Council confirmed John Graystone as Chair and Steve Nicholls and Salamatu Fada as vice Chairs for 2023-24, as from 1 April 2023.	ST ST	April 2023 April 2023
Minute 5	Chief Executive's Report, March 2023	The final version of the Organisation's anti-racism plan had been submitted earlier in the week and would be copied to Council members.	CH / ST	April 2023
Minute 9	Adult Learning Wales as a Trauma Informed Organisation	The PowerPoint presentation would be circulated to all Council members after the meeting.	ST	April 2023
Minute 10	Minutes of the Learner Experience Committee meeting of 27 February 2023	The Welsh/English versions of workbooks used in ESOL classes presented challenges for learners and needed addressing.	CH	April 2023
Minute 12	Minutes of the Audit Committee meeting of 21 March 2023	The committee membership gaps left by Sonia Reynolds and Caroline Davies would be further discussed with the Council.	CF / JG / ST	June 2023