

## Impact Assessment - First Stage

### 1. Details of the initiative

**Initiative description and summary: Western Bay Area Planning Board Governance Framework and Risk Sharing Agreement**

**The Area Planning Board enables NPT and other responsible authorities to meet their statutory duties in respect of** The Crime and Disorder Act 1998 on regional footprint. The legislation places a duty on responsible authorities in Wales and England to formulate and implement a strategy for combatting the misuse of drugs, alcohol and other substances in the area. The aim of the Western Bay Area Planning Board is to bring together representatives of the Responsible Authorities, and other organisations (invited members and advisors) to improve and strengthen the arrangements for the planning, commissioning and performance management of substance misuse services across Neath Port Talbot and Swansea. The Western Bay Area Planning Board (APB) is required to have robust governance arrangements in place in order to meet its obligations under the National Core Standards for Substance Misuse.

A governance framework for the Western Bay APB has been developed and approved by the APB. This document provides clarity on the role of APB Board Members, and sets out a Code of Conduct and a Memorandum of Understanding that will ensure that decisions are clear, transparent and that there is clear accountability for the Board's work. This document governs how the APB of which NPTC is a member functions and works effectively.

The Risk Sharing Agreement addresses the need to document that the Council (NPTCBC) is the grant recipient of the SMAF funding on behalf of the responsible authorities and will be the party to contracts commissioned with the funding. There is also the need to cover the financial management and risk arrangements/allocation as in the absence of the Agreement the Council carries the legal risk in relation to the receipt of the funding and the contracts it enters into. The Risk Sharing Agreement sets out that the Council will act as the SMAF recipient and will administer it in accordance with its internal rules and procedures and will comply with the grant terms and conditions. It also requires all responsible bodies to cooperate to ensure compliance with the grant conditions. The risk associated with the Council acting as grant recipient and contracting authority is fairly spread between the responsible authorities. The Council and each of the responsible authorities will be responsible for liabilities resulting for each of their own acts or omissions. The Risk Sharing Agreement will be legally enforceable between the parties. This is an internal function between parties to the APB, albeit it will enable ongoing Commissioning, etc.

**Service Area:** Partnerships & Community Cohesion – AP Commissioning & Development

**Directorate:** ELL

**2. Does the initiative affect:**

	Yes	No
Service users		/
Staff		/
Wider community		/
Internal administrative process only	/	

**3. Does the initiative impact on people because of their:**

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		/				The governance framework and risk-sharing agreement guide and inform the way the APB and partners work, and shares the risk in terms of future contracting/commissioning. Such decisions are not made in isolation, and they would themselves be subject to an IIA. Therefore the endorsement of the governance framework and adoption of the risk sharing agreement as an internal legal function between the reasonable authorities, does not at this stage impact by way of age or other protected characteristic below.
Disability		/				As above
Gender Reassignment		/				As above
Marriage/Civil Partnership		/				As above
Pregnancy/Maternity		/				As above
Race		/				As above
Religion/Belief		/				As above
Sex		/				As above

Sexual orientation		/				As above
--------------------	--	---	--	--	--	----------

**4. Does the initiative impact on:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		/				<b>People using substance use services can use Welsh as their language of choice, the governance document and risk sharing agreement have no impact on this.</b>
Treating the Welsh language no less favourably than English		/				<b>As above</b>

**5. Does the initiative impact on biodiversity:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		/				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,		/				

such as air quality, flood alleviation, etc.						
--	--	--	--	--	--	--

**6. Does the initiative embrace the sustainable development principle (5 ways of working):**

	Yes	No	Details
<b>Long term</b> - how the initiative supports the long term well-being of people	/		The Area Planning Board enables NPT and other responsible authorities to meet their statutory duties in respect of The Crime and Disorder Act 1998 on regional footprint. The legislation places a duty on responsible authorities in Wales and England to formulate and implement a strategy for combatting the misuse of drugs, alcohol and other substances in the area. The APB has been in existence since 2010, and these frameworks strengthen, regularise and formalise existing working relationships which will now and in the long term improve the functioning of the Board and the outcomes it achieves. The APB has a number of legacy 'contracts' in place and making changes to the way services are delivered is impeded by the absence of a risk sharing agreement. The risk sharing agreement will enable commissioning decisions to be enacted without all the risk falling on NPTCBC.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	/		The purpose of the Western Bay Area Planning Board is to bring together representatives of the Responsible Authorities, and other organisations (invited members and advisors) to improve and strengthen the arrangements for the planning, commissioning and performance management of substance misuse services across Neath Port Talbot and Swansea. The governance document and risk sharing agreement, formalise and govern the way the partnership works and how decisions are made, and how the Board will function. Therefore the impact of both documents is positive in terms of providing a clear, open and transparent

			framework within which partners can work, and for example the behaviours expected.
<b>Involvement</b> - how people have been involved in developing the initiative	/		<p>The APB is made up of the responsible authorities who are</p> <ol style="list-style-type: none"> <li>1. Swansea Bay University Health Board</li> <li>2. City and County of Swansea Council</li> <li>3. Neath Port Talbot County Borough Council</li> <li>4. South Wales Police</li> <li>5. National Probation Service</li> <li>6. Mid and West Wales Fire and Rescue Service</li> <li>7. Representative from Police &amp; Crime Commissioner's office</li> </ol> <p>Together with other representatives (advisers and invited members) including Welsh Government, Public Health Wales, Providers,</p> <p>Both documents have been discussed at and agreed at the APB or its subgroup (Commissioning Finance &amp; performance), and developed accordingly.</p> <p>Each responsible authority must take the governance framework and risk sharing agreement through their own respective governance frameworks.</p>
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions	/		<p>The purpose of the Western Bay Area Planning Board is to bring together representatives of the Responsible Authorities, and other organisations (invited members and advisors) to improve and strengthen the arrangements for the planning, commissioning and performance management of substance misuse services across Neath Port Talbot and Swansea. The governance document and risk sharing agreement, formalise and govern the way the partnership works and how decisions are made, and how the Board will function. Therefore the impact of both documents is positive in terms of providing a clear, open and transparent framework within which partners can work, and for example the behaviours expected. In summary this strengthens the existing relationships and the way the APB works and the outcomes it can achieve.</p>

<p><b>Prevention</b> - how the initiative will prevent problems occurring or getting worse</p>			<p>The Area Planning Board enables NPT and other responsible authorities to meet their statutory duties in respect of The Crime and Disorder Act 1998 on regional footprint. The legislation places a duty on responsible authorities in Wales and England to formulate and implement a strategy for combatting the misuse of drugs, alcohol and other substances in the area. Prevention and education including harm reduction are integral elements of the work of the APB and its commissioned providers.</p>
--	--	--	---

**7. Declaration - based on above assessment (tick as appropriate):**

<p>A full impact assessment (second stage) <b>is not</b> required</p>	<p>/</p>
<p>Reasons for this conclusion</p>	
<p>The governance framework and risk sharing agreement will enable the more effective working of the Area Planning Board in fulfilment of statutory responsibilities, and formalise/regularise existing working relationships. Any actions arising including commissioning of services will be the subject of IIA in their own right.</p>	

A full impact assessment (second stage) <b>is</b> required	
Reasons for this conclusion	
N/A	

	Name	Position	Signature	Date
Completed by	<b>Claire Jones</b>	<b>Strategic manager Partnerships and Community Cohesion</b>		<b>13<sup>th</sup> December 2021</b>
Signed off by		Head of Service/Director		