



ST HELENA LEGISLATIVE COUNCIL

ORDER PAPER

**First Sitting
of the
Twelfth Meeting
of Legislative Council**

**Thursday 25th May 2023 at 10am
in the Council Chamber**

1. Formal Entry of the President

2. Prayers

3. Address by the President

4. Papers

SP 14/2023 *(Hon Dr Corinda Essex)*

Report to Legislative Council on the Formal Session of the Public Accounts Committee held on 13th April 2023

SP 15/2023 *(Hon Chief Minister)*

Government of St Helena - Proceedings of the Legislative Council – Thursday 25th August 2022 - First Sitting of the Seventh Meeting

5. Questions

1. The Hon Ronald Coleman to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Can the Honourable Minister for Treasury, Infrastructure and Sustainable Development inform this House, that since we are desperately in need of additional Government Landlord Housing how is the Government intending to address or alleviate this situation?

2. The Hon Rosemary Bargo to ask the Hon Chief Minister:

Will the Honourable Chief Minister tell this Council, what is the current staff complement at Prince Andrew School and how does this compare to the required staffing levels in order to operate effectively?

3. The Hon Dr Corinda Essex to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure and Sustainable Development tell this Council, what policy and/or guidance is in place regarding the use of Chief Secretary houses and equipment within them for commercial purposes?

4. The Hon Robert Midwinter to ask the Hon Minister for Health and Social Care:

Will the Honourable Minister for Health and Social Care tell this Council, what plans are currently in place for visits by medical specialists during this financial year?

5. The Hon Dr Corinda Essex to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure & Sustainable Development tell this Council, in what ways does St Helena Government intend to utilise funding from the £500k within the aid settlement to enhance local capacity and skills?

6. The Hon Rosemary Bargo to ask the Hon Chief Minister:

Will the Honourable Chief Minister tell this Council, what immediate steps is Government taking to address the disciplinary problems at Prince Andrew School to ensure the safety of both the students and the staff?

7. The Hon Robert Midwinter to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure and Sustainable Development tell this Council, what developments have taken place regarding the disposal of the St Helena Government's interest in Solomon & Company (St Helena) Plc, since their shares were publically advertised, and if he will make a statement regarding the future intent in respect of these shares?

8. The Hon Andrew Turner to ask the Hon Minister for Environment, Natural Resources and Planning:

Will the Honourable Minister for Environment, Natural Resources and Planning tell this Council, what plans are in place to deal with the Island-wide issue of invasive plants and in particular "white-weed" which is taking over large areas on the Island?

9. The Hon Ronald Coleman to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure and Sustainable Development, give an update to this House on what is happening regarding the proposal to upgrade the drainage system in the Half Tree Hollow area so that people can get on with building their much needed houses?

10. The Hon Robert Midwinter to ask the Hon Minister for Health and Social Care:

Will the Honourable Minister for Health and Social Care tell this Council, what plans or strategies are being put in place to ensure that the Island can continue to provide care for increasing numbers of elderly people, and in particular to assist those individuals who wish to remain in their own homes?

11. The Hon Dr Corinda Essex to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure and Sustainable Development tell this Council, what are the current situation and next steps regarding the Bulk Fuel Installation in Rupert's Valley constructed as a component of the Airport Project?

12. The Hon Ronald Coleman to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Can the Honourable Minister for Treasury, Infrastructure and Sustainable Development give an update to this House on any work which is being carried out thus far to improve International Banking and Insurance options to make St Helena more attractive to the outside world and particularly Inward Investors?

6. Motions

1. The Hon Minister for Treasury, Infrastructure & Sustainable Development:

That this House resolves that the excess expenditure for the financial year 2021/22 in the Statement of Expenditure in Excess 2021/22 laid as SP 6/2023 now stand charged to public funds in accordance with section 106(3) of the Constitution.

7. Adjournment Debate

WRITTEN RESPONSES TO QUESTIONS

1. The Hon Karl Thrower to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure and Sustainable Development tell this Council, what is the saving realised by means testing people's Basic Island Pension payments?

Response:

The Basic Island Pension was introduced in 2010, it replaced IRB for those over 65 years. The financial means test introduced in 2010 was more generous than that of IRB, and it still is. For example there is no ceiling to the amount of savings a BIP individual may have, but there is a ceiling above which IRB cannot be claimed.

The only means test for BIP is in the case of someone with another pension, for example from SHG, a private scheme or the UK. £20.00 per week of this other pension is disregarded.

The number of years of contribution to the Island is not a financial means test. But the amount of a person's entitlement to BIP is fixed by the total number of the qualifying years:

30 years - 100%

25 years up to 30 years - 75%

20 years up to 25 years - 50%

In October 2022, the last time the Benefits Office had detailed information on what categories people on the BIP were in, the figures were out of a total of 809 BIPs:

73% had no other pension and received between £38.85 and £77.70 per week

22% had another pension and received between £4.30 and £77.46 per week.

5% were also in receipt of Income Related Benefit as a top up to the BIP, with between £38.75 and £77.46 per week.

Monthly BIP expenditure is currently £54,000 per week which equates to £2.8 million per year. Had all 809 been on the full BIP, then expenditure would have been £63,000 per week, which is an additional £9,000 per week or £468,000 per year.

It is not possible to give a figure of savings as a consequence of means testing in the administration of the BIP. No figure can be provided as no such saving has actually been made. This is because the 2010 policy and legislation was designed to reward people for working and bringing up children on the Island and therefore the BIP was more generous in its means testing than the IRB for the over 65s that it replaced.

2. The Hon Karl Thrower to ask the Hon Minister for Treasury, Infrastructure and Sustainable Development:

Will the Honourable Minister for Treasury, Infrastructure and Sustainable Development tell this Council, are there any plans to raise the Basic Island Pension and other benefits due to inflationary increases and in line with the +4% UK aid settlement?

Response:

Now that the UK aid settlement is known, SHG is in the process of finalising the 2023/24 budget and no decision has been taken on this to date.

3. The Hon Dr Corinda Essex to ask the Hon Chief Minister:

Will the Honourable Chief Minister tell this Council, why establishment of a trust fund for students accepted for university studies has not proved possible to date, and if this is now going to be pursued further?

Response:

Work on the establishment of a Trust Fund for students accepted for university studies has been on-going since at least 2019. This piece of work was initiated by the Education Committee. Work was completed on drafting a Charitable Trust Policy with the intention that this be implemented. However, this was very much a SHG driven initiative with the majority of the members being SHG officials.

The Portfolio Director and a representative from AG Chambers liaised on progressing this piece of work. An initial meeting was undertaken with the External Funding Co-ordinator to seek guidance on gaining external funding and establishing a Scholarships Trust for St. Helena on the international stage. Advice from this meeting was that establishing a Trust offshore was a lengthy and complex undertaking and that given that this was a government driven initiative it was unlikely that funding would be forthcoming due to it competing with other international charitable organisations and humanitarian initiatives.

As a result of this feedback the next action was to convene a meeting with past Scholarship students on St. Helena to gauge the appetite and support for establishing a Scholarship Trust on island. Past students were invited; 16 were in attendance with 2 sending apologies. This meeting was convened on 4th May 2022. Minister for Education was in attendance.

Discussions centered around but were not limited to the following:

- a. What is the purpose of the Trust?
- b. Who would the Trust support?
- c. Where would funding come from?
- d. Who would be the trustees?

In addition, the opportunity for funding through Student Finance was also considered and how this would determine the purpose of the Trust and the support offered. The JMC to be held in November provided opportunity to clarify this offer. At the meeting an agreement was made to progress the establishment of a Scholarship Trust; however, this would be actioned once clarity on availability of funding from Student Finance was received.

The following ideas were suggested from the meeting:

1. It was agreed that the Trust should be established as a hardship fund and students would be means tested to gauge eligibility. The first point of contact would remain the BoSH for students who would be deemed eligible.
2. The fund should be set up to support students for their travel and living expenses.
3. It should be set out as a loan rather than a grant.
4. It was suggested that the Trust be branded as an Equal Opportunities Fund.
5. Ministers could show their support by hosting a fundraising event.
6. The Trust would be linked and supported by the Scholarships Committee. Administrative duties would lie with the Scholarships committee.
7. Once the Trust TOR's is outlined the proposal should be shared with the business community to ascertain their feedback.

Since this meeting the Scholarship Trust has not progressed due to the rescheduling of the JMC in November 2022 and the offer of the recently introduced BOSL product – Student Assistance Loans has meant that decision on the purpose of the Trust has not yet been agreed.

It is the intention of the Portfolio to pursue the establishment of a Scholarship Trust however the following actions will have to be undertaken to ensure the purpose and continuity of the Trust:

- Having clarity around what the offer is from Student Finance in relation to Maintenance Loans

- Establish the purpose of the Trust in consideration of the offer from Student Finance and the Bank of St. Helena
- Establish a procedure for application to the Trust and assessment criteria for means testing, once the purpose is confirmed
- Determine whether the Trust would be legally able to offer a loan rather than a sponsorship

Once these have been resolved the Portfolio would then undertake to amend the current Draft Constitution of the St. Helena Scholarship Trust.

4. The Hon Robert Midwinter to ask the Hon Chief Minister:

Will the Honourable Chief Minister tell this Council why, despite the commitment made to this House on the 25 August 2022 that “a Rolling Policy and Legislative Programme has now been finalised and will be shared with all Members within the coming week” we have still not had sight of such, and if it is still her intention to share such a programme with Elected Members?

Response:

The Legislative Programme is still a work in progress. Significant work has been carried out over the last few months on the Executive Council Rolling Programme and associated documents. These are also live documents and are linked to the Legislative Programme. However they are different to the Legislative Programme.

The Legislative Programme is a living document because Government must balance the need to plan with the need to maintain the flexibility to address changing demands and priorities. The Legislative Programme cannot be completed without the input of the Attorney General’s Chambers because the Attorney General’s Chambers, through the Attorney General, supervises the Legislative Programme.

In order to complete the Legislative Programme the Attorney General’s Chambers needs to assess if relevant policies have been completed and whether legislative drafting instructions pursuant to such policies have been issued or are about to be issued. That information enables the Attorney General’s Chambers to make assessments about the allocation of departmental resources and to provide realistic timescales for the completion of drafting.

Information as to which pieces of legislation should be prioritised also needs to be provided to Attorney General’s Chambers, depending on political priorities, so that drafting is completed in an orderly manner in line with priorities.

The work that was carried out on the Executive Council Rolling Programme, and associated documents, was productive and is a useful first stage. Ministers and Portfolio Directors have had discussions on how best to address the information gaps required to be completed, further work is now being carried out on the relevant documents and once this is done the Attorney General’s Chambers will then be able to take view on how legal resource will be allocated. All involved are prioritising the matter whilst still being thorough.

Once this is completed the programme will be shared with Elected Members, although with the caveat that the programme could change depending on priorities and unknown external factors.