

**Open Minutes of the Social and Community Development Committee Meeting held on  
Wednesday, 9 December 2020 at 9 am in the Council Chamber**

<b><u>Present:</u></b>	<b>Chairman:</b>	Hon Anthony Green, Chairman (Hon TG)
	<b>Deputy Chairman:</b>	Hon Cyril Leo (Hon CL)
	<b>Members:</b>	Hon Derek Thomas (Hon DT) Hon Jeffrey Ellick (Hon JE) Hon Gavin Ellick (Hon GE)
	<b>Non-Voting Members:</b>	Mrs Tracy Poole-Nandy, Director of Children & Adults Social Care (TPN) Mrs Gillian Francis, Deputy Chief Secretary (GF)
	<b>Secretary:</b>	Mrs Nicole Plato, Executive Assistant, Corporate Services (NP)
	<b>Invited:</b>	Miss Ann Muir, Social Policy Planner (AM) Mrs Carol George, Head of Corporate Support (CG) – <i>for items 2-3 only</i> Miss Karen Henry, Custodian of Records (KH) – <i>for item 3 only</i> Mrs Catherine Turner, CEO EHRC (CT) – <i>for item 4 only</i>

Hon TG welcomed all to the meeting.

**1. Declarations of Interest**

There were no declarations of interest made. Members were reminded to declare their interest when necessary throughout the meeting.

**2. Review of Fees & Charges**

CG was welcomed to the meeting. CG advised that as part of the 2021-2024 MTEF budget process, Directorates had been asked to review statutory and discretionary fees and charges in accordance with SHG's Charging Policy 2013.

Members agreed the increase in the Archives Research Fees in line with inflation (2.6%) as follows:

- Non-residents - an increase of £1.15 from £43.60 to £44.75 plus an increase of 55p on the additional hours (beyond 2 hours) for research undertaken from £21.75 to £22.30.
- Residents - an increase of 50p from £19.75 to £20.25 plus an increase of 10 p on the additional hours (in excess of 7 hours) for research undertaken from £3.35 per hour to £3.45 per hours.

**(Action: CG)**

The Committee did not support the increase in the Gaming Machines fee at this time due to the current downturn in the business and economic environment. It was noted that there is currently 3 gaming machines on island.

GF declared her interest as she is the secretary to the Blue Hill Community Centre Committee.

The Committee agreed all of the proposed increases in the Liquor fees, in line with inflation as follows:

- For the grant, renewal, removal or transfer of a licence per application – from £16.10 to £16.50 (increase of 40p).

- Application for special order of exemption – from £10.80 plus £5.20 for each occasion to £11.10 plus £5.20 for each occasion (increase of 30p).
- For issue of a Community Centre licence – from £48.35 to £49.60 (increase of £1.25)
- For issue of a Liquor Sales licence – from £107.50 to £110.30 (increase of £2.80).
- For issue of an occasional liquor licence – from £10.75 to £11.00 (increase of 25p).
- For issue of any other licence, including liquor sales, tavern, hotel, restaurant, club – from £134.10 to £137.55 (increase of £3.45).

**(Action: CG)**

The Committee agreed the proposed increases in the Charities fees, in line with inflation as follows:

- Inspection of Register of Charities – from £1.08 to £1.10 (increase of 2p).
- Registration of a Charity – from £10.75 to £11.00 (increase of 25p).

**(Action: CG)**

NP/Hon TG to complete the proposal form to reflect the above and send to promoter and AG's Chambers for onward submission to ExCo to approve for implementation from 1 April 2021.

**(Action: NP/Hon TG)**

Hon JE joined the meeting.

Committee requested NP to keep in view (KIV) review of Immigration Fees from the Senior Immigration Officer.

**(Action: NP)**

### **3. Archives Lending Policy**

KH was welcomed to the meeting.

CG advised that early last year the Archives was approached to loan items from the collection for display as part of the Sir Hudson Lowe exhibition at Plantation House. This request highlighted the need for a formal lending policy to be developed by the Archives, as up until then, it was the informal non-written policy that none of the collection was to leave the Archives once deposited in the Repository.

CG said that the lending procedure deals with the environment and conditions for lending any items to be displayed at exhibitions. There are no real financial implications nor significant economic implications with the implementation of this policy. The policy seeks to have an open approach to opportunities rather than a closed approach.

Comments from Members were as follows:

- Items can get misplaced if we loan them offshore for exhibitions.
- Is there any legislation in place to cover sending artefacts off island? If so, then the policy need to be in line with legislation. The Committee requested that this is checked.

**(Action: CG)**

- Is SCDC significantly high enough to grant approval for this as this is a policy for the islands archival documents and perhaps it should be ExCo to grant this approval? *CG advised that due to the culture aspect of this policy, it was submitted to SCDC but it will also need to be submitted to ExCo due to archive records having national importance.*
- We need to protect our assets.

- Do we have insurance to cover damages? *KH advised that she had spoken to Solomon's Insurance agency about this and they are drafting a policy under loss and damage to cover this because these documents are the original artefacts and if they were lost we would not be able to replace them.*

KH advised that the Archives also hold the church records (baptism, marriage and death registers) and a letter was received from the Bishop to say that no one should be allowed to take any of these records off island and if the Archives has continued pressure on this issue then the Church will remove their records from the Archives.

KH had developed the policy and also carried out a lot of research on the matter as to what happen in archives offshore and it is not unusual for archives to loan items for exhibitions. KH personally felt that whilst Archives loan artefacts elsewhere, she was not comfortable in loaning items from the St Helena Archives to go offshore because of the risk of loss or damage etc.

GF said that we would need to weigh up whether allowing something to go off island would be economically advantageous to us as well as the risks of doing so.

A criteria for the refusal of the loan of items had also been produced.

KH advised that she had reservations on one of the points within the policy i.e. the number of books that can be lent to the borrower which is two as a maximum and it states that consideration will be given to lending more than two at one time. KH felt that it should stipulate the amount of books you can borrow and any additional is not considered.

Hon JE felt that if it is suitable to lend to an exhibition more than 2 books then we should but perhaps also have in place additional protection measures e.g. the custodian accompanying the artefacts overseas to an exhibition otherwise we could lose an opportunity to showcase our history in a safe manner.

Hon CL was encouraged that the islands precious assets have these protective measures in place and that we have KH to also closely guard these assets.

After much discussion, the Committee agreed the Archives Lending Policy which will enable items from the Archives collections to be loaned for on-island exhibitions, subject to various conditions being met by the borrower for onward submission to ExCo to approve and to also consider the potential economic benefits that might result from the loan of items outside of St Helena.

**(Action: CG/KH)**

Members felt that instead of sending the original historical artefacts offshore and risk the potential damage or loss of the originals, perhaps a photo copy of the original could be shared instead – CG and KH agreed to check if this is possible, however subject to what ExCo agrees.

**(Action: CG/KH)**

AM joined the meeting.

#### **4. Equality & Human Rights Commission (EHRC) ½ yearly report**

CT and AM were welcomed to the meeting. CT reviewed the half yearly report for the EHRC with the committee. CT highlighted the following issues that the EHRC had been dealing with for the past 6 months:

- Bullying in the workplace complaints – for the SHG complaints these were discussed with the SHG Director of Human Resources.
- Government Landlord Housing continues to be a problem.
- A number of people came forward with serious complaints e.g. discrimination, access to services, poverty etc.

- The EHRC saw an increase in poverty related issues i.e. people can't afford to pay their bills but Making Ends Meet is back up and running and have been very helpful.
- Audit completed and report was submitted to PAC with no outstanding issues.
- No equality legislation is in place but some discussions had been held on this matter with various officers from SHG. *Hon TG said that the Adults legislation will be the first step in this process picking up on some of the disability issues and the AG's Chambers had advised that an overarching piece of legislation would be too onerous at this stage. CT said that the Adults legislation is a very different piece of legislation to equality and does not do anything to protect equalities.*

*CT said that the UN recommendation was for there to be an overarching piece of legislation in place for equality because if it is enshrined in a number of different legislation people might not know that it exist and Northern Ireland was criticised for doing this.*

TPN agreed to arrange a meeting with the AG's Chambers for CT and TPN to discuss the private sector issues in terms of equality and the need for overarching legislation to be in place.

**(Action: TPN)**

CT left the meeting.

## **5. Equality Legislation**

Hon TG referred the Committee back to the previous time this item was discussed at SCDC in October 2019 where a mandate was given to the AG's Chambers to first clarify the position as to what precisely is required, what already exists in law and what the needs are in legislation terms after this review is conducted. It was also agreed for the AG's Chambers whether as contended by EHRC that the Constitution applies only to SHG or to the whole Island including the private sector and the Committee had received an email to confirm that it does apply to everyone but we might need this to be reaffirmed.

Hon TG requested NP to seek clarification from the AG's Chambers as to whether the Constitution applies only to SHG or the whole island which includes the private sector as has normally been understood.

**(Action: NP)**

Members requested NP to extract all of the relevant minutes in relation to the subject matter as an audit trail.

**(Action: NP)**

## **6. Update on Public Consultation on the draft Immigration Policy**

Hon DT advised that the public consultation on the draft Immigration Policy will close on Friday, 11 December. He reported that a number of meetings were held which was reasonably attended with good contribution. The drop-in sessions were also successful. Written feedback had also been received from the public. A public consultation report will be drafted to collate all of the consultation feedback following which it will be submitted to SCDC for the next steps.

Hon DT said that people who attended the public meetings were particularly supportive of the following recommendations:

- Visitors will need to apply for a work permit after 6 months of living on St Helena.
- All applications will be dealt with by an Immigration Officer; the public viewed this as an improvement to the process which will only speed up the response.
- Spouses of TC officers won't be able to take up jobs like everyone else can which would level the playing field.

- One concern at one of the meetings was in relation to the abolishment of the Immigration Control Board (ICB) but ICB have also asked for a separate session and a meeting will be arranged with them to discuss.

Hon DT advised that the plan is to submit the policy to ExCo followed by Formal LegCo in February 2021. Landholding has been separated from this work but it would be good to bring it in line with the immigration policy but this piece of work is being taken forward by the Estates Strategy Panel. However, we could still continue with the existing law in relation to landholding, rather than delaying the Immigration Policy.

Hon JE said that the Elections Review sub-committee also needs to meet with Hon DT and his working group to discuss the impacts of introducing the permanent resident status will have on voting as well as suffrage rights. NP to ensure that a meeting is arranged.

**(Action: NP)**

The issue of paying taxes and not having the ability to vote had been raised by a few officers but AM said that this is not unusual as this is the case in a number of countries.

NP to ensure that the consultation report on the draft Immigration Policy is submitted to SCDC to consider next steps, for onward submission to ExCo.

**(Action: NP)**

## **7. Confirmation of open minutes from the meeting held on 12 November 2020**

The open minutes from the meeting held on 12 November was confirmed.

## **8. Matters Arising**

### **8.1 EHRC Update**

Hon DT said that he was still to take forward with Elected Members the possibility for Career Access St Helena (CASH) to help with the role of enforcing the Employment law but would do so soon.

**(Action: Hon DT)**

The EHRC Annual report will be submitted to the next Formal LegCo meeting; all documents had been sent to the Clerk of Councils to process.

## **9. AOB**

### **9.1 Draft Domestic Violence Policy**

TPN reported that they were in the midst of finalising the UN report on the domestic abuse service on Island and a skype meeting will be held next week to discuss funding for next year. Part of this year's plan was to write a policy and framework for Domestic Violence legislation which TPN had drafted and agreed to circulate to the Committee via NP for comments. This was a current gap in terms of legislation and CT had also raised this in her report as a concern.

**(Action: TPN/NP/All)**