

**Open Minutes of the Social and Community Development Committee Meeting held on
Wednesday, 13 November 2019 at 9 am in the Council Chamber**

<u>Present:</u>	Chairman:	Hon Anthony Green (Hon TG)
	Deputy Chairman:	Hon Cyril Leo (Hon CL)
	Members:	Hon Derek Thomas (Hon DT)
	Non-Voting Members:	Mrs Gillian Francis, Deputy Chief Secretary (GF) Mrs Tracy Poole-Nandy, Director of Children & Adults Social Care (TPN)
	Secretary:	Mrs Nicole Plato, Executive Assistant, Corporate Services (NP)
	Invited:	Ms Catherine Williams, Legislative Drafter (CW) – <i>for 1 item 1 only</i> Mrs Catherine Turner, CEO/Commissioner Equality & Human Rights (CT) – <i>for item 1 only</i> Mr Lynval Thompson, Senior Social Worker (Children's Services) (LT) – <i>for item 2 only</i>
	Apologies:	Hon Gavin Ellick (Hon GE)

One member of the public attended for item 3.

Hon TG welcomed all to the meeting with a special welcome extended to CW/CT. Hon TG encouraged Members to declare their interest at the beginning of the meeting for items but if items arise later on that Members also need declare their interest for then they need to do so.

1. Disability Legislation Update

Hon TG declared his interest.

As a query raised at the last SCDC meeting, CW confirmed that the Constitution protects all employees in SHG and the private sector against discrimination however, no Constitution will deal with matters arising between private individuals. Legislation will either create an offence for which a penalty can be applied; if this is the case then we need to look at what the deficit is and look at whether it can be covered in existing legislation. We might not need a whole new legislation act for this.

CT was looking for reasonable adjustments that can be made within resources for disabled access and for employers to look at their job profiles for their departments/companies to actively see if there is something that disabled people can do.

CT had sent an updated proposal paper this morning which she apologised for the delay but this paper now sets out a list of what the legislation should cover etc. She had also spoken to the Attorney General who felt that her proposal was reasonable.

TPN advised that the need for Adults legislation to protect vulnerable adults on island is on the legislative programme therefore some of the elements of additional adjustments for the disabled can be made in that ordinance. CT was happy to hear this.

The Committee requested that the position is clarified as to what precisely is required, what already exists in law and might need strengthening (employment legislation) and what the needs are in legislation terms after this review is conducted. CT can assist where appropriate.

(Action: CW/CT)

2. Introduction to New staff member

LT was welcomed to the meeting. LT was happy to be back on Island; in July he was on island delivering training on Corporate Parenting and also involved in the fostering campaign. LT advised that he had been further engaged by Social Care on a two year contract for a fulltime post as Senior Social Worker (Children's Services) and will officially take up this post from 2 December; he had also been on island filling a locum post. TPN said that they had used foster placements on a number of occasions which has had a positive outcome. The fostering campaign will be relaunched in January 2020.

TPN further advised that the FCO is interested in sharing good practice and wants to use St Helena's corporate policy with other OTs.

Members was happy to welcome LT to the team as a full time member and was certain that he would make a valuable contribution in his new role going forward.

LT agreed to provide a copy of the Corporate Parenting pack to Gilly and to meet to discuss it as GF was off island when this training was delivered.

(Action: LT)

3. Information Bill

Hon TG reminded SCDC that consultation on the proposed Information Bill which sought to encapsulate 'light touch' provision for both FOI and Data Protection, had been put on hold earlier this year, following discussion with the Administration about the applicability of the EU GDPR to St Helena. Recently it been clarified that in certain circumstances, the GDPR does apply to St Helena. With this in mind, consideration was given to 'decoupling' the FOI and Data Protection. However, it has been recognised that both subjects are complex and that we cannot have FOI legislation without data protection legislation. We also need to fully understand the impacts of introducing such legislation as there will be impacts for both public and private sectors and individuals. In this regard, the Administration has made a bid for technical assistance during the current MTEF process.

Members agreed for the Information Bill to remain on hold until the outcome of MTEF is known in terms of the bid submitted for technical assistance to fully understand the impacts of introducing such legislation.

4. Confirmation of Open minutes from the meeting held on 9 October 2019

The minutes of the open meeting held on 9 October was confirmed.

5. Matters Arising

5.1 Equality & Human Rights Update

The Equality & Human Rights Annual report had been circulated to Committee earlier on in the day.

5.2 Update on Review of the Immigration Ordinance

Hon DT advised that the working group is in the midst of finalising the Immigration Policy which will hopefully be submitted to the Committee soon.

NP to keep in view (KIV) the Immigration Ordinance Review and draft Policy for Committee endorsement after it has been discussed with all Councillors for their buy-in. Consultation to be held thereafter.

(Action: Hon DT/TG/ NP)

5.3 SHNT Ordinance/Regulations

The draft SHNT Regulations is still with the AG's Chambers/SHNT. NP to KIV.

(Action: NP)

5.4 Occasional Liquor Licence

Hon DT agreed to meet with Hon TG outside this meeting to discuss and draft a proposal to include two amendments i.e. to change the sale of liquor at restaurants from 11:00 to 09:00 and amending section 8 of the Liquor Ordinance to allow for one extended licence for 26 occasions with no more than 2 occasions per week (rather than 2 days per week). It also would allow for further licences at the same venue in the same week, but only one occasion at a time – to be discussed at the next SCDC meeting. NP to KIV.

(Action: Hon DT/Hon TG/ NP)

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