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# Social Partnership Council meeting, 1 February 2024: minutes

01 February 2024, 11:00 to 13:00, Caerdydd Meeting Room,  
Welsh Government Offices, Cathays Park, Cardiff. Hybrid  
Meeting.

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## Item 1 - Welcome/Opening Remarks

1. The First Minister (FM) dialled in and welcomed everyone to the first Social Partnership Council, the FM apologised for his absence and explained that he would be joining in person shortly. The Deputy Minister for Social Partnership (DMSP) took over the role of Chair.
2. The DMSP welcomed members to the inaugural meeting of the SPC and then asked each member to introduce themselves.
3. The DMSP outlined the importance of the Social Partnership and Public Procurement Wales Act in reinforcing Ministers' commitment to the principles of social partnership working, and the importance of enshrining these and the SPC itself in law.
4. Apologies were received from Helen Whyley and as her replacement the DMSP welcomed Sandy Harding (SH).
5. The DMSP noted there was a packed agenda, briefly ran through the order for the meeting and introduced the first substantive agenda item.

## Item 2 – The SPC Procedures

6. The DMSP said that the procedures set out the administrative and operational arrangements for the SPC. The procedures document (SPC 01-02) had been circulated prior to the meeting for members' consideration. The DMSP highlighted key points such as the requirement for the SPC to meet at least three times in any 12 month period, the quorum, and other matters such as the attendance of deputies and observers. The DMSP invited comments from members.

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7. Darren Williams (DW) raised an issue with non-attendance and the resulting removal process of SPC members as set out in paragraph 28. DW asked that the sentence provisionally be removed and welcomed further discussion on the role nominating bodies would play in the process. DW suggested it would be useful to restate the nomination process under paragraph 6, and how any vacancy would be filled following the removal of a member. DW added that future meetings should be scheduled long in advance to enable members of the Council to prioritise their diaries.

8. The DMSP set out that there was provision in the Act for the SPC to establish subgroups to assist the SPC with its work.

9. Ian Price (IP) raised concerns regarding sub-groups, and members attendance at sub-groups. IP asked whether there could be flexibility around representation on subgroups as it was currently unknown how many subgroups the SPC would need to establish, and this would affect these individuals' time commitments and potentially overburden members as these groups evolve. Neil Surman (NS) clarified these groups could take the form of task and finish or standing sub-groups of the SPC as the legislation allows the SPC to decide the purpose and operating model of any sub-groups

10. Jess Turner (JT) queried para 39 of the procedures which covered press engagement. She felt the current wording was too restrictive. NS clarified that the aim was not to restrict any SPC member from talking about government policy that was in the public domain, however, where things that the SPC considered and discussed were not public knowledge at that time then this would not be permitted.

11. Ruth Brady (RB) asked for confirmation and consistency regarding the policy for observers attendance at SPC meetings. RB noted that there were observers in attendance despite RB's earlier request for an observer being denied. Jon Roche (JR) explained that observers seen on screen were either part of the secretariat, special advisors or from Ministers' private offices. Sandy Harding's

(SH) attendance was agreed by the Chair due to a sitting member's absence. SPC members were asked if they were content with SH attendance at the meeting in this capacity; no objections were raised. The DMSP asked whether members would support the proposal for observers to attend future meetings and members agreed.

12. Gareth Lloyd (GL) suggested future Trade Union engagement within the SPC secretariat team. GL also queried the process of raising queries between meetings and the process for how additional SPC meetings could be requested by members. NS said further discussions regarding a proposed role for TU side on the SPC Secretariat would be needed and officials would make contact with worker representatives to discuss further. GL also requested that the SPC's draft forward work programme referenced in paragraph 21 be shared for members' prior consideration.

**Action:**

Secretariat to review and recirculate the procedures document having taken into account the points raised by (DW and GL in paragraphs 7, and 12 respectively) ahead of the next meeting.

**Action:**

Welsh Government officials to discuss TU involvement in the SPC secretariat as raised by GL with worker representatives.

## Item 3 – Overview of Public Bodies' Well-being Duties under the Well-being of Future Generations (Wales) Act 2015

13. The DMSPP provided an overview of relationship between the SPP Act and the public bodies' well-being duty under the Well-being of Future Generations (Wales) Act 2015 and introduced Andrew Charles (AC) to present the item.

14. AC presented an overview of the Well-being of Future Generations Act, the architecture, and the well-being duty on public bodies. This drew on the slides which had been shared ahead of the SPC meeting. The DMSPP thanked Andrew and asked if members had any questions.

15. Shavanah Taj (ST) queried the role of the Future Generations Commissioner in terms of the Social Partnership Act. AC explained that the Commissioner has a specific general duty to promote sustainable development as well as powers to provide support, guidance and sharing of best practice. This included a power to review public bodies. The Commissioner's work in promoting sustainable development is more complimentary to efforts to social partnership.

16. Nicola Prygodzicz (NP) asked for clarification on the data used for the set of well-being indicators, and what the SPC should focus on. AC responded that Welsh Government had developed the national well-being indicators to measure the progress of a nation and the measures therefore covered the economy, environment, society, and culture. The Chief Statistician for Wales published an annual well-being report in September which reported against the 50 national indicators and associated milestones.

17. AC added that some of the data went down to local authority level and beyond but was not a complete picture across all the indicators. AC acknowledged there had been some debate over time about how best to capture

and record such information and the spatial approach could work. AC agreed to feed this into the work on the annual well-being of Wales report with the Chief Statistician

18. Ben Cottam (BC) said that the SPC needed to be clear where the points of contact are as there was a lack of certainty between the well-being of future generations legislation and the social partnership legislation. BC explained that in conversations with the businesses that FSP represented their view was that the well-being legislation helped put into practice the social partnership approach, and the links between both pieces of legislation were mutually reinforcing and not exclusive.

19. Mike Walker (MW) asked if the SPC would be able to comment on any of the annual reporting of Welsh Minister objectives. NS clarified that the SPC would comment on the annual review of the well-being objectives and the annual report that flows out of that. The DMSP added that the FM would provide clarity as part of the item later in the meeting on operationalising the social partnership duty on Welsh Ministers.

20. Pippa Britton (PB) noted that fair work often focused on people in paid employment and urged that the SPC be mindful that fair work went much wider. PB added that the third sector and voluntary workers underpinned all of this, including those workers with disabilities.

21. AC responded that the third sector had led engagement on the well-being of future generations agenda and whilst the WFG Act included duties on public bodies and public services boards that, even if the public sector duties were stripped out, the WFG Act provided a strong policy framework for all sectors because they recognise the relationship with government and public bodies drives change.

## **Action:**

AC agreed to feed in discussions from the meeting on local authority level data gathering for the national indicators with the Welsh Government's Chief Statistician as part of the Annual Well-being of Wales report.

## **Item 4 – Proposed approach to the provision of information and advice by the SPC to the Welsh Ministers**

22. The DMSP presented the paper, SPC 01-03, which was shared ahead of the meeting, and explained how the social partnership duties build on the well-being duty placed on public bodies by the WFG Act and covered the core functions of the SPC. The social partnership duty required bodies to seek consensus or compromise with their recognised trade unions or, if there is no recognised trade union, with other representatives of their workforce when they are setting their well-being objectives, and also when they are making decisions of a strategic nature about the reasonable steps, they intend to take to achieve those well-being objectives. They would also be required to review and report on progress each year

23. The DMSP noted that the reports must be agreed with the public body's trade union or worker representatives before they are sent to the SPC, and where this did not happen an explanation would need to be provided on why this was the case.

24. The DMSP reminded members that one of the SPC's core functions was to provide Welsh Ministers with information and advice on how public bodies had discharged the social partnership duty. She added that the paper proposed that

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the secretariat should collate, analyse, and summarise the social partnership reports required to be published from 2025 onwards, and provide that material to the SPC each year. This material would form the basis of any advice and information provided to Ministers.

25. The DMSP explained that the information and advice provided to Ministers could include exemplars of notable practice or areas of concern, what was working well or things that were going less well, and where support or advice might be beneficial.

26. The DMSP asked members for any thoughts or questions.

27. PH disagreed with section 14 of the paper which proposed that only a summary report should be provided to the SPC and suggested that members should have access to the full reports from each public body in addition to a summary report prepared by the secretariat. The DMSP explained the summary report was a proposal to help manage SPC members' time, but she would be content to share all 56 reports if the Council wished to see them.

28. At this point, the FM joined the meeting in-person and suggested the DMSP continue as chair.

### **Action:**

DMSP agreed to share all 56 social partnership reports from public bodies (when available) with the summary report for 2024/25 should SPC members wish to see them.

## Item 5 – Fair work: policy and context, levers, and constraints

29. The DMSPP highlighted the importance of fair work being within the remit of the SPC and introduced Stephen Layne (LS) who delivered a presentation on policy and context, levers and constraints surrounding fair work.

30. Ian Price (IP) agreed the importance of fair work and delivering the real living wage. He highlighted the impact of COVID-19 and the cultural shift to home working, and how maintaining fair work was essential to those working at home.

31. SL agreed COVID-19 had pushed worker flexibility, and added further work would be needed to address well-being while working from home. SL highlighted the Welsh Government's strategy on remote working.

32. ST added further understanding of fair work is needed to support and deliver the Prosperous Wales goal, and called for a more collective approach of the policy implementation and cited the language and communication used across government is not currently consistent.

33. GL identified a current lack of the term fair work being embedded in messaging, and suggested the terminology in the presentation could help that message and give a level of consistency. SL agreed that further work would need to be done to improve the messaging.

34. Cllr. Anthony Hunt (AH) highlighted the role that public bodies play in helping to understand the Social Partnership legislation, WFG legislation, and supply chains.

35. AH added the importance of learning from the best practice of fair work and what can be done to make the workplace fairer. In conversations with workforce, there was a generational split final salary pension schemes were more attractive

to the older workforce than younger employees. The workforce had changed with younger people having multiple career paths in their lifetime, so it was important to define fair work within that context.

36. ST asked what levers were available and noted the need for the Social Partnership Council to understand how their potential could be used to influence and embed fair work in the workplace.

37. SL replied that work had been done on better understanding fair work policy levers. It was important to set our ambitions for Wales in the context of what Welsh Government can and cannot do. SL told members that he saw three kinds of employers over which Welsh Government had different levels of influence. Firstly, Welsh Government had a relatively direct influence over working conditions in the devolved public sector. Secondly, the Welsh Government has some influence over those organisations with which it has a financial relationship. However, the majority of employers in Wales were neither in devolved public services, nor employers with whom Welsh Government has a financial relationship with. Stephen stressed the importance of embedding fair work within wider approaches, but also the need for clear and consistent means of communication, and acknowledgement that there remains room for improvement.

## **Item 6 – The Socially Responsible Public Procurement provisions of the Social Partnership and Public Procurement (Wales) Act 2023**

38. The DMSP introduced Sue Hurrell (SH) to deliver an overview of the socially responsible procurement provisions in the Act and set out Welsh Government's intentions regarding implementation. The slides were provided to members ahead of the meeting.

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39. JT highlighted the importance of more technical briefings for the SPC in the future, and suggested this topic should not be left solely to the procurement sub-group.

40. ST suggested a deep dive into procurement with third sector organisations, particularly regarding fair work in the context of volunteers delivering services.

41. RB highlighted concerns regarding procurement and A.I. RB added that the TUC had published a report documenting workers experience of AI. RB suggested the SPC create a sub-group to specifically advise on the procurement of A.I., especially in terms of mitigating harms and identifying opportunities for the workforce.

42. The DMSP brought this item to a close. SH thanked members for their comments and agreed to consider how best to address their comments.

**Action:**

SPC to consider the establishment of a subgroup to look specifically at the procurement of AI software and its impact on the workforce.

**Action:**

SH to consider how best to ensure that the SPC is kept up to date via technical briefings on procurement matters as well as the development of the Procurement Subgroup.

## **Item 7 – The potential for the Social Partnership and Public Procurement (Wales) Act 2023 to support equality and diversity in the workplace**

43. Due to timing constraints, the DMSP suggested this item would be postponed to the next SPC meeting to ensure it was given time for full consideration.

### **Action:**

To add 'The potential for the Social Partnership and Public Procurement (Wales) Act 2023 to support equality and diversity in the workplace' to the next SPC meeting agenda.

## **Item 8 – Operationalising the social partnership duty on Welsh Ministers**

44. The FM explained that the Act placed a social partnership duty on the Welsh Ministers to consult with the SPC when making decisions of a strategic nature about the steps Welsh Ministers intend to take to meet their well-being objectives. He said that, as a starting point, Ministers proposed to engage with the SPC at three particularly important decision-making points each year.

45. The first of the three decisions would be the setting of the Welsh Government's annual budget, which was of paramount importance in supporting government priorities. The FM gave an overview of the annual budget cycle and proposed that the SPC be engaged at a suitably formative stage of the process each year.

46. The second decision the FM proposed the SPC be consulted on was the development of the Welsh Government's annual legislative programme. That process culminated each July in a legislative statement setting out the legislation to be brought before the Senedd in the following term. The FM suggested that engagement with the SPC would be during the development of the statement at a point before decisions had been finalised.

47. The third strategic decision was the annual review of the Welsh Government's well-being objectives as set out in the Programme for Government. The FM explained that these were the broadest objectives which all of government is committed to delivering, and that as such the SPC should be engaged in the annual review of progress against current objectives and consideration of whether any change was required.

48. The FM felt that consulting on these three key matters each year would provide opportunities for the SPC to shape the thinking of government, without potentially overburdening members. The FM suggested this approach be trialled for a year and reviewed thereafter. Members agreed this, although it was acknowledged that timing of these three items each year would need to be carefully managed to ensure engagement took place at an appropriate point in each process.

## **Item 9 – The Welsh Government's 2024-2025 Draft Budget**

49. The DMSP introduced the Minister for Finance and Local Government (MFLG) to discuss the draft budget.

50. The MFLG explained that the draft budget was published on 19 December and provided an update on the latest fiscal and economic context that shaped plans alongside key decisions in the budget. The MFLG said this was the

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toughest financial situation faced by the Welsh Government since the start of devolution.

51. The MFLG said the Welsh Government's guiding principles were to protect core frontline public services as far as possible and deliver the greatest benefit to households which were hardest hit. The final budget would be published in late February and voted on in the Senedd in early March.

52. Members thanked the MFLG for the discussions that already taken place with social partners and recognised the difficult decisions faced by Welsh Ministers in setting the draft budget. Members raised broader concerns about possible compulsory redundancies within the public sector, and the damaging implications of the budget on public service jobs and delivery.

53. JT echoed the comments made and sympathised with the need to protect the NHS and local authorities in the budget. DW raised added concerns with employment cuts in the civil service and sponsored bodies, particularly in the culture sector such as the National Museum and Library.

54. The MFLG acknowledged these concerns. The MFLG welcomed the SPC's continued engagement in the annual budget setting process.

## **Item 10 – WG Update: Meeting with Mosque Leaders and Imams**

55. The FM explained that this agenda item was added as a result of a recent meeting with mosque leaders and Imams, which raised the grief and trauma being caused to the community due to the conflict in Gaza. One theme from the discussions was on the impact of the conflict in workplaces. Mosque leaders and Imams wanted to explore how the SPC could get messages out to support their Muslim staff members and help workplaces to recognise the impact of the

conflict.

56. ST commented on multiple conversations that union members have had on this conflict, which highlight real concerns to worker mental health and well-being. ST added that reports have been made on a rise of racism and that TUC have lobbied for Wales to issue an appeal for a ceasefire.

57. DW echoed these comments and reiterated the Wales TUC's support for an immediate ceasefire. DW also requested the Welsh Government support the calls for a ceasefire.

58. Members also raised similar issues in regard to the ongoing conflict in Ukraine and noted that children within the Jewish community were also afraid due to their community facing hostilities.

59. PB raised the importance of inclusive workplace culture for all workers.

60. The FM concluded that he had shared this with the members so that the SPC could connect the more theoretical aspects of their role with the lives of people. Members agreed the importance of the message of understanding and compassion.

## **Item 11 – Forward work programme**

61. Ahead of the next agenda item, members took a time out to have a photo taken of SPC members. The FM then had to leave the meeting.

62. The DMSP noted that item 11 would be added to the next agenda. No additional items were suggested. The DMSP advised that any suggestions for the next agenda could be submitted to the secretariat via email.



**Action:**

DMSP noted that item 11 (Forward Work Programme) would be added to the next SPC agenda

**Action:**

Members to submit any proposals for the next SPC meeting agenda to the SPC secretariat.

## **Item 12 – Next meeting – date and venue**

63. The DMSP noted that two more meetings as a minimum would be held this year as required by the Act. The DMSP asked members for any preferences on when the SPC should meet and whether there was a desire to keep momentum going ahead of the next meeting given that members had asked for more in-depth information on policy levers for fair work as well as more information on procurement matters.

64. The DMSP asked if members felt a preparatory meeting might be required ahead of the next formal meeting in approximately three months. The DMSP was happy to take members' views.

65. PH suggested that the SPC should hold 4 meetings per year in person while meeting every month. The DMSP reminded members that the next Social Partnership Council meeting would be chaired by the new First Minister and that the new FM would be consulted regarding the date of next and future meetings. The DMSP asked members to feed in views to the Secretariat on when, where, and how the SPC should next meet so they could make the necessary arrangements

**Action:**

SPC members to share their preferences for the date, location and format for the next meeting of the Council to the SPC Secretariat.

**Action:**

The SPC Secretariat to coordinate arrangements for the next meeting of the Council.

66. Members suggested a longer time slot to avoid over-running.

67. The DMSP thanked the Council and closed the meeting.

## Attendance List

### Welsh Ministers

Co-Chair – Hannah Blythyn MS – Deputy Minister for Social Partnership

Co-Chair – Mark Drakeford MS – First Minister

Rebecca Evans – Minister for Finance & Local Government (via Teams)

### SPC Worker Representative Members

Ruth Brady – GMB (via Teams)

Neil Butler – NASUWT

Sandy Harding – RCN (in place of Helen Whyley (via Teams))

Peter Hughes – Unite the Union

Gareth Lloyd – UCU (via Teams)

Shavanah Taj – Wales TUC  
Jess Turner - Unison  
Mike Walker – USDAW  
Darren Williams – PCS

## **Employer Representative Members**

Pippa Britton – Third Sector  
Ben Cottam – FSB  
Councillor Anthony Hunt – WLGA Workforce Spokesperson  
Prof. Wendy Larner – Universities Wales  
Ian Price – CBI Wales  
Nicola Prygodzicz – Aneurin Bevan UHB  
Janis Richards – MAKE UK  
Kathryn Robson – Adult Learning Wales  
Dame Elan Stephens – Public Leaders Forum

## **Welsh Government Members**

Andrew Charles – Sustainable Futures  
Sioned Evans – Public Services and Welsh Language (via Teams)  
Sue Hurrell – Social Partnership, Employability and fair work  
Stephen Layne – Social Partnership, Employability and fair work  
Vivienne Lewis - Budget Policy and Delivery (via Teams)  
Jon Roche - Social Partnership, Employability and fair work  
Jo Salway – Social Partnership, Employability and fair work  
Neil Surman – Social Partnership, Employability and fair work

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## **SPC Secretariat**

Robert Hobbs – Welsh Government  
Gavin Jenkins – Welsh Government  
Mark Lewis – Welsh Government

## **Observers**

Amber Courtney – Welsh Government  
Sioned Evans – Welsh Government  
Sandy Harding – RCN (in place of Helen Whyley)  
Zoe Holland – Welsh Government  
Jessica Khoshooee – Welsh Government  
Phillipa Marsden – Special Advisor (via Teams)  
Jane Runeckles – Special Advisor (via Teams)  
Sharon West – Welsh Government

## **Apologies**

Helen Whyley – RCN

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