
WESTERN BAY AREA PLANNING BOARD

GOVERNANCE FRAMEWORK

December 2018



Background

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. This document provides the governance framework for the Western Bay APB, ensuring clarity of role for APB Board Members, a Code of Conduct and a Memorandum of Understanding that will ensure that decisions are clear and transparent and there is clear accountability for the Board's work.

This Framework is not legally binding. However, the Board will establish legal agreements, where appropriate to govern some of the matters that the Board is responsible for; For example, the Board is to establish a 'Section 33 Agreement' between Local Authorities within the Western Bay area (Neath Port Talbot and Swansea) and the Swansea Bay University Health Board to govern the use of shared financial resources that underpin the commissioning of treatment services.

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PART 1: Western Bay Substance Misuse Area Planning Board – Business Structures

Organisational Code of Conduct

This Code of Conduct makes explicit the principles, values and standards that guide the decisions, procedures and systems of the Western Bay Area Planning Board (APB). The objective of the Code is to promote a culture that encourages everyone involved in the Board's work to embrace a culture of integrity and to practice it.

Officers and partners, hereafter referred to as the constituents, are required to take all reasonable steps to comply with the requirements set out in the Code of Conduct. This applies to all business associated with the offices, planning and delivery of work within the remit of the Western Bay APB.

Breaches of the Code are to be reported to the Chair of the Area Planning Board. It is the aim of the APB to resolve most complaints through informal negotiation ('Conciliation'). Failing that, it is the responsibility of the Chair of the APB to act to ensure firm, prompt and fair action, in conjunction with senior managers and/or trustees of the appropriate employing organisation.

Principles

The Area Planning Board aims to maintain the highest standards of professional endeavour, integrity, confidentiality, financial propriety and personal conduct.

It is an expectation of the APB that the primary constituents of this conduct are to:

- i. Deal honestly and fairly in business with employers, employees, clients, fellow professionals, other professions and the public;
- ii. Respect the customs, practices and codes of clients, employers, colleagues, fellow professionals and other professions.
- iii. Take all reasonable care to ensure employment best practice including giving no cause for complaint of unfair discrimination on any grounds and ensures fairness, equity and above all values diversity in all dealings;
- iv. Work within the legal and regulatory frameworks affecting the delivery of substance misuse services.
- v. Treat fellow constituents with courtesy.
- vi. Respect and abide by this Code and encourage others to do the same.

Fundamental to good practice are:

Integrity

- Honest and responsible regard for the public interest;
- Checking the reliability and accuracy of information before dissemination;
- Never knowingly misleading clients, employers, employees, colleagues and fellow professionals about the nature of representation or what can be competently delivered and achieved;
- Supporting the values of the Area Planning Board by bringing to the attention of the APB examples of malpractice and unprofessional conduct.

Competence

- Being aware of the limitations of professional competence: without limiting realistic scope for development, being willing to accept or delegate only that work for which practitioners are suitably skilled and experienced;
- Where appropriate, collaborating on projects to ensure the necessary skill base.

Transparency and avoiding conflicts of interest

- Disclosing to employers, clients or potential clients any financial interest in a service provider/supplier being recommended or engaged;
- Declaring conflicts of interest (or circumstances which may give rise to them) in writing to the APB as soon as they arise;
- Ensuring that services provided are costed and accounted for in a manner that conforms to accepted business practice and ethics.

Confidentiality

- Safeguarding the confidences of present and former clients and employers;
- Being careful to avoid using confidential and 'insider' information to the disadvantage or prejudice of clients and employers, or to self-advantage of any kind;
- Not disclosing confidential information unless specific permission has been granted or the public interest is at stake or if required by law.

Maintaining professional standards

- Constituents are encouraged to spread positive awareness of the work of the APB where practicable.
- Implement mechanisms, where applicable, to ensure practitioners have current professional registration.
- Sharing information on good practice with constituents and, equally, referring perceived examples of poor practice to the APB.

Interpreting the Code

In the interpretation of this Code, the Laws of the England and Wales shall apply. Compliance with the Code will be monitored by performance management and monitoring of service level agreements, where the Code, with a stated expectation of compliance by service providers and commissioners, will be an addendum.

This Code of Conduct is not intended to supersede or replace an individual's professional codes of conduct.

To ensure compliance with this Code of Conduct, Western Bay Area Planning Board requires that all constituents review the Code of Conduct and acknowledge their understanding and adherence in writing on an annual basis on the attached form.

Template for reporting breaches of the Western Bay APB Code of Conduct:

Definition: A breach of one or more provisions within the Code occurs in situations where there is clear evidence that an individual or organization has demonstrated non-observance of the Code in conducting themselves or their organization in a manner that can be associated with APB business.

This includes the delivery of commissioned services, representing the APB or its commissioned services, or supporting the APB work programme.

Report submitted by:

Date of submission:

Reporting Organisation:

Circumstances of Breach e.g. Date of occurrence, nature of breach, reasons (where known) for breach	
Public/Commission reaction / Impact on reputation (if any)	
Details of any action taken at source	

Western Bay Area Planning Board Memorandum of Understanding

Updated: December 2018

Members

Responsible Authorities:-

1. Swansea Bay University Health Board
2. City and County of Swansea Council
3. Neath Port Talbot County Borough Council
4. South Wales Police
5. National Probation Service
6. Mid and West Wales Fire and Rescue Service
7. Representative from Police & Crime Commissioner's office

Invitee Members:-

1. Service Provider Representatives (1 per organisation)
2. Service User Representatives (2)
3. Department for Work and Pensions - regional lead
4. Supporting People/ Homelessness / Housing representative
5. Children and Young People Planning, i.e. children services / Youth Offending Team.

Advisory Members:-

1. Public Health Wales
2. Welsh Government
3. Substance Misuse Lead Officers
4. APB Commissioning Support Officers
5. Regional Partnership Board Programme Director

“Responsible Authorities” means the responsible authorities listed in section 5 of the Crime and Disorder Act 1998, as amended by the Police and Justice Act 2006 within the area of the APB, these are

- i. Swansea Bay University Health Board
- ii. City and County of Swansea Council
- iii. National Probation Service
- iv. Neath Port Talbot County Borough Council
- v. South Wales Police
- vi. Mid and West Wales Fire and Rescue Service
- vii. Representative from Police & Crime Commissioner's office

Responsible Authorities (as listed above), Invitee Members and the Advisory Members are collectively called 'Board Members'. Responsible authority representatives and other members must have sufficient seniority to be able to give weight to their decisions and recommendations.

Representatives from the Health Board should include a planning representative, a clinical (i.e. Substance Misuse Team) and a primary care representative.

Public Health Wales – will act as an advisor to the Board to ensure there is due consideration of the epidemiology of substance misuse and evidence base for interventions, care models, care pathways and prevention activities. PHW will also advise on evaluation of interventions

The Board Members agree to meet as the Western Bay Area Planning Board (the APB) to discuss, and make recommendations to the Responsible Authorities within the area of the APB on the reduction of substance misuse within the area of the APB, subject to and in accordance with this Memorandum.

Background

The Crime and Disorder Act 1998 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. In 2010 the Welsh Government established area planning boards (APBs) to deliver the Welsh Government's Strategy, to plan treatment services and pool resources. CSPs are accountable for the delivery, and consequently any failure, of the local substance misuse service. The composition of APBs allowed the responsible authorities to discharge the Crime and Disorder duties at regional level.

The Well-being of Future Generations (Wales) Act 2015 - this Act puts in place seven well-being goals. Each public body listed in the Act must work to improve the economic, social, environmental and cultural well-being of Wales. The Act also establishes Public Services Boards (PSBs) for each local authority area in Wales and imposes a duty on PSBs to improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.

The Welsh Government introduced the Social Services and Wellbeing (Wales) Act 2014 which requires local authorities and health boards to plan together, in partnership with others, to meet the care and support needs of people and of carers. Evidence from the Population Assessment completed for the Western Bay region confirms that a high proportion of families that Social Services become involved with have substance misuse issues and there are also identified needs for adults too.

Consequently, the governance of the APB must ensure that Community Safety Partnerships are able to discharge the duties placed upon them whilst also ensuring that the APB informs and is informed by the Area Plan of the Regional Partnership Board that oversees arrangements for care and support.

APBs must have in place arrangements to engage with safeguarding boards to identify opportunities to work in partnership in order to deliver agreed common outcomes

In terms of decision making, the Area Planning Board is not a legal entity and consequently decisions made at the APB are either taken under delegated authority granted by the member organisations, or the APB makes recommendations back to the executives of the various agencies. This is dealt with in more detail later in this memorandum

In terms of scrutiny, local authorities have various powers to scrutinise the work of APBs but specifically, Section 19 of the Police and Justice Act 2006 provides powers for locally elected members to review or scrutinise decisions made or other action taken in connection with the discharge by the responsibilities authorities of their crime and disorder functions.

This memorandum of understanding seeks to establish a working framework for the development of regional working in practice, and is based on Welsh Government Guidance.

Aim of the APB

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 APB will also assist the responsible authorities and other relevant partners to discharge their statutory responsibility by providing a mechanism to pool scarce resources where appropriate and share expertise to deliver the Welsh Government's Substance Misuse Strategy.

Objectives of the APB

Key role of the APB

The key role of the APB is:-

- i. To assist Responsible Authorities to discharge their duties in relation to substance misuse by:-
- ii. Developing partnership working arrangements at a regional level
- iii. Developing an outcome based commissioning strategy across the APB area.
- iv. Producing a fully costed implementation plan to support the commissioning and estates strategy, making explicit the revenue and capital implications of the strategy;
- v. Ensuring that there are appropriate budget, accounting and audit management systems in place to effectively administer the Substance Misuse Action Fund (SMAF) revenue and capital funds within the constituent organisations governance structure;
- vi. Ensuring that the implementation of the National Core Standards for Substance Misuse and other relevant standards are embedded in all service planning and delivery systems with appropriate arrangements in place for performance management and review.

- vii. Ensuring all funded services form part of an integrated care pathway based upon the national guidance.
- viii. Establishing arrangements to receive consider and act on performance management data.
- ix. Identifying opportunities where planning, commissioning and delivering services on a regional basis will be cost effective and provide a better platform for engagement with service providers or users;
- x. Work with the Regional Partnership Board and locally through primary clusters to set out in formal plans, including the LHBs Intermediate Medium Term Plans how they intend to assess and address any current and projected gaps in services identified as part of their substance misuse care.
- xi. Work with the Regional Partnership Boards and locally through primary clusters to assess the substance misuse care and support needs of their population in line with the requirements of the Social Services and Wellbeing (Wales) Act (2014) (population needs assessments) and the Well-being of Future Generations (Wales) Act 2015
- xii. Work closely with the Regional Partnership boards established under the Social Services and Well-being (Wales) Act (2014) to ensure that substance misuse services are considered in the context of other care and support services.

Remit of the APB

The APB is an unincorporated body' it has no legal powers, and will operate as a collaboration of organisations and does not have executive or statutory powers to make decisions in its own right.

This memorandum of understanding does not change, replace, substitute or amend in any way the statutory duties or other responsibilities of the Responsible Authorities.

It is a mechanism which allows the responsible authorities to come together at a regional level to enable their statutory responsibilities as described above to be discharged.

This means representatives on the APB will remain accountable to their separate organisations. Each Board Member will ensure that they have the capacity to participate in making recommendations for consideration by the Responsible Authorities.

The APB itself is not able to commission work, procure goods/services, and incur costs or to enter into contracts etc. as it does not have the legal status to do so. Where such activities are proposed to be undertaken, it will be necessary for either the nominated grant recipient body and / or other named statutory partners to carry forward the proposals approved by the responsible authorities i.e. it will be necessary for the representatives of the Responsible Authorities to take the recommendations of the APB to their representative organisations.

This means that decisions it makes, are in effect decisions to recommend, through respective governance frameworks within responsible authorities, e.g. LA Cabinet Boards, or Health Board.

Accountability Arrangements of the APB

The Responsible Authorities, as Board Members of the APB, will be held to account for the progress of the work of the APB through their own organisational performance management and decision-making frameworks.

The Chairperson will retain responsibility for the governance arrangements of the APB.

The Chief Executive of the Health Board will be accountable for adhering to the NHS performance management framework and will retain responsibility for clinical governance.

The 'responsible authorities' of the APB will be responsible for the allocation of SMAF revenue and capital funds (in accordance with application(s) for grant made to the Welsh Government) and for signing off the ring fenced health budget in respect to substance misuse.

The 'responsible authorities' of the APB will be responsible for nominating a banker to undertake the role.

The 'responsible authorities' of the APB will be responsible for reporting on the statutory KPIs for substance misuse services.

The APB will report to the Minister for Health and Social Services through the Welsh Government Substance Misuse Branch.

The Welsh Government requires Local Health Boards and APBs to work collaboratively to ensure that the funding allocated to tackling substance misuse is both coordinated to provide the most effective use of the available funding and to avoid potential duplication.

The APB has responsibility for scrutinising, agreeing and signing off the Health Board's contributions to substance misuse to ensure these complement the delivery of the Welsh Government Substance Misuse Strategy implementation plan, the Health Board local delivery plans and relevant local substance misuse action plans.

Decisions in relation to commissioning, performance and financial management are restricted to Responsible Authorities.

The WB APB is committed to ensuring that there is service user involvement in the planning, design, and delivery of services. The APB will ensure there is a variety of mechanisms in place to effectively engage and involve service users with their work, including direct representation to the Board, subgroups or via reporting structures with an established local service user fora, in accordance the Substance Misuse Treatment Framework.

Risk Management

The key risks that could affect the remit of the Western Bay APB have been assessed and relate to:-

- i. Governance
- ii. Finance
- iii. Service Delivery
- iv. Capital Assets
- v. Drug related deaths and serious infection in those injecting opioids
- vi. Access to services for those with co-occurring mental illness and substance misuse problems
- vii. Increased risks to alcohol-dependent service users once the Minimum Unit Pricing legislation is implemented
- viii. HB Boundary change
- ix. Service user involvement/participation

These risks will be assessed via a risk assessment matrix considering impact, likelihood, and severity, including mitigating actions.

Membership of the APB

Membership of the APB is to consist of:

- Responsible authorities
- Invited members
- Advisory Members (to be determined by the Board from time to time)

Membership is detailed below

Responsible Authorities			
Organisation	Designation	Members Representatives	Substitute Representative
Swansea Bay University Health Board	Assistant Director of Strategy	Joanne Abbot - Davies	vacant
	Director of Public Health	Keith Reid	vacant
	Clinical Lead	Dermot Nolan	None
	Primary Care SM Lead	Emily Dibdin	None
Neath Port Talbot Local Authority	Deputy Director of Education	Chris Millis	Claire Jones
Swansea Local Authority	Chief Officer Social Services	David Howes	Julie Thomas
South Wales Police – Western Division (Swansea and NPT)	Chief Superintendent	Joanna Maal	Gareth Morgan
South Wales Police and Crime Commissioner	Strategic Lead for commissioning, substance misuse and Mental Health	Angharad Metcalfe	Vacant
National Probation Service	LDU Head/ Deputy LDU Head	Rhian Lovell	Vacant
Mid and West Wales Fire and Rescue	Corporate Head of Prevention & Protection	Ashley Hoplins	Karen Jones

Invitee Members			
Organisation	Designation	Members Representatives	Substitute Representative
National Offender Management Service (NOMS)	Senior Manager OMU/Drug Strategy Manager	Neil Harding	-
Service Provider Representatives (1 per organisation)	WCADA	Yasmin Clancy	-
	BAROD	Jamie Harris (manager)	Sarah James
	PSALT	Carly Jones (Manager)	-
	SBUHB	Dai Roberts (Director MH)	-
Service User Representatives (2)	TBC	TBC	TBC
Department for Work and Pensions	DWP Employer and partnerships	Matthew Bennett	Helen Powell Mark Hurry
Supporting People/ Homelessness / Housing representative	NPT - Principal Officer, Social Care Commissioning, Housing Strategy, Supporting People and Homelessness Services Swansea - Partnership and Commissioning Manager	Chele Howard	-
		Jane Whitmore	-
Children and Young People Planning, i.e. children services / Youth Offending Team.	Head of Children and Young People Services	Keri Warren Julie Thomas	Julie Davies
Education Leisure And Lifelong Learning	Director of Education	Andrew Thomas (NPTCBC) Swansea TBC	
HMPPS (prisons)	Drugs Strategy Lead for Prisons in Wales	Lucy Peates	

Advisory Members (to be determined by the Board from time to time)			
Organisation	Designation	Members Representatives	Substitute Representative
Welsh Government	Regional Substance Misuse Advisor Welsh Government	Owen Venables	-
APB Support Team	Strategic Manager Partnerships & Community Cohesion	Claire Jones	-
	Commissioning Manager	Julia Jenkins	-
WB Regional Partnership Board	Programme Director	Kelly Gillings	Tbc

Chairs of task and finish or sub groups will be invited to attend as and when necessary, but are not standing members of the APB.

The role of APB Board Members

The seven Nolan principles, namely openness, objectivity, honesty, leadership, integrity, selflessness and accountability, guide those working in the public sector and are the bedrock for the APB.

APB members are expected to:

- i. Contribute to the implementation, monitoring and evaluation of the Area Planning Board work programme, commissioning strategy, and any related action plans.
- ii. Be aware of the performance measures, and the role of their organisation in improving these.
- iii. Show commitment to working towards the priorities set out in the All Wales Substance Misuse Implementation Plan
- iv. If required, act as a 'champion' or lead on a given area of activity.
- v. Be an active link (which includes communication and reporting) between the APB, the member's organisation and/or to other relevant partnerships.
- vi. Be active ambassadors for the APB.
- vii. Promote equality of opportunity in the work of the APB and constructively challenge discriminatory practice.
- viii. Represent their organisation at Board meetings (It is accepted that representatives on the APB remain accountable to their separate organisations).
- ix. Make a positive contribution, removing barriers, and balancing support with (constructive) challenge,
- x. treating people with respect
- xi. Contribute to meetings in accordance with such authority or delegation as is given to them by their organisations.

- xii. Contribute to the APB by participating in personal learning and development and activities and engaging in any performance management system that the APB decides to use.
- xiii. Be effective, having the necessary competence & capability
- xiv. Give their commitment to attend meetings, arrive on time, read papers, come properly briefed with necessary authority to contribute to the discussions, and have the necessary authority to contribute to any decisions (to recommend)
- xv. Be prepared to make decisions in an open and transparent way.
- xvi. Be prepared to develop an understanding of the role, and remit and wider landscape, seeing beyond the confines of their own organisations
- xvii. Having agreed a recommendation at the APB, responsible authority representatives are required to ensure that the necessary approval is sought within their own governance structures, and advise the APB accordingly.

Chairperson and Vice-Chairperson of APB

A Chairperson and Vice-Chairperson shall be elected every 3 years from amongst the Member Representatives of the Full Members of the APB.

The Vice-Chair person is responsible for the duties of the Chairperson in his/her absence and should report all developments to the Chairperson

Role of the Chairperson of the APB

The role of the chairperson is to ensure the APB operates efficiently and in line with the governance arrangements identified by each APB

Nominated substitutes at APB Meetings

Responsible authorities of the APB may nominate another person to attend a meeting in his or her place.

The Substitute Representative for each responsible authority must be confirmed to the Secretariat in advance (see table above).

Responsible authorities must advise the secretariat in advance if a substitute representative will be attending, prior to the meeting.

Any person nominated to attend APB meetings on behalf of a Responsible Authorities must be authorised by his or her organisation to act on behalf of the designated representative at APB meetings, including exercise any voting rights.

Information and papers relating to APB meetings will be expected to be made available by the Secretariat to nominated substitutes.

Nominated substitutes should not attend more than two consecutive meetings in the place of a Responsible authority representative of the APB.

Invited and advisory members may also nominate another person to attend, provided this is advised to the secretariat in advance.

APB procedures

Voting Rights & Decision making

Decisions by Board members to provide advice/recommendations will be taken by consensus wherever possible.

Decisions by Responsible authorities to provide advice/recommendations will be taken by consensus wherever possible.

An issue may be decided by vote, in which case, a majority decision is required from those Board members present and eligible to vote; decisions in relation to commissioning, performance and financial management are restricted to responsible authorities

Advisors and invited members may contribute to any debates involving such matters.

There is one vote per responsible authority (Swansea Bay University Health Board one vote, SWP one vote, etc.)

Responsible authorities must nominate in advance who has been delegated from their organisation to exercise the right to vote.

Responsible authorities must nominate in advance who will be their voting member substitute representative.

In the case of an equal number of votes, the Chairperson will retain the casting vote.

Cessation of membership

A Board member of the APB (responsible authority, invitee or advisory member) or nominated substitute will cease to be a member upon:

- Notifying his or her resignation to the APB or
- Ceasing to be a member or officer of the representative organisation or
- The representative organisation giving written notification to the APB of the representative's withdrawal from the APB
- Failing to attend, without good reason and having sent an apology in advance, for three consecutive meetings of the APB.

Should the APB consider the need to review the membership of an individual member or organisation, the Board member will have the right to be heard by the APB. Expulsion from the APB for good and sufficient reason must be supported by a two-thirds majority of those responsible authorities present and voting at the meeting.

Review of membership

The APB will undertake a formal annual review of:

- the Board Membership of the APB
- the sufficiency of the constituent organisations / sectors represented on the APB.
- its performance and effectiveness

Meetings

Urgent Matters Occurring Outside of Planned Meeting Dates

If there are urgent matters which require decisions outside of the planned cycle of APB meetings then one of two options may be considered as follows:-

- Call an Extraordinary Meeting of APB Members with the agreement of the Chair, Vice Chair and Full Members, or
- Email APB Members or if the matters requiring decision are related to financial, commissioning or procurement matters to email nominated representatives of the responsible authorities to seek consensus decisions, with the casting vote of the APB Chair if necessary.

There may be circumstances however where matters are heard and decided upon by responsible authorities only, and the discretion to call such a meeting rests with the Chair or Vice Chair

Notice and frequency of meetings

The APB will meet at least quarterly.

Any five Full Members of the APB can call for a special meeting.

Such requisition, made to the Secretariat, must specify the nature of the matter requiring consideration and the notices summoning the meeting must contain details of the matter to be discussed.

The meeting must be notified to responsible authority representatives by the Secretariat (APB Support Team) and must take place within 21 days of its notification.

Quorate meetings

For APB meetings to be quorate at least one third of the voting members (i.e. responsible authorities) must be present.

Agenda

The Secretariat (APB Support Team) will email all board members at least 3 weeks in advance of the meeting to request details of any matter they wish to be included on the agenda.

Members should respond with any items within 1 week of email notification.

The chairperson should approve the agenda in advance of it being issued.

Administrative matters

The Secretariat function of the Board will be delivered within the substance misuse co-ordination resources available to the APB through SMAF and joint commissioning revenue.

The agenda and related papers will normally be circulated by email 7 days in advance except in cases of urgency when 3 days' notice will be given.

Minutes of APB meetings will be taken by the Secretariat and will be agreed at the following meeting.

Minutes will include a list of those attending and of apologies received along with decisions made and actions arising.

Minutes will be made available to the wider community, in appropriate and accessible formats. It is noted that there may be exceptions to this depending on the nature of discussion.

Advisors and staff

Papers produced for the purposes of the APB shall be made available by the secretariat to the:

(i) The manager of the regional commissioning team, who:

- can contribute to meetings
- will be expected to advise on the considered direction of the APB

(ii) Advisors (Welsh Government)

The APB Support Team Manager and / or Welsh Government Advisors will:

- Advise Responsible Authorities and their partners on the development and implementation of their local / regional commissioning strategies; including the development of service specifications, costings and performance monitoring indicators.
- Provide advice on planning, performance and resource management issues including performance against the new core standards and the Key Performance Indicators for substance misuse.
- Advise on good practice.
- Review and monitor the progress of the APB in the delivery of the Welsh Government Substance Misuse Strategy.
- Work with partners to ensure compliance with the reporting requirements of the WNDSM and the TOP; this includes identifying data quality issues and facilitating resolution.
- Advise partners, senior management and Ministers on the resolution of performance issues.

Conflict of Interest

All Member representatives have the responsibility of notifying the Chairperson of a potential conflict of interest. Dependent on the type of interest the Member representative may be asked to leave the room for specific agenda items.

Information Sharing

Sharing information is part of good communication and is vital to the delivery and planning of substance misuse services. The APB should develop or adopt an existing information sharing protocol covering the use of both de-personalised and personalised data.

The latter will be particularly pertinent in the development of integrated care pathways. N.B. The Department of Health has produced a code of practice for NHS staff that addresses confidentiality issues.

Voluntary and private drug and alcohol treatment services may also find this code useful to inform their own policies. The document 'Confidentiality: NHS Code of Practice' can be found on the Department of Health website at www.dh.gov.uk

Board Members of the APB and any subgroups are required to comply with the law governing the sharing of information in relation to the reduction of crime and disorder, namely regulations made under section 17A of the Crime and Disorder Act 1998.

Dealing with disputes

The APB will consider any concerns or criticisms that a Member may have in relation to the role or functioning of the APB and it will be within the discretion of the APB to resolve any issues by consensus and if appropriate by majority vote.

The Welsh Assembly Government may, in exceptional circumstances, determine appropriate action in relation to outstanding issues which have not been resolved by the APB under the above paragraph.

Financial / management arrangements

The APB will be required to nominate one of the Responsible Authorities to administer specific funding streams on its behalf.

The 'grant recipient' will receive the allocation of SMAF revenue on behalf of the APB area and then administer it in accordance with the agreement of the responsible authorities within the APB membership.

The APB will be allocated the top sliced LHB funding for substance misuse services and the SMAF capital and revenue budgets. Agreement on all expenditure will be decided by the APB, under the advisement of the APB designated group.

Other Budgets will be held by stakeholders and pooled as appropriate.

Clinical Governance

The Local Health Board's clinical representative will have a role in making recommendations in relation to ensuring appropriate clinical governance arrangements have been put in place in respect to services commissioned by the APB.

Equality

The APB must, in undertaking its aims and objectives, be committed to fair and equal treatment, in accordance with the law and recognising the value of diversity.

Subgroups

The APB may set up sub-committees of the Board or time-limited groups to assist in the discharge of the Board's functions.

The terms of reference for any sub-committees or time-limited groups will be set by the APB and recorded in its minutes.

All sub-committees and time-limited groups will remain accountable to the Board and will be required to report their activities to the Board as agreed by the Board.

Membership of Subgroups

It is understood there will be some areas of business where it is not appropriate for the full membership of the APB to be present, for example performance, finance or contract management issues and in these instances it may be appropriate for sub groups to lead on these areas of work.

The membership of sub-committees and time-limited groups shall be appropriate to the terms of reference. It will be expected that in carrying out the agreed terms of reference, sub-committees and time-limited groups will carry out such engagement as it considered necessary to the work in question but also to discharge the wider obligations set out in legislation, specifically the Equality Act 2010, the Crime and Disorder act 1998 as amended by the Police and Justice Act, the Well-being of Future Generations (Wales) Act 2015 and the Social Services and Well-being (Wales) Act 2014. Outline terms of reference are included at Appendix One.

The chairperson and vice-chairperson of sub-committees and time-limited groups will be agreed by the APB

In the event that a subgroup member is unable to attend a meeting, the member should ask an appropriate substitute to attend in his/her place.

A member of each subgroup may, by prior agreement with the chairperson, invite non-members to attend meetings to provide information and/or guidance on specific issues.

Sub group Meetings

Each subgroup will meet at on a frequency agreed with the APB

Meetings will be held at suitable times, and at venues which are accessible and comply with the requirements for the Disability Discrimination Act.

Additional meetings may be arranged as necessary with the prior agreement of the Chairperson.

The Chairperson will determine the agenda for the all meetings.

Minutes will be made available to the wider community, in appropriate and accessible formats. It is noted that there may be exceptions to this depending on the nature of discussion.

Reporting Procedures

Each subgroup will report back to the APB as directed by the APB.

The Chairs of each sub group, or their nominated deputies will attend APB Board meetings to provide feedback on the work of their individual sub groups.

Safeguarding

The APBs will have clear processes and procedures in place to manage any safeguarding issues which could emerge as a result of their commissioning arrangements.

Review of this memorandum of understanding

This memorandum of understanding will be reviewed and updated by the APB at least annually.

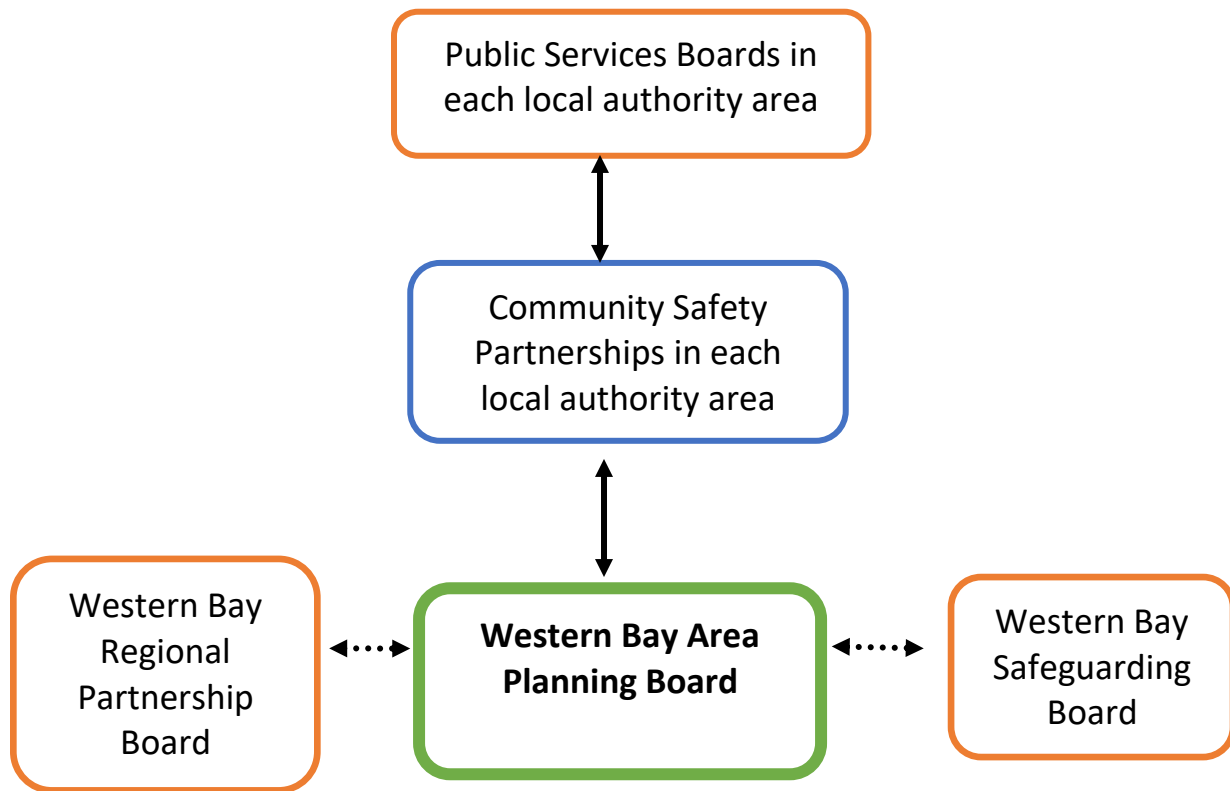
Any APB Board Member can make proposals to the APB regarding proposed changes to the memorandum of understanding at any time.

The APB will agree by a majority vote of the Member Representatives of Full Board Members present and voting at a Board meeting on any changes to this memorandum of understanding.

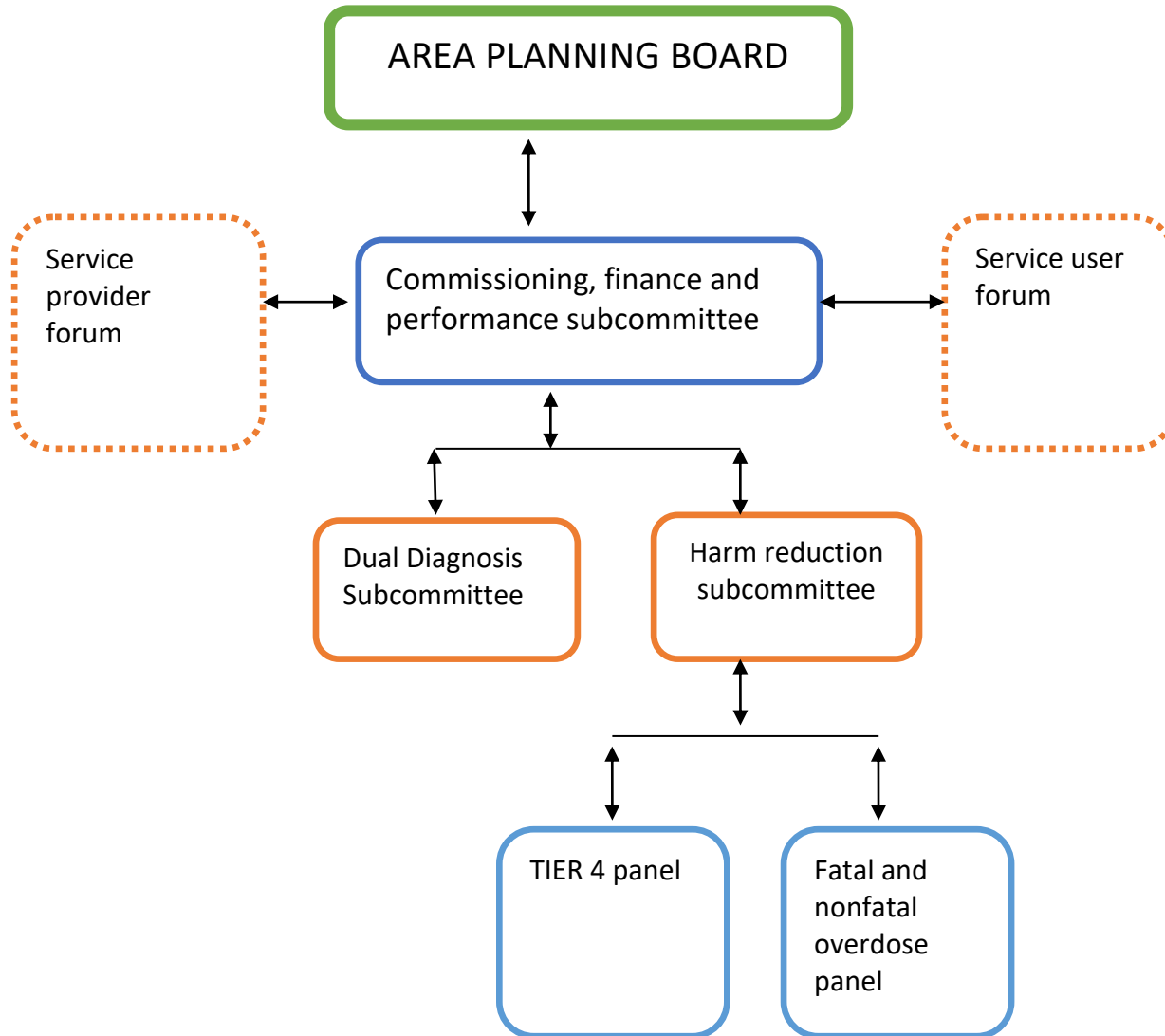
Legal Obligations

This Memorandum of Understanding is not intended to and does not create legally binding obligations between the Board Members.

WESTERN BAY APB STRUCTURE



WESTERN BAY APB SUPPORTING STRUCTURE



APB Board Members Induction Programme

As part of its corporate governance arrangements, Western Bay APB has agreed a series of activities, meetings, and key documents that combine to form a comprehensive induction programme for new members. As a new member to the board, you are asked to complete the induction programme according to the identified timescales. The whole programme is designed to be completed in the first 9 months of your membership, and once completed the signed checklist should be returned to the APB support team – contact details at the end.

NB: All referenced documents will be supplied to you electronically by the APB support team

FIRST THREE MONTHS OF MEMBERSHIP

Meetings

- Introductory meeting with the APB Chair
- Attendance at your first APB Meeting

Reading

- Western Bay APB Substance Misuse Commissioning Strategy (2015-18)
- National Substance Misuse Strategy for Wales: 2008-18
- Western Bay APB Governance Framework
- Welsh Government Guidance on the establishment of Area Planning Boards (Revised)
- Minutes from the previous APB meeting

FIRST NINE MONTHS OF MEMBERSHIP

Meetings

- Attendance at relevant APB sub group meetings
- Attendance at APB Meetings

Reading

- The most recent Western Bay APB Annual Report

NAME.....

ORGANISATION.....

DATE PROGRAMME COMMENCED.....

DATE PROGRAMME COMPLETED.....

SIGNED.....

On completion of the induction programme, please fill in your details in the space above, sign and return to:

Regional Substance Misuse Commissioning & Support Team
Western Bay APB
Substance Misuse Regional Team,
Neath Port Talbot County Borough Council,
Cimla Hospital,
Neath
SA11 3SU

Email: wbapb@neath-porttalbot.gov.uk

PART 2: Systems and Processes

Register of Interests

This Register of Interests includes all interests declared by Board members, sub group members, and the secretariat staff of Western Bay Substance Misuse Area Planning Board (the APB). In accordance with the Welsh Government National Core Standards for Substance Misuse, the APB's chair (via the APB Support Team Manager) must be informed of any interest which may lead to a conflict with the interests of the APB and the public for whom they commission services in relation to a decision to be made by the APB, or its supporting structures, that needs to be included in the Register within 28 days of the individual becoming aware of the potential for a conflict. Updates to the register will be undertaken twice yearly within APB meetings.

Interests that must be declared (whether such interests are those of the individual themselves or of a family member, close friend or other acquaintance of the individual) include:

- i. roles and responsibilities held within commissioned services;
- ii. directorships, including non-executive directorships, held in private companies or PLCs;
- iii. ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the APB;
- iv. shareholdings (more than 5%) of companies in the field of substance misuse;
- v. a position of authority in an organisation (e.g. charity or voluntary organisation) in the field of substance misuse;
- vi. any connection with a voluntary or other organisation contracting for Substance Misuse Action Fund supported services;
- vii. research funding/grants that may be received by the individual or any organisation in which they have an interest or role;
- viii. any other role or relationship which the public could perceive would impair or otherwise influence the individual's judgment or actions in their role within the APB.

Performance reporting

The performance framework to the APB is currently under review. As an interim measure the following reports will be compiled and distributed by the APB support team.

Quarterly reports

Quarterly reports will constitute the primary performance reporting mechanism to the Commissioning, Finance and Performance Sub-Committee and to the APB itself. The quarterly reports will highlight areas for improvement and will include the following:

- An assessment of NKPI performance
- Acknowledgement of those indicators where a greater improvement has been achieved than expected during the quarter
- An alert to those indicators with declining performance levels
- Monitoring progress against indicators for which performance improvement actions are underway
- Progress Report detailing progress made against the agreed annual work plan
- Risk register update
- Financial report
- Update on status of specific actions carried out by task and finish groups
- Feedback from fatal/non-fatal panel

Annual report

The annual performance report will incorporate the key elements of the results of monthly and quarterly reports through the year, as well as those indicators that are only collected on an annual basis. The report will include a report against the NKPIs for the year, and a comprehensive annual performance report for each indicator will be incorporated into an annex to the report.

The annual performance report will constitute a key component of the APB Chairs annual report on the work of the Board.

PART 3: Signatories

Commitment to the Western Bay Area Planning Board Code of Conduct and Memorandum of Understanding

I acknowledge that I received a copy of the Governance Framework for the Western Bay Area Planning Board dated December 2018, and that I have read and understood both the Code of Conduct and the Memorandum of Understanding contained therein. I will comply with both the Code of Conduct and I will follow the principles of the Memorandum of Understanding. If I learn that there has been a violation of the Code, I will contact the Chair of the Area Planning Board. I acknowledge that the Code and the Memorandum of Understanding are not contracts and that nothing in the Code is intended to change the traditional relationship of employer and employee or contractor and contractee.

Dated: _____

Constituent's Signature

Constituent's Name (Please Print)

Employing Organisation

Appendix One: Outline Terms of Reference

Commissioning, Finance and Performance Sub-Committee

- i. Advise the Board on the steps needed to deliver the Welsh Government's substance misuse policy
- ii. Oversee the development and implementation of the Board's commissioning strategy
- iii. Oversee the development and implementation of the Board's estates strategy
- iv. Oversee the preparation of expenditure plans and provide assurance to the Board on financial performance and value for money
- v. Oversee the operation of the section 33 Agreement
- vi. Establish a service user involvement/engagement framework
- vii. Establish a performance and quality assurance framework. Advise the Board on the performance and quality of services commissioned by the Board
- viii. Provide an assurance on risk to the Board
- ix. Advise the APB on commissioning objectives/priorities and associated strategies/plans
- x. Direct and co-ordinate the needs assessment
- xi. Research best practice/evidence of what works
- xii. Develop service models that respond to identified need
- xiii. Oversee the preparation of service specifications
- xiv. Consult/inform/engage service users, carers and service providers
- xv. Advise the Commissioning, Finance and Performance Sub-committee on procurement options
- xvi. Oversee the procurement of services in line with the commissioning strategy and the selected procurement option
- xvii. Monitor expenditure against budget, highlighting projected variances and providing advice to the Commissioning, Finance and Performance Sub-Committee on actions that may be taken to address variances

Membership: Responsible bodies and Regional Commissioning Team. Others to be co-opted to advise on particular aspects of work.

Harm Reduction Sub-Committee

- i. Oversee the preparation of the Harm Reduction strategy for the Board
- ii. Advise the Board on the priorities to be pursued in relation to harm reduction
- iii. Research best practice/evidence in reducing harm to service users, their carers and the wider community
- iv. Receive reports from the drug poisoning panel and advise the Board on patterns, trends and actions that the Board should consider in relation to those trends and patterns
- v. Receive reports from the drug poisoning panel in relation to safeguarding concerns/incidents identified from their work and secure assurances that such safeguarding concerns/incidents have been appropriately responded to
- vi. Report to the Board on the availability, quality and safety of harm reduction services
- vii. Receive reports from the Tier 4 Panel and provide advice to the Board on the adequacy and safety of tier 4 provision

Membership: tbc

Provider Forum

To provide a venue for discussion on both strategic and operational issues affecting substance misuse services

To provide a mechanism for open communication and dialogue, and the sharing of good practice and knowledge exchange in relation to Service Provision and Practice

To provide a safe environment in which to share concerns, and have open dialogue,

Provide a forum to communicate strategic and business priorities,

Provide a forum to test ideas for service improvement

The key objectives of the group are to;

- To establish the views of provider agencies and ensure these are communicated to the APB
- To enable the APB Team and Service Providers to discuss issues in relation to commissioning and service provision (two-way dialogue)
- Receive feedback from the APB meetings and other sub groups of the APB.
- Contribute to the implementation of National and Local substance misuse strategies
- Respond to consultation exercises where appropriate
- To exchange information regarding data and performance and the operational usage of the National Database (NWIS).
- Highlight issues affecting service delivery
- Communicate key messages in relation to Substance Misuse. These include;
 - Changes in legislation
 - Local issues in relation to substance trends, drug litter etc.
 - Individual agency “hot” issues
 -

The membership of the group will consist of:

- Substance Misuse Commissioning team
- Substance Misuse Service Providers
- Substance Misuse commissioned services
- The Provider Forum may extend invitations to others to attend meetings as required.