



## **Formal meeting of the Ascension Island Council**

**1630 on Thursday 27th June 2019 at the Court House**

### **MINUTES**

Present: HE Dr Philip Rushbrook, Governor  
HH Steven Chandler, Administrator  
Gareth Morris, Director of Resources  
Allen Cansick, Acting Attorney General  
Councillor Samantha Arms-Lawrence  
Councillor Keturah George  
Councillor Nicholas John  
Councillor Terence Young

In attendance: Sarah Roberts-Favell, Head of Administrator's Office  
Helen Tyte, Acting Clerk of Council  
Apologies:  
Councillor Alan Nicholls [St Helena]

#### **1. Welcome**

The Administrator welcomed all parties, including the Governor and the Acting Attorney General, who both joined the meeting by conference phone. He gave apologies from Councillor Nicholls who is currently on St Helena attending a diocesan synod.

#### **2. Approval of minutes**

Minutes from the last formal meeting on 16<sup>th</sup> May 2019 were approved.

**Action:** Clerk to place the minutes on the AIG website and on the noticeboards.

#### **3. Matters arising**

The following matters arising from the minutes of the previous formal meeting on 16th May 19 were discussed (updates in italics).

##### **3. 4 Marine Protected Area Management Plan (MPAMP):**

*Update:* The MPAMP is an ongoing piece of work. The Director of Conservation has produced a first draft of the management plan which she has already shared with technical experts from the UK's Blue Belt programme. Her aim is to have a draft ready to share with the Council by August to use as part of the MPA designation process.

**Action:** Dir Cons to continue to prepare a draft Plan ready to present to Council in August.

##### **3. 5.a) Hydroponics Committee:**

*Update:* Councillor Arms-Lawrence noted that the Committee had not yet been able to visit the AIG and US hydroponics sites. She informed the meeting that the Dir Ops and the AIG Hydroponics Manager usually set the dates for the visits. The Administrator indicated that, as both are still off island, this would need to be arranged upon their return.

**Action:** Dir Ops, AIG Hydroponics Manager and the Hydroponics Committee to arrange visits to both the AIG and the US Hydroponics sites and report back in due course.

##### **4. Road Safety (Amendment) Ordinance & 5. Appropriation (Amendment) Ordinance**

*Update:* Action is underway to formalise publication of these ordinances in the Gazette and other

associated publications to formalise the amendments.

**Action:** Administrator to publish the amended Ordinances appropriately.

#### 7. Waste Management Strategy

Update: This remains outstanding as the Dir Ops is currently off island.

**Action:** Once the Dir Ops has returned to the island he will update on progress at a future meeting.

#### 8.a) Georgetown swimming pool

Update: The corroded ladders have been removed and new ladders are on order. The Ops Manager is looking into when these are due to arrive on the island. Over the next week or two the underground pipes and pump solution will be tested. This is preparation work in anticipation of the ladders arriving. Councillor George requested an update directly to the Councillors as soon as any works have been carried out, preferably before the next informal meeting on 11<sup>th</sup> July. This is so that Councillors are able to give updates when asked, as to the success or failure of the different tests.

**Action:** Ops Manager to update the Councillors about the pipe and pump tests, and when the ladders are due to arrive.

#### 8.b) AIG website:

Update: As Dir Res had previously indicated, Gavin Tyte has already begun work on the AIG website. The aim is that the website will be live by the next formal meeting on 8<sup>th</sup> August, with many more useful features than the current site.

**Action:** Website work to continue and Dir Res to give another update at the next formal meeting.

#### 8.c) Two Boats School Governors:

Update: Dir Res has circulated the details of the Board of Governors' powers and responsibilities to relevant parties.

### 4. **Income Tax Rates and Allowances Order**

The order had to be amended to include additional companies. This is a 'stopgap' amendment to the Income Tax Ordinance until a new ordinance is brought forward to Council to cover Corporation Tax when the new Crown Council is in post. Letters with a 30<sup>th</sup> June 2019 deadline have been issued to Babcock, Encompass and Interserve in order to chase outstanding possible amounts from previous years. Interserve has already raised a few questions and has asked for an extension whilst awaiting the responses from AIG. This is an issue that is being pursued and is progressing.

Councillors had no questions, and all Councillors present recommended approval of the Order to the Governor who was content to approve.

**Action:** Clerk to Council to take the necessary steps to formalise the Order.

### 5. **General Election**

The Administrator submitted a Memorandum proposing dates for the dissolution of the Council, candidate nominations and the next General Election. The Administrator asked Councillors if they were content to recommend to the Governor the preferred date of dissolution of the Council as 1st September 2019, the date for nominations as 11<sup>th</sup> September 2019, and the date for the next General Election date as 26<sup>th</sup> September 2019. All Councillors present were content to recommend these to the Governor, who was content to approve the dates.

**Action:** The Administrator to prepare a Dissolution of the Island Council and Notice of the General Election for the Governor's signature. This will likely happen in July.

## 6. Medical Complaints Policy/Procedure

The Administrator thanked Councillors for their feedback, views and comments to date on the draft policy. He then addressed the questions raised by Councillor John at the last informal meeting. The answers to the questions below were provided by the AG's Chambers.

**a) Does the Medical Complaints Policy need to go to employing organisations for approval as well?**

No, it is an AIG policy and only needs to be approved by the relevant government body.

**b) Should an employing organisation be told if one of their employees has raised a complaint?**

No, complaints should be handled in the strictest of confidence in accordance with the Caldicott Principles. The Constitution of Ascension provides that every person on the island is entitled to the fundamental rights and freedoms of the individual, including his or her private life (Section 122c), which includes confidentiality regarding private matters such as medical records and complaints.

**c) Can an employing organisation access an employee's medical records if they have been signed off sick?**

No, complaints and an employee's medical records should be handled in the strictest of confidence in accordance with the Caldicott Principles. The Caldicott Report sets out a number of general principles that health and social care organisations should use when reviewing its use of patient or client information. Anyone disclosing information to others who are not directly involved may be dealt with under disciplinary procedures. Information should not be disclosed to third parties unless the complainant, or appropriate authorised party who has provided the information, has given consent to the disclosure of that information and that the patient has made an informed decision and clearly understands the processing and potential sharing of their information.

The Administrator believed these answers to be comprehensive. He then requested any further views or comments on the policy. Councillor John wanted to add whether an employing organisation should be told if a complaint has been raised, rather than being informed of specific details. The Administrator believed that the answers above also covered this, as this would also be a matter of patient confidentiality.

With no further views the Administrator approved the policy document, which therefore became a live policy document. Councillor John noted that Councillor Nicholls had previously made some comments on the original document. The Administrator pointed out that those comments had been addressed. HoAO confirmed that any amendments had been dealt with and the redraft sent to AG Chambers for approval. As he had not received any further communication from Councillor Nicholls on this matter, the Administrator was content to proceed and approve the policy document as it stands. If there are any further views or comments regarding this policy, they can be addressed at any point in the future.

**Action: Administrator to arrange for the policy document to be published.**

## 7. Any Other Business

Councillor John wanted to reflect on questions that he had previously sent via email to the Administrator, and the answers he had received.

**a) Police Body Cameras**

In regards to police officers wearing body cameras to record incidents, Councillor John understood that the main reason behind using this equipment was to ensure the safety of police officers and members of the public alike. However he thought that the public should be made aware of the practice of recording footage, and how that information is dealt with and stored. The Administrator noted that the St Helena police force (of which the Ascension force is

a detachment) has been wearing body worn video (BWV) on St Helena for a number of years. Inspector Kewley would be happy to issue a public notice to explain why the equipment is being used and its benefits. Councillor George agreed that the public should be party to this information, as this will lead to a more open relationship with the public. Councillor John requested that the procedures and legislation surrounding BWV is also made available.

**Action: The Administrator to ask Inspector Kewley to issue a public notice in regards to BWV, including references to procedures and legislation.**

**b) Trading Standards**

Councillor John asked if there had been time to reflect on the trading standards and consumer rights question raised on behalf of one of his constituents. The individual had purchased goods from a store- but had been unable to return the faulty item as they did not have the till receipt to prove their purchase. Dir Res stated that he could answer the tax returns aspect of the question. He noted that till receipts were not needed to prove income for tax purposes, as this was dealt with by sending their tax returns in to the Assistant Director of Resources, with follow up questions and requests for information as and when deemed necessary. While store receipts can be helpful, it is not essential for a store to have a till in order to verify a company's tax liability. Dir Res understood that if you ask for a receipt you should be given one- but this is the responsibility of the consumer. AIG should not be expected to become involved with individual returns cases. In regards to consumer rights Councillor John pointed out that some people feel aggrieved when they are unable to secure a refund from a store that has sold them a faulty product, and that the number of shops on the island is limited, which doesn't really allow for consumers to choose to shop elsewhere. He felt it to be unprofessional to refuse refunds in these cases. Councillor George agreed that it was common courtesy for the retailer to offer refunds for faulty products. She noted she herself had been in the position where she was unable to obtain a refund for an item that later developed a fault. This needs to be carefully considered by retailers. The Administrator pointed out that issuing a receipt was not a legal requirement (as in the case for market stalls etc), legislation surrounding the issuing of receipts probably wouldn't be appropriate, although consumers should be encouraged to ask for a receipt if they feel it is necessary, especially for expensive items. Councillor John asked if this affected the tax returns and Dir Res stated that there is no proof provided with tax returns- but further questions are asked and other documentation is requested if the declared figures are not what is expected. Any other process would require more resources, which would incur an extra cost, which would outweigh the revenue which is brought in. The current process relies on a certain amount of goodwill- but also has its basis in an understanding of expected business revenues, supported by the ability to impose further scrutiny.

**c) MUGA nets.**

Councillor John asked for an update on purchasing protection nets for the MUGA.

Dir Res has spoken to the Resources team who indicated that purchasing these nets would empty the community fund. He would like to raise the question of whether other groups or individuals know that this fund is available, as it would be unfair to use the complete funds so early in the financial year on one single item, if others were unaware of the opportunity to bid for them, especially as new balls have already been purchased from this fund. The Resources team had raised the idea that the purchase of the nets could possibly be considered by the Charity Fund. The Administrator noted that work had recently started on clearing away the Mexican Thorn bushes around the MUGA, so this should mean that the nets wouldn't be necessary to ensure that balls wouldn't be lost. He understood that Inspector Dave Kewley, Lee Smith (CSO) and Vicky Knight (Conservation) have been cutting down the Thorn around the MUGA in their own time, and that Vicky was also poisoning the roots to prevent the Thorn from returning. They hoped to complete their work to remove all the Thorn in the next few weeks, and had published an advert in this week's 'Islander' asking for other volunteers to join them.

Councillor John indicated that he didn't believe that the removal of the bushes would be done quickly enough or that not all of the bushes could be removed. He also insisted that it needed to be dealt with urgently, if they were to continue with football sessions there. The Administrator asked if all of the Mexican Thorn bushes were successfully removed, would there still be a need for the nets. Councillor John thought that they might not be needed, although he believes that the removal of the bushes is an almighty task.

**Action: To wait and see how the clearance of the bushes goes before considering funding for the nets further. Dir Res to research the Charity Fund as a source of funding for the nets.**

#### **d) Hydroponics**

Councillor George raised the issue of the AIG hydroponics site. She stated that it was set up three years ago primarily to provide a supply of fresh produce to the island after the decommissioning of the RMS St Helena. This venture was approved by the then Council and a previous Administrator (Mark Holland) had announced that AIG acknowledged the need of fresh fruit and vegetables for the health and well-being of the inhabitants of the island. The hydroponics venture was seen as a way to use the climate on Ascension to ensure a continual supply of fresh produce that would be available for residents to purchase at a reasonable price. Councillor George stated that local produce should mean fresher produce, lower prices and a constant supply. Problems were anticipated- but in the beginning it was very successful. Around two years ago the output decreased drastically. The supply of salad is sporadic and the quality is very variable. Councillor George suggested that the fundamental knowledge and skills that are needed to run this operation successfully appear to be missing. She also believes that the site is now using soil to grow plants, which is horticulture rather than hydroponics, and means that there are now weeds and insects to consider. Councillor George wanted to ask what steps could be taken to bring this back in line with the vision that it was originally set up to be. She also asked if it was still financially viable. The Administrator acknowledged that he was aware of some issues but that the raising of Hydroponics earlier in the meeting (point 3.5.a) should allow this to be considered in the near future. Councillor Arms-Lawrence told the meeting that there were originally monthly visits to the hydroponics site, but that these visits have become much less often. She believed that it was important for the success of the venture to ensure that visits are made more frequently. Councillor John echoed Councillor George's concerns.

**Action: To be followed up as in the above point (3.5.c).**

### **8. Dates of next meetings**

It was proposed that the next informal meetings and formal meeting would be held on the following dates:

- Informal – Thursday 11<sup>th</sup> July at 1630
- Informal – Thursday 25<sup>th</sup> July at 1630
- Formal – Thursday 8<sup>th</sup> August at 1630

It was noted that the Governor would be on Ascension for the next informal meeting on 11<sup>th</sup> July. The Governor added that he was looking forward to meeting everybody.

There was no further business and the meeting ended at 1715hrs.

Helen Tyte  
Acting Clerk of Council