



CABINET – 18TH MARCH 2015

**SUBJECT: GWENT SUBSTANCE MISUSE AREA PLANNING BOARD -
MEMORANDUM OF UNDERSTANDING**

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of the need for the local authority to enter into a Memorandum of Understanding on the planning, commissioning and delivery of Welsh Government funded substance misuse services as a member of the Gwent Area Planning Board.

2. SUMMARY

- 2.1 Welsh Government's Substance Misuse Action Fund (SMAF) supports substance misuse bases, service provider contracts and programmes across the authority. Changes were initiated in August 2012 following guidance, that pre-existing Area Planning Boards would deliver SMAF services on a regional basis.
- 2.2 The Area Planning Board discharge the statutory duty placed on Community Safety Partnership members to formulate a strategy for combatting substance misuse in the area. The constituent members of the Area Planning Board comprise the statutory community safety partners plus invited/advisory members.
- 2.3 2013/14 was a transition year with local SMAF funding retained by Caerphilly CCBC (£1.192 million) on behalf of the Community Safety Partnership. Over 2014/15 administration of the fund, and the fund itself, transferred to Newport City Council, who act as the regional banker for the Area Planning Board. Funding is now allocated for the Gwent area (£4.380 million for 15/16) and held by Newport City Council on behalf of the Area Planning Board. The Gwent area also has access to a capital allocation of £983K.

3. LINKS TO STRATEGY

- 3.1 The single integrated plan replaces the statutory community safety partnership plan and encompasses the strategic aims of the partnership through the 'Safer Caerphilly' strand. Substance misuse as it affects communities and individuals, with the performance indicators to track progress, and the actions to combat substance misuse are included in 'Safer Caerphilly'. Under Welsh Government guidance the Area Planning Board must have regard to local strategies and plans in commissioning services.

4. THE REPORT

- 4.1 The Area Planning Board has been in existence for a number of years and progress towards a Memorandum of Understanding accepted by the five Gwent area local authorities, Gwent Police, Aneurin Bevan University Health Board and the National Probation Service has been slow. The work has been in the hands of Newport City Council Legal Services and delays have been beyond the control of CCBC.

- 4.2 The Area Planning Board has been functioning in the intervening period and meeting the requirements of Welsh Government in relation to the delivery of services on behalf of the local authority area. Caerphilly County Borough Council is represented on the board by the Community Safety Manager. Existing substance misuse support staff across Gwent have combined into a regional team with HR arrangements in place to support this transition.
- 4.3 Regional planning and commissioning has aligned all existing Gwent contracts to allow the procurement of 'Gwent wide' contracts for the delivery of adult and young people's services. Caerphilly CBC's existing contracts were novated to Newport City Council in May last year following a report to CMT (8/5/2014). Contract end dates were aligned across the area and a Gwent wide adult drug and alcohol contract has recently been awarded, following procurement processes run through Newport City Council. The contract implementation date is the 1st of May 2015. This has caused a renewed push for the Memorandum of Understanding to be completed.
- 4.4 A mature draft document was received in December 2014 and further revisions have been suggested by Caerphilly Legal Services notably in relation to:
- Defining that SMAF monies will be spent according to assessed need across the Gwent area with particular reference to periodic Needs Assessment and Performance Monitoring.
 - Clarification of member's responsibilities and risk sharing. The memorandum is not able to be terminated since Welsh Government's decision to award the funding regionally defines that CCBC must be a member of the Area Planning Board.
 - That the memorandum of understanding is a formal legal agreement.
 - Clarification of the decision-making mechanisms of the Area Planning Board.
 - The inclusion of a secondment agreement acceptable to Caerphilly CBC for the single CCBC employee seconded into a newly created regional substance misuse team.
- 4.5 The document has been reviewed by the Head of Procurement and the Environment Directorate Finance Manager during its development. Newport Legal Services have confirmed that all these comments have been accepted. The final agreement is awaited and will be finalised before 1 May 2015. The final document will ensure that the Council's officer has decision making power in relation to the SMAF fund, that the Council is protected from liability in relation to the actions of Newport County Council (as banker and procurer of services) and that the Council can comply with its statutory obligations.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no potential equalities implications in this report and its recommendations on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan. There is no requirement for an Equalities Impact Assessment Questionnaire to be completed for this report.

6. FINANCIAL IMPLICATIONS

- 6.1 As the local authority no longer receives the Substance Misuse Action Fund from Welsh Government, on behalf of the Community Safety Partnership, the financial implications are indirect. The existing seconded staff member's salary will be met by invoices to Newport City Council on a six monthly basis.
- 6.2 The Community Safety Manager attends the Area Planning Board meetings and its Strategic Commissioning Group. Both meetings are quarterly. The Community Safety Manager is also a member of the Area Planning Boards Capital Sub-group that sits to consider capital bids to Welsh Government across the Gwent area. The links are therefore made with the intentions of the Safer Caerphilly strand of the single plan in respect of commissioning and delivery of substance misuse services.

7. PERSONNEL IMPLICATIONS

- 7.1 The seconded staff member is a Project Support Officer at Grade 5. The post has been working towards the regional agenda with a temporary HR agreement in place. The post sits within the regional substance misuse team structure. The intention is to second the staff member into the regional team as part of the Memorandum of Understanding.

8. CONSULTATIONS

- 8.1 The report has been sent to the Consultees listed below, and there are no consultation responses, which have not been reflected in the body of the report.

9. RECOMMENDATIONS

- 9.1 That Cabinet agree that the authority enters into the Gwent Area Planning Board Memorandum of Understanding, subject to the Interim Head of Legal Services approving the final terms of the document.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 In order to ensure the proper and effective use of SMAF monies for the local authority area.

11. STATUTORY POWER

- 11.1 Crime and Disorder Act 1998.
The Substance Misuse (Formulation and Implementation of Strategy) (Wales) Regulations 2007 (as amended).

Author: Kathryn Peters, Community Safety Manager
Consultees: Councillor David Poole, Cabinet Member for Community and Leisure Services
David Street, Corporate Director, Social Services
Rob Hartshorn, Head of Public Protection
Gail Williams, Interim Head of Legal Services
Angharad Price, Barrister, Legal Services
Elizabeth Lucas, Head of Procurement
David A. Thomas, Senior Policy Officer (Equalities and Welsh Language)
Sian Phillips, Human Resources Manager
Mike Eedy, Finance Manager