



LEGISLATION PROPOSAL

to enact new legislation

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to amending existing legislation

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1. For the attention of the Chair of the:

- ☐ Economic Development Committee
- ☐ Education Committee
- ☐ Environmental and Natural Resources Committee
- ☐ Public Health Committee
- ☒ Social and Community Development Committee
- ☐ Other:

2. Name of Promoter:

Stephanie Jones—Manager Children's Services

Contact details: stephanie.jones@sainthelena.gov.sh

3. Background Information

The Welfare of Children Ordinance deals with the requirements that Children's Home that are run privately must comply with.

There are no specific provisions for Children's Homes run by the Government.

4. Evidence Relied on

It is necessary to state clearly the standard that the Children's Residential Home run by the Safeguarding Directorate should meet. This is because the children that live there have been entrusted to the Care of the Government and so the lack of regulations is a gap.

5. Details of Proposal

(attach further pages if necessary)

The draft Regulations were drafted by SW Ursula Smith and Crown Counsel Laura McMullan before they both finished their contracts.

The Regulations deal with various aspects of the operation of the Children's Residential Home — from admission of a child, to the standard of accommodation, food, discipline, etc. Please refer to the Draft Regulations and the Explanatory Notes attached.

6. What will happen if no legislation is made

If the Regulations are not approved, then there will be no clear standards by which the Children's Residential Home should be run. This would not comply with the recommendations of the Wass Report.

7. Impact of the proposed legislation

The impact on the Children's Residential Home is substantial as the Manager will need to put the processes and policies in place to ensure that the Children's Residential Home is fully compliant. There is no impact to other directorates.

8. Proposed timescales

The Regulations are ready to be considered and approved by ExCo. We ask that they are considered by the next SCDC meeting so that they may go to ExCo in October 2017.

9. Promoter's Signature & date

Stephanie Jones — 20 September 2017



DECISION OF THE LEGISLATIVE COMMITTEE AFTER CONSIDERATION OF THE PROPOSAL

10. Proposal considered on [date]

8 November 2017

11. Officials & guests who discussed the proposal

Mrs Christine Cooper, Crown Counsel (Community Care), Mr Matthew Ansell, Director of Safeguarding

12.a The Committee recommends no further action because:

or

12.b The Committee recommends that the following be done and the proposal be referred back to the Committee on [date]

or

12.c This is a mandate to the promoter to prepare drafting instructions with the following directions

The Committee gave a mandate for the draft regulations to be submitted to Executive Council on 28 November to approve whether the draft legislation may be published.

13. The Committee's proposals for consultation are:

No consultation considered necessary but public information would need to be arranged.

14. This proposal together with an ExCo Memo will be added as an agenda item at the ExCo on [insert date]

28 November 2017

15. The ExCo Memo will be prepared by

Safeguarding/AG's Chambers

16. Signature of Chair

17. Date

17 November 2017