



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

HANSARD

Douglas, Tuesday, 18th December 2018

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Present:

The Speaker (Hon. J P Watterson) (Rushen);
The Chief Minister (Hon. R H Quayle) (Middle);
Mr J R Moorhouse and Hon. G D Cregeen (Arbory, Castletown and Malew);
Hon. A L Cannan and Mr T S Baker (Ayre and Michael);
Hon. C C Thomas and Mrs C A Corlett (Douglas Central);
Miss C L Bettison and Mr C R Robertshaw (Douglas East);
Hon. D J Ashford and Mr G R Peake (Douglas North);
Mr M J Perkins and Mrs D H P Caine (Garff);
Hon. R K Harmer and Hon. G G Boot (Glenfaba and Peel);
Mr W C Shimmins (Middle);
Mr R E Callister and Ms J M Edge (Onchan);
Dr A J Allinson and Mr L L Hooper (Ramsey);
Hon. L D Skelly (Rushen);
with Mr R I S Phillips, Secretary of the House.

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House of Keys

The House met at 10 a.m.

[MR SPEAKER *in the Chair*]

The Speaker: Moghrey mie, good morning, Hon. Members.

Members: Moghrey mie, good morning, Mr Speaker.

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The Speaker: I call on the Chaplain to lead us in prayer.

PRAYERS

The Chaplain of the House

Leave of absence granted

The Speaker: Hon. Members, leave has been granted to Mrs Beecroft for today's sitting.

1. Questions for Oral Answer

ENTERPRISE

1.1. Tourism figures – Contingency plans to prevent further decline

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Enterprise:

What contingency plans he has to ensure that the decline in tourism figures over the last two years does not continue?

The Speaker: We turn to Item 1 on our Order Paper, Questions for Oral Answer, and I call on the Hon. Member for Onchan, Ms Edge.

10

Ms Edge: Thank you, Mr Speaker.

I would like to ask the Minister for Enterprise what contingency plans he has to ensure that the decline in tourism figures over the last two years does not continue?

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The Speaker: I call on the Minister for Enterprise to reply.

The Minister for Enterprise (Mr Skelly): Gura mie eu, Loayreyder.

I would start just by reminding Hon. Members that, according to the annual passenger surveys, since 2013 the total numbers of traditional leisure visitors has increased by 15%, over the same period, visitor spend has increased by 23%. Therefore, when analysing the numbers, it is important not to look at a specific year in isolation but to look over a number of years to understand the trends.

Although last year's survey indicated passenger numbers were lower than expected, figures for 2018 will not be finalised until next year, and even then it will still only be one of our indicators. More broadly, I would emphasise at this stage the continued confidence in the industry that long-term growth is supported by positive indicators such as high levels of investment, now approaching £50 million.

Having said that there is, of course, a focus within the Department to grow numbers of visitors and importantly the value of their spend. Tourism is a highly valued element of our economy. However, competition for the tourism pound is fiercer than ever and we need to work extra hard to maintain our position and realise opportunities to grow our share of the tourism market.

The creation of a dedicated Visit Isle of Man Executive Agency, whose purpose it is to realise the fullest economic growth potential as a visitor destination will lead the charge of focusing our tourism and leisure visitors. This public-private partnership is already well underway and looking at product development as well as new ideas for targeted promotion, building on the work the Department has historically undertaken, such as the launch of the Extraordinary Story earlier this year. The mixture of promotion, of product development as well as policy input will be hugely important in growing our visitor numbers and visitor spend.

Gura mie eu.

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker and I thank the Minister for his response.

I suppose the concern then and the question I would like to ask the Minister with regard to the trends, there was a clear, distinct difference in the reporting mechanism in the last year and the other question is the decline in the TT visitor numbers this year, whether the Minister can put some explanation around that?

The Speaker: Minister to reply.

The Minister: Gura mie eu.

I thank the Hon. Member for her supplementary question.

In terms of trends, clearly we need to drill down to specifics. With regard to the TT I think it was quite clear and I think the weather had a significant impact as well as the actual riders who are an attraction in their own right. We are seeing very encouraging numbers for this coming year. But what I would highlight, having spoken to the Visit Agency is to look at a number of indicators in terms of those trends, so visitor numbers is one thing, visitor spend is another area, actual occupancy levels, which is another important feature, as well as satisfaction because, as we know today, many people actually measure where they travel based on comments that are on online surveys. So they are looking at all those particular elements to understand what is the best indicator.

The Speaker: Supplementary question, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr Speaker.

I think the significant thing in the Minister's first Answer, to my mind, was the time it takes to get the numbers out in any degree of accuracy.

70 Does he accept, now we have the new Visitor Agency, that actually it is a great opportunity to think again about how we can make reporting figures immediate, interactive and therefore much more business likely, Mr Speaker?

A Member: Hear, hear.

75 **The Speaker:** Minister to reply.

The Minister: Gura mie eu, Loayreyder.

Yes, I thank the Hon. Member for his question; he makes a very valid point.

80 Data is absolutely vital – not just for this sector, I think for all sectors. We are working very closely with the Cabinet Office to understand ... there is a review with regard to how the statistics are compiled and that will come forward, I think, early next year.

So, yes, I take the point on board.

Thank you.

85 **The Speaker:** Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker.

90 Given tourist visas might be required for travel to the EU after Brexit, has the Minister contingency plans to deal with a sudden increase in tourism figures?

The Speaker: Tourism Minister to reply.

The Minister: Gura mie eu, Loayreyder, I thank the Hon. Member for the question.

95 He has highlighted an opportunity area, and clearly there has been a significant growth in the so-called staycation area for not just the Isle of Man, but also in the UK. And that is what I stated in the original Answer, that competition in terms of our new neighbours is quite fierce. We recognise there is an opportunity, but we have to actually harness that going forward. So promotion is very important and how we promote ourselves, and being very creative in that particular space, which I will come to highlight, I think, in the next Question.

100 **The Speaker:** Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

105 The Minister talks about a lot of positives there, but what would be his contingency plan if what he is saying does not come to fruition?

He also talks about bed nights; can he confirm that the bed nights are broken down into actual tourists and not just people that are visiting for business?

The Speaker: Minister to reply.

110 **The Minister:** Gura mie eu, Loayreyder.

115 Yes, in terms of analysing these particular statistics those are broken down in the passenger survey, which is conducted independently by the Cabinet Office, and it does breakdown if they are paid leisure visitors, are they actually visiting family and friends, and also are they business travellers. What we do know, in terms of the investment that is coming into this industry, significant investment, it is across a range of different accommodations and some of that will appeal, I think, to the wider business traveller where we have been deficient, I think, in the last few years.

120 **The Speaker:** Hon. Member, Mr Baker, supplementary question.

Mr Baker: Thank you very much, Mr Speaker.

Does the Minister feel that where we have got comparable areas to the Island, such as the Lake District and Skye, where they are challenged with having too many visitors and having to effectively manage the demand, does he feel that the Isle of Man is really getting its marketing right and that we have a sufficiently clear proposition to potential visitors?

The Speaker: Minister to reply.

The Minister: Gura mie eu.

Yes, I think as highlighted particularly with the Lake District and areas of that particular nature which would be, I think, direct competitors for the Isle of Man, given the beauty, the history, the heritage and so forth. Clearly they also have the advantage of cost in terms of traveling, particularly for the UK overland visitor. So what we are trying to do is to be very creative with regard to our marketing, and the Visit Agency has that responsibility, which is where the true public-private partnership has really come to the fore. The Visit Agency have the promotion responsibility, they also have the product development responsibility as well as policy inputs, if we need to change policy, which at the moment is going under review with regard to our destination management plan which will highlight a whole host of different areas that we will be looking for Tynwald to support in order to maximise our opportunities.

The Speaker: Supplementary question, Mr Shimmins.

Mr Shimmins: Thank you, Mr Speaker.

The Minister highlighted the increasing competition that we are facing. What new markets are the Visit Agency targeting to encourage new visitors to come to our Island?

The Speaker: Minister to reply.

The Minister: Gura mie eu, Loayreyder.

Yes, I think that is about trying to expand that marketing in terms of its reach. We all know there we are very accessible here on the Isle of Man in terms of the number of airports that we are served, the sea port and very clearly where we are with regard to the Steam Packet position, we as a Department and certainly the tourism element want to make a major representation there to look to see how we can be more attractive. That would obviously pull in not just our near neighbours but I think further afield too. So in terms of marketing I think there lies the creativity that we would be looking at the Visit Agency to expand. They have a finite budget and we need to ensure that we maximise that.

The Speaker: Supplementary question, Mr Shimmins.

Mr Shimmins: Thank you, Mr Speaker.

I was interested when the Minister highlighted the accessibility from various airports to the Island, which is very much valued. Are the Minister and his team targeting new airports and new links to bring tourists from different areas to our Island?

The Speaker: Minister to reply.

The Minister: Gura mie eu.

Clearly the Open Skies policy is held by our colleagues at the Department of Infrastructure, who we work very closely with. I think we have seen an expansion of airports in these last few years. We have certainly seen it in terms of record numbers through the Airport, which is very welcome, as that does actually generate revenue for the Island through APD that we do

175 recognise too. So that growth, I think, has already been demonstrated, but we do have to consider how big our market is and how are these services sustainable because that is the issue with regard to open skies versus closed seas is that those airlines do need to be sustainable in order to support those routes.

The Speaker: Final supplementary on this Question, Ms Edge.

180 **Ms Edge:** Thank you, Mr Speaker.

I just wonder if the Minister can advise of what freedom and what budget the Visit Isle of Man team do actually have to be able to deliver what suggestions are coming up, or is that controlled separately by the Department?

185 **The Speaker:** Minister to reply.

The Minister: Gura mie eu, Loayreyder.

190 Yes, those budgets are being set as to the allocations. And I would just remind Hon. Members again of the three principles that each of these Executive Agencies, not just the Visit, but the other three, that they have the promotion, the policy input and also ... As I say, the promotion and the policy input are the two key areas that they are involved with as well as bringing that forward.

195 We will be doing a presentation for Hon. Members in due course. I think next we have got set up to do the Finance Agency but the Visit Agency will be doing a presentation to Members, just like we have just done with the Digital Agency.

1.2. Fairy house installation – Procurement process; cost

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Enterprise:

What procurement process was followed for the installation of fairy houses around the Island; and what the total cost was?

The Speaker: Question 2, I call on Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

200 I would like to ask the Minister for Enterprise what procurement process was followed for the installation of fairy houses around the Island; and what the total cost was?

The Speaker: I call on the Minister for Enterprise to reply.

The Minister for Enterprise (Mr Skelly): Gura mie eu, Loayreyder.

205 As part of the overall plan to promote the Isle of Man as a visitor destination, our team design and deliver a number of 'outside the box' marketing initiatives to increase awareness of the Isle of Man and support our message that the Island is a special place to work, live and visit.

210 The 'little people', mooinjer veggey, installations is one of those initiatives. The installations were a form of ambush marketing, which aims to take the public by surprise and make an impression; this in turn creates a buzz and encourages engagement. Visit Isle of Man used the installations to generate awareness and goodwill through use of our folklore, at the same time showcasing our stunning natural environment. By creating this memorable experience for the resident and visitor it also increases the likelihood that they or someone who heard about it will

215 tell their friends about the campaign. The initiative therefore attracts people to the Island to visit the moonjor veggie installations in a more organic way.

The total cost of this project was £26,253 and the estimated number of people who have read the press articles is in excess of six and a half million. Should the Department have paid for such media coverage, it is estimated it would have cost £367,570; therefore the return of investment is 14 times the cost of this initiative.

220 Gura mie eu.

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

225 I would just like the Minister to confirm that the figure obviously is quite high, and is it correct there are only four installations? Is there any intention to be doing any more? And I am just wondering how he is going to analyse that the visitors have come to visit his fairy houses?

The Speaker: Minister to reply.

230

The Minister: Gura mie eu.

235 Yes, that figure I will just reiterate is £26,253. The installations are relatively small. You might regard however, if any of you are visiting, you will recognise the intricacy and the detail and I think that interest has been demonstrated, not just by visiting, but actually how far and wide our marketing has gone here. This has literally gone viral across the globe and reaching six and a half million people to expose the Isle of Man as a destination, I think is very good value for money.

The Speaker: Supplementary question, Mr Perkins.

240 **Mr Perkins:** Thank you, Mr Speaker.

245 Would the Minister agree with me that the fairy houses have indeed greatly contributed to the delight of walkers and the economy? And just a thought regarding the previous question, would the Minister agree with me that the Department could possibly issue a certificate to people who can photographically prove that they have visited every fairy house. They could bag the fairy houses along the lines of the Lake District's Wainwrights or indeed the Scottish Munros.

250 But this brings me to my supplementary question on the current question, I called on one fairy house the other day, I knocked on the door and there was no answer and yet the little fairy lights were on. I knocked again, still no answer, so they must have been out at work. Being this festive time of year, Mr Speaker, I can only assume that some were in the pantomime, and indeed there are other pantomimes in town at the moment – on a job that I hasten to add that I would not wish to have, sitting on top of Christmas trees – my question to the Minister is would he be able to confirm their employment status and are they paying tax and National Insurance?
(Laughter)

255 **The Speaker:** I call on the Minister to reply and suggest that he focuses his answer on the first half of the question! *(Laughter)*

A Member: Zero hours!

260 **The Minister:** Thank you, Loayreyder.

I thank the Hon. Member from Garff for his observation powers and I am delighted to hear that he has actually visited these little people's installations. I think it is a really good point, first and foremost that people are going out and about, locals, as well as visitors we hope, to see these installations because they are really interesting, they are unique. I would almost describe

265 them a little bit like the Manx Banksy in many ways in terms of its attraction, and I think that will bear fruit going forward.

The last point you made with regard to employment: I guess that just depends if they are 'elf' employed.

270 **Several Members:** Aaah!

The Speaker: Moving swiftly on, supplementary question, Mrs Caine.

Mrs Caine: Thank you, Mr Speaker.

275 I would just like to ask the Minister if he would agree with me that the marketing department and the Visit Agency deserve congratulations for this campaign – it is very imaginative; it fits perfectly in with the Biosphere and the projection of the Isle of Man and our intrinsic values. Also would the Minister agree that even though the fairy houses were commissioned by the Department, that the Department would have no objection to the little people taking up residence?

280 Thank you, Mr Speaker.

The Speaker: Minister to reply.

285 **The Minister:** Thank you very much, Hon. Member also from Garff, I appreciate it and clearly there have been a lot of visitors I think in Garff as a result.

I appreciate the opportunity to congratulate our team on this because, as I said earlier, this is about thinking outside the box. The previous question highlighted, I think, the marketing, the reach and how we do that and this is one of those particular areas where we had to be creative because we have a finite budget and it is hoped that we will do more of this style of marketing.

290 Many of you will I think recall the marketing of Will Sutton and *Homefree*, how that went viral. The BBC actually picked it up and wanted an exclusive as a result of that. And that is what we had to do, we had to be innovative, we had to be creative to actually try and attract people to the Island.

295 Thank you.

The Speaker: Supplementary question, Ms Edge.

300 **Ms Edge:** The Minister did tell me how much the installations cost and, yes, I do totally agree they are very nice. I am not sure which areas of the Island, but I know there are certainly in Rushen and they are in Garff, but with regard to them being commissioned by the Department, why was this not procured through local businesses on the Island? Why wasn't it suggested that perhaps it could be a project for our schools to do – did he think about looking at this? If our own companies were doing this there would be tax and NI going into the Treasury.

305

The Speaker: Minister to reply.

The Minister: Gura mie eu, Loayreyder.

I thank the Hon. Member for her question with regard to the economic impact.

310 What we were trying to do here is actually maximise the marketing impact and, as I have said, it was highlighted as being an ambush marketing initiative, purely to take somebody who is expert in this particular field. And again, if you take the time and actually look at these installations you will see the detail and the skill that is actually necessary to create that is really important. The company that was commissioned is globally renowned in this particular space. I am sure we could expose further our local people with opportunities to learn some of these

315

trades but they are a closely kept secret, which is why it was done in this particular fashion, so they do turn up just as an installation overnight, literally.

The Speaker: Final supplementary question on this one, Ms Edge.

320

Ms Edge: Thank you, Mr Speaker.

I think the Minister has admitted there that the procurement process perhaps was not followed, following the financial regulations, because it would have been advertised on the Island. But if the Minister could just confirm that, because there is a procurement policy in place for values of this type.

325

The Speaker: Minister to reply.

The Minister: Gura mie eu.

330

As far as I am aware we did follow financial regulations and I have no qualms with regard to the process that we followed there.

Again, I would highlight this is all about marketing impact really, more than actually the economic procurement side of things.

1.3. Swearing-in of the next Governor – Preparations of Castle Rushen

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Enterprise:

What progress has been made with preparing Castle Rushen for the swearing-in of the next Governor?

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The Speaker: Question 3, and I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker.

I would like to ask the Minister for Enterprise what progress has been made with preparing Castle Rushen for the swearing-in of the next Governor?

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The Speaker: I call the Minister for Enterprise to reply.

The Minister for Enterprise (Mr Skelly): Gura mie eu, Loayreyder.

345

I thank the Hon. Member for his Question, which I know is *exactly* the same question that his colleague, Minister Cregeen has asked Manx National Heritage.

I am pleased that I can advise Hon. Members that Manx National Heritage will be undertaking work in 2019 to assess the options and costs to allow Castle Rushen's courtroom to be made accessible to a wide range of users.

350

This follows on from recent works to improve access to the ground floor of the Castle. The work will also make the room suitable for the next Governor's swearing-in ceremony.

The aim will be to ensure disabled access to an area that is currently not available to those with limited mobility. Investment in the courtroom will also consider wider benefits to the community and options for enhancing the visitor experience of a significantly important heritage site.

355

The Speaker: Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker, and thank you, Minister.
Do you have a timetable for when the work will be completed?

The Speaker: Minister to reply.

360

The Minister: Gura mie eu, Loayreyder.

As stated, Manx National Heritage will be undertaking the work next year, 2019, to assess the options and costs. They have not provided a timetable, as they have not determined that.

365 But it is worth pointing out that of course the next Governor is expected to be sworn in, I believe, in April/May 2021, so I think there is adequate time.

EDUCATION, SPORT AND CULTURE

1.4. New school in Castletown – Progress

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Education, Sport and Culture:

What progress there has been with the new school in Castletown?

The Speaker: Question 4, I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse again.

Mr Moorhouse: Thank you, Mr Speaker.

370

I would like to ask the Minister for Education, Sport and Culture what progress there has been with the new school in Castletown?

The Speaker: Minister for Education, Sport and Culture to reply.

375

The Minister for Education, Sport and Culture (Mr Cregeen): Thank you, Mr Speaker.

Work has progressed well during 2018 on the development of a strategic brief for the new Castle Rushen School development. As part of this strategic briefing stage, we have looked in detail at accommodation needs for the new school and how this can be accommodated on the site. We have visited UK schools, seeing both good practice designs and some poor examples to learn from and benchmark against our vision for the school.

380

This strategic briefing phase is now coming to a conclusion and we anticipate reviewing finalised reports in January. Thereafter, early dialogue will recommence with Treasury to ensure that the project is ultimately allocated an appropriate budget to ensure that we are able to put in place an excellent facility that will serve the community well throughout the 21st century.

385

The current target programme for the new school build, subject to early and successful funding agreement, is to appoint the main design team early 2019-20; design, planning, tendering over two years, with the anticipated start on site in summer 2021; and completion and operation from 2024.

390

In parallel to this strategic briefing, we have progressed the feasibility study looking to how the required sport pitches can best be provided within the land holding. We are planning to appoint a design team early in the New Year for design, planning and tendering, to enable the first phase during 2019, with the construction works targeted to take place within approximately one year's time. This is in order for the new pitches to be established for September 2021, so

395 that they are in place for use when commencement of the new-build school takes existing pitches out of action.

The Speaker: Supplementary question, Mr Peake.

400 **Mr Peake:** Thank you, Mr Speaker.

Does the Minister know how many students he expects to have in the new school in Castletown?

The Speaker: Minister to reply.

405 **The Minister:** Thank you, Mr Speaker.

The current intake is just under 800, but the current planning applications that we have seen lately in Castletown and Malew is *circa* another 700 houses. So it is going to be an interesting time on how we design the school, whether we do it for projected numbers or on the safe side. So we have got to be really careful that we do not build the school too small and then we have
410 all these houses. Likewise we have got to be very careful that we do not anticipate all these houses and they do not come to fruition and we have a school that is too big.

The Speaker: Supplementary question, Ms Edge.

415 **Ms Edge:** Thank you, Mr Speaker.

The Minister said there are *circa* 800 at present. What are the projected figures coming forward from the primaries for the next five years?

The Speaker: Minister to reply.

420

The Minister: Thank you, Mr Speaker.

Unfortunately, I do not have those numbers with me.

The Speaker: Supplementary question, Mrs Caine.

425

Mrs Caine: Thank you, Mr Speaker.

Just a quick query to the Minister: he mentioned about the 800 students currently – is there any formal channel or any informal channel for those students to have input into the design of the future school?
430

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

435 One of the options that we can have is to talk to the students there. We have been engaged with the head teacher and the school on the design, because I think it is vitally important that people who are going to be running the school have an input in how it is actually set out.

HEALTH AND SOCIAL CARE

**1.5. Colonoscopy –
Publication of report commissioned in May 2017**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Health and Social Care:
When the report on colonoscopy, commissioned in May 2017, will be published?

The Speaker: We turn to Question 5 and I call on the Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

440 I would like to ask the Minister for Health and Social Care when the report on colonoscopy, commissioned in May 2017, will be published?

The Speaker: I call on the Minister for Health and Social Care to reply.

445 **The Minister for Health and Social Care (Mr Ashford):** Thank you, Mr Speaker.

Can I start by thanking the Hon. Member for Onchan for laying this Question, as it gives me an opportunity to correct inaccuracies in the recent press reports in relation to this item.

Firstly, Mr Speaker, the report was in relation to *endoscopy*, and it might sound pedantic but there is a difference.

450 There has never been, I need to say as well, Mr Speaker, a recommendation or motion calling for the publication of the full report, which was an internal report commissioned by the Department to investigate the issues around endoscopy. The recommendation that went before Tynwald, contained within the Social Affairs Policy Review Committee report, was that the Department of Health and Social Care should report to Tynwald by May 2018 its conclusions as
455 to the underlying reasons for the failure to arrange follow-up endoscopies which were discovered in May 2017.

So as Hon. Members can see, Mr Speaker, despite last week's press reports, the recommendation called for the Department to report its conclusions on the underlying reasons for failure. It did not call for the independent internally commissioned report to be published.

460 The debate on the Social Affairs Policy Review Committee report took place at that May 2018 sitting of Tynwald and again, contrary to reports, the Department complied with that recommendation at the sitting. In my speech, I laid out the Department's conclusions as to the underlying reasons for the failures and they can be found on pages 1,360 to 1,362 of that sitting's *Hansard*.

465 The conclusions were also contained within the Council of Ministers' response to the Social Affairs Policy Review Committee report on pages 6 to 7 of that response, that was published and has been publicly available since May this year.

Mr Speaker, it is also worth pointing out at this juncture that no Hon. Member outside of the Department had requested sight of the internal report until you yourself asked for sight of it four
470 weeks ago. In direct answer to the Hon. Member's Question, I am more than happy to have the internally commissioned report circulated to Hon. Members if they wish to have sight of it, but I must say it contains nothing more than what has already been drawn out during the Social Affairs Policy Review Committee inquiry and the conclusions the Department has already published.

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The Speaker: Hon. Members, that concludes Questions for Oral Answer.
Item 2 is Questions for Written Answer and those will be circulated as usual.

2. Questions for Written Answer

POLICY AND REFORM

2.1. Data protection audits – Number across Government in last two years

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Policy and Reform:

How many data protection audits there have been of Government Departments, Government-owned companies and Statutory Boards in the last two years?

480 **The Minister for Policy and Reform (Mr Thomas):** There have been a total of 25 data protection audits undertaken in the last two years across Government Departments, Government-owned companies and Statutory Boards, three of which were undertaken by external parties.

The records management and school assurance reviews have been undertaken by Treasury's Audit Advisory Division which have covered data protection risks and compliance.

Department/Statutory Board	Internal	External
Department for Education, Sport and Culture	8 (School Assurance Reviews)	
Department for Enterprise	1 (Records Management)	
Department of Health and Social Care	3	3
Isle of Man Post Office	1 (Records Management)	
Manx Utilities Authority	1 (Records Management)	
Treasury	8	

485 In addition, a review of corporate preparedness for the requirements of GDPR was undertaken across 14 Departments, Statutory Boards and Offices across Government in this two year period.

ENVIRONMENT, FOOD AND AGRICULTURE

2.2. Planning breaches – Number immune due to passage of time only after notification to DEFA

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Environment, Food and Agriculture:

Pursuant to his Written Answers on 30th October, how many of the breaches identified as immune due to passage of time only became so after the alleged breach had been notified to his Department ?

490 **The Minister for Environment, Food and Agriculture (Mr Boot):** The figures given on 30th October 2018 related to those cases closed for 2018 the period up until 30th September 2018, of which there were four.

As of the 31st October 2018 there were seven cases closed that were immune due to the passage of time.

All seven cases were out of time for the taking of enforcement action at the time the Request to Investigate was made or the matter was brought to the attention of the Department.

495 Paragraph 3 of Schedule 4 of Town and Country Planning 1999 sets down time limits for issue of a notice, after certain periods of time have elapsed. These time periods are dependent on the type of breach. In these instances, development without planning permission becomes immune from enforcement action.

Extract from the Act:

3. No enforcement notice may be issued —

(a) in respect of a breach of planning control consisting of the carrying out without planning approval of building, engineering, mining or other operations in, on, over or under land, after the end of the period of 4 years beginning with the date on which the operations were substantially completed;

(b) in respect of a breach of planning control consisting of the change of use of any building to use as a single dwellinghouse, after the end of the period of 4 years beginning with the date of the breach;

(c) in respect of any other breach of planning control, after the end of the period of 10 years beginning with the date of the breach.

HEALTH AND SOCIAL CARE

2.3. DHSC complaints process – Details, including logging and responses

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care:

What the complaints process for the DHSC is, including how telephone and verbal complaints are logged and responded to?

500 **The Minister for Health and Social Care (Mr Ashford):** There are three stages of any complaint:

Stage 1 is the resolution stage. The person making the complaint will be contacted by the member of staff who has been allocated to look into their complaint and see what can be done to put things right. The majority of complaints are resolved at the first stage.

505 Stage 2 is the investigation stage. If, after stage 1, the person is not satisfied with the outcome, they can ask for their complaint to be investigated further. A report should be received within 20 working days outlining what the investigator has found, what the Department is going to do about it, and why the decisions were reached.

510 Stage 3 is the independent review. If the person is still unhappy with the outcome after stage 2, and would like an independent review, they can request this within four weeks of receiving the written report from stage 2. The independent investigator aims to complete their report within 28 working days, and their findings are final.

515 The Department prefers to receive any complaints in writing, rather than over the telephone or verbally. However this is not always possible for everyone, so each Division are happy to discuss details of a complaint, either face to face or over the telephone. The details of the complaint are taken by a member of staff, and then followed up through the usual complaints process as mentioned above. If complaints are received via the Chief Executive's Office, they are logged, acknowledged, and then forwarded to the relevant Division to follow up.

520 The complaints procedure is linked to the National Health Service (Complaints) Regulations 2004 linked to the National Health Service Act 2001, located here:-
<http://www.tynwald.org.im/links/tls/SD/2004/2004-SD-0216.pdf#search>

**2.4. DHSC complaints –
Number received in last two years**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care:

How many complaints were received by each Division or Department within the DHSC for each of the last two years broken down by (a) telephone complaints and (b) written complaints?

The Minister for Health and Social Care (Mr Ashford):

Community Health:

525 2017 – (a) 4 (callers did not wish to have their complaint dealt with formally)
2017 – (b) 21
2018 – (a) 8 (callers did not wish to have their complaint dealt with formally)
2018 – (b) 14

530 *Mental Health:*

2017 – (a) 0
2017 – (b) 68
2018 – (a) 4
2018 – (b) 44

535

Adult Social Care:

2017 (a) 1
2017 (b) 14
2018 – (a) 0
540 2018 – (b) 15

Children and Families:

2017 – (a) Nil
2017 – (b) 35
545 2018 – (a) Nil
2018 – (b) 36

Public Health:

2017 – (a) Nil
550 2017 – (b) Nil
2018 – (a) Nil
2018 – (b) Nil

Noble's Hospital:

555 2017 – 216
2018 – 193

Stats from the hospital system Prism do not differentiate as to whether a complaint was written or verbal.

560 *Infrastructure:*

2017 – (a) Nil
2017 – (b) Nil
2018 – (a) Nil
2018 – (b) Nil

**2.5. Ramsey and District Cottage Hospital –
Beds used per month for respite**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care:

How many beds on average in each month were used for respite patients at Ramsey and District Cottage Hospital for the last three years?

565 **The Minister for Health and Social Care (Mr Ashford):** Unfortunately it is not possible to extract from the hospital's Medway IT system the number of respite patients resident on Martin Ward over the past three years, as respite patients are not differentiated from non-respite admissions on the Medway system.

570 Following the implementation of the new clinical model for Ramsey Hospital in February 2018, and the employment of a Consultant Geriatrician and two Associate Specialists to provide medical cover for Martin Ward, we have ensured that there are four ring-fenced beds available to admit respite patients. These beds are not available for patients for transfer from Noble's Hospital.

575 Martin Ward staff have undertaken a review of all patients receiving respite, and have, with the agreement of the respite patients and their families, amended the planned dates for admission for our regular respite patients to ensure that there is a consistent number of respite patients in Ramsey at any one time, avoiding peaks and troughs which could cause issues with maintaining a smooth flow of patients from Noble's to Ramsey.

580 There have been some cases where respites receiving regular respite at Ramsey have become too challenging for the ward to cope with, such as patients with advanced dementia that can prove a risk to staff, other patients and themselves. We have worked with colleagues from Adult Social Care to ensure that for this small cohort, respite has continued in a government operated respite facility that is equipped to care for patients with advanced dementia.

**2.6. Integrated Care Strategy –
Development and implementation**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care:

What progress has been made on the Programme for Government action: develop Integrated Care Strategy then implement?

585 **The Minister for Health and Social Care (Mr Ashford):** This was a new action for year 2 of the Programme for Government, and is working to a completion date of March 2021.

590 The Department of Health and Social Care tracks current year progress against each of its 16 Programme for Government actions. A consolidated summary of progress against each of these is prepared and reported against on a quarterly basis through the Department's governance structure.

The Department provides a quarterly update on its main website as part of a more detailed report on delivery against its annual service delivery plan.

595 The DHSC's vision for Integrated Care was launched at the Delivering Longer, Healthier Lives workshops that were held in September. The vision document was largely informed by 14 engagement sessions held with key stakeholders in May 2018. The September workshops were designed to continue engagement with key stakeholders and colleagues focusing on progress with pilot projects, making every contact count, my job matters and becoming an employer of

choice. A number of prestigious guests joined the events for the IOM's First Integrated Care Symposium.

600 The 'Pilot in the West' is due to commence in practice in February 2019, and to date significant engagement has taken place with the Communities in the West, as well as detailed planning with Third Sector partners and delivery colleagues across all professions and disciplines. The pilot's executive steering group will meet later in December (membership includes MHKs from the West, departmental Members, Third Sector – Chair of the CVO alongside Directors of
605 the DHSC, chaired by the Deputy CEO of the DHSC).

An update on a number of strands of the wider Integrated Care Agenda for all political Members of the DHSC has taken place on Monday, 17th December as planned.

2.7. Regulation and inspection of DHSC services – Progress on ensuring appropriate levels

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care:

What progress has been made on the Programme for Government action: ensure that all Health and Social Care Services have the appropriate levels of regulation and inspection?

The Minister for Health and Social Care (Mr Ashford): This was a new action for year 2 of the Programme for Government, and is working to a completion date of March 2021. It is a follow-on action from year 1, which was 'Investigate and make proposals for an independent health and social care regulator'.
610

The Department of Health and Social Care tracks current year progress against each of its 16 Programme for Government actions. A consolidated summary of progress against each of these is prepared and reported against on a quarterly basis through the Department's governance structure.
615

The Department provides a quarterly update on its main website as part of a more detailed report on delivery against its annual service delivery plan.

An update of progress to date is that in the mid to latter part of 2017 the Department made contact with a range of regulatory bodies across UK jurisdictions to establish those who would be both willing and legally able to conduct regulatory work of health and social care services in the Isle of Man.
620

During this time initial contact was also made with Channel Island jurisdictions to explore their approach to regulation.

The exploratory work established that one regulatory body, the Care Quality Commission (CQC), was both legally able to conduct regulatory work in the Isle of Man and potentially interested in doing so. The Department has therefore undertaken further exploratory work with CQC and has received from them an initial proposal which is currently being considered.
625

CQC do not currently inspect and regulate children and family social services or day service provision in England and therefore these aspects of social care provision in the Isle of Man are not included in the proposal.
630

**2.8. Digital transformation of health and care services –
Progress**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care:

What progress has been made on the Programme for Government action: continue to digitally transform the hospital and health and care services more generally?

The Minister for Health and Social Care (Mr Ashford): The Department of Health and Social Care tracks current year progress against each of its 16 Programme for Government actions. A consolidated summary of progress against each of these is prepared and reported against on a quarterly basis through the Department's governance structure.

635 The Department provides a quarterly update on its main website as part of a more detailed report on delivery against its annual service delivery plan.

In specific terms, digital transformation of the Hospital has to date seen the implementation of the Digital Health Record (DHR) via the Mediviewer system which went live at the end of 2017. This project digitised the paper medical records library and has been the key foundation
640 and enabler for a programme of further digitisation in the acute setting.

In addition to DHR, the Order Communication System (OCS) went live in October 2018 affording clinicians with the ability to order patient laboratory and radiology testing electronically, both within the Hospital setting and also for GPs and other community-based services. This provides a fast, efficient, transparent and inherently safer means of delivering
645 diagnostic care.

Current 'in flight' projects are concerned with delivering an electronic clinical assessments noting system (CAaN) and an electronic prescribing system (EPMA). Both projects are have gone through rigorous preparatory planning phases over the last 12 months, which has involved working closely with the respective system suppliers to design fit-for-purpose services, and they
650 are both scheduled to move in to delivery in 2019. Based on current delivery plans, CAaN will complete its rollout before the end of 2019 and a functionally enhanced EPMA will be in operation before the end of June 2020.

In due course, these combined systems are forecast to provide composite cashable benefit and efficiency savings of circa £2.8 million per annum, over the pre-existing modes of operation,
655 by effectively removing reliance on potentially error-prone and inefficient paper-based processes in favour of validated, transparent and more instantaneously creatable and accessible patient records. Moreover, they will ensure that future state-integrated care pathways that involve Hospital services will be underpinned by a robust digital infrastructure that interfaces effectively with the wider DHSC organisation in its delivery of care to the Manx public.

**2.9. DHSC children and family cases –
Records for last five years**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Health and Social Care:

How many children and family cases have been recorded in each of the last five years broken down by (a) type of referral (b) number of urgent cases dealt with outside of 9 a.m. to 5 p.m. and (c) number of cases deemed urgent on Saturday and Sunday?

660 **The Minister for Health and Social Care (Mr Ashford):** (a) The following Table 2.9A identifies all referrals received over the last five years by type of referral – the categories correlate to the Child in Need categories used in the UK.

NB: this year's figures are to the end of Quarter 2, i.e. 30/09/2018, and so do not represent a full year.

Table 2.9A

Referral by CIN Category	14/15	15/16	16/17	17/18	18/19 (to Q2)
N1 – Abuse or neglect	345	473	584	566	229
N2 – Child's Disability	31	41	39	22	19
N3 – Parental illness or disability	16	24	14	5	0
N4 – Family in acute stress	117	138	71	75	16
N5 – Family dysfunction	259	198	202	69	19
N6 – Socially Unacceptable Behaviour	82	60	27	6	3
N7 – Low income	4	3	0	0	1
N8 – Absent Parenting	37	39	45	28	3
N9 – Cases other than children in need	16	11	7	4	0
Grand Total	907	987	989	775	290

665 (b) and (c) The Department records only *new referrals received out of hours*, and does not differentiate between those on weekdays and those on the weekend.

670 NB: the numbers refer only to *new referrals* as the out-of-hours service also responds to emergencies on cases already allocated within the Department, and will undertake planned interventions at the request of the allocated worker such as and unannounced or planned visits to children to check on their welfare and safety.

Out of Hours Referrals	14/15	15/16	16/17	17/18	18/19 (to Q2)
	141	147	154	119	62

HOME AFFAIRS

2.10. Karran Report Inquiry into Parole System – Implementation of recommendations

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Home Affairs:

What progress has been made with implementing the recommendations of the Karran Report Inquiry into the Parole System?

The Minister for Home Affairs (Mr Malarkey): I am pleased to be able to inform the Hon. Member for Ramsey that considerable progress has been made.

675 Furthermore my Department has finalised its progress report which will be published in the New Year.

**2.11. Delivery persons entering homes without consent –
Protection for homeowners**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Home Affairs:

What protection a homeowner has to ensure that a delivery person does not enter a home without their prior knowledge and consent?

The Minister for Home Affairs (Mr Malarkey): It is extremely difficult to provide a meaningful Answer to such a general Question.

680 In general terms, there would not necessarily be any criminal offences committed in these circumstances because there may not have been any criminal intent in the actions of the delivery person. Trespass of this kind is not of itself a criminal offence. There may, however, be civil law issues and remedies, e.g. for trespass. Compliance with civil law and the enforcement of its remedies does not fall under the responsibility of my Department, so I am therefore unable to comment in this respect.

685 Perhaps the answer might be to ask the delivery person to leave and, if they refused, to then call the Police.

**2.12. Persons entering homes without consent –
Removal**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Home Affairs:

If a person enters a home without prior knowledge and consent, whether it is acceptable to remove that person; and how this should be done?

The Minister for Home Affairs (Mr Malarkey): In order to answer this Question, I have requested advice from the Attorney General's Chambers and this advice is as follows:

690 Reasonable (and therefore by implication, proportionate) force may be used in the defence of one's property, which includes the issue of a trespasser.

The owner of a home can use as much force as is necessary, provided it is reasonable and proportionate, either to prevent entry in the first place, or to remove once having entered.

The manner by which the reasonable force is applied would vary from case to case depending on its specific circumstances.

INFRASTRUCTURE

**2.13. Rent deposit protection and tenancy arbitration process –
Development; presentation to Tynwald**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

What progress has been made on the Programme for Government action: develop a rent deposit protection mechanism and associated tenancy arbitration process, together with

other necessary landlord and tenancy arrangements; and when will this work be presented to Tynwald?

695 **The Minister for Infrastructure (Mr Harmer):** The Landlord Registration Bill is a precursor to the secondary legislation required to bring forward a rent deposit protection mechanism and associated tenancy arbitration process.

The Landlord Registration Bill sits within the Programme for Government for Legislation 2018-19 and is presently being drafted; however it is too early in the drafting process to specify
700 when the Bill will be introduced into the Branches.

2.14. Residential street design and layout – Investment in improvements

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

What progress has been made on the Programme for Government action: invest in better design and layout for our residential streets?

The Minister for Infrastructure (Mr Harmer): The Department has made considerable progress on this Programme for Government action.

The Department applied for and received Treasury funding in 2017 of £500,000 per year over the next 10 years for improvements to residential roads across the Island. This capital is being
705 spent to upgrade roads and footways in residential neighbourhoods to fulfil the Programme for Government objective of making the Island a better place to live, as well as encouraging people to walk and cycle as part of the Government's Active Travel Strategy.

In May 2017, the Manual for Manx Roads document was created and published on the Department's website, which details the design requirements for all roads on the Island,
710 including residential streets. This replaced guidance that had been in place since the 1990s that reflected thinking from a different age.

The Manual for Manx Roads is used by both site developers and the Department in the design process. It points the designers towards best practice in street design and identifies standards that must be achieved.

2.15. Key worker housing to support population growth – Development and publication of plan

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

What progress has been made on the Programme for Government action: develop a plan for key worker housing by December 2018, to support the growth in population; and when will this plan be published?

715 **The Minister for Infrastructure (Mr Harmer):** The Department of Infrastructure have been working in partnership with a number of Departments to progress this action within the Programme for Government.

The officer working group has developed an action plan to enable the proposal to move forward.

720 There are no plans for this operational action plan to be published; however, the work coming forward from this working group, on the development of this policy, will come forward to Tynwald for approval as and when required.

**2.16. Housing provision –
Development and publication of work with housing providers**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

What progress has been made with the Programme for Government action: work with housing providers to identify and develop suitable alternative types of housing to meet the Island's future needs; which housing providers are being worked with; and when will the outcomes of the work be published?

The Minister for Infrastructure (Mr Harmer): Housing need is continually changing, therefore the Department analyses and monitors need, including the suitability and spread of alternative types of housing on an ongoing basis.

725

Within the Programme for Government, there is no end date for this aim and it is not a stand-alone piece of work that will be published on a given date. Some of the work related to this includes:

- Demographic and profiling studies;
- Benchmarking and market testing;
- Analysis of existing and predicted waiting lists;
- Stock suitability assessments;
- Specific workshops – housing design standards, housing needs studies, alternative tenure models, assessment of changing health and technological needs and others.

735

In order to do this, the Department works with a range of stakeholders, including:

- Planners;
- Housing developers;
- Local Authorities;
- The Third Sector;
- Health and social care specialists; and
- Cross-functional steering and project groups within Government

740

MANX UTILITIES

**2.17. Manx Utilities pre-payment meters –
Number of users; outstanding debt**

The Hon. Member for Ramsey (Mr Hooper) to ask the Chairman of Manx Utilities:

How many customers use pre-payment meters; how many of them have an outstanding debt; how much outstanding debt there is for pre-payment meters; how much is the largest single debt on a pre-payment meter; and what is the average debt across all pre-payment meters that hold a debt?

745 **The Chairman of Manx Utilities (Dr Allinson):** Note – similar information has previously been provided in an Answer to a Question in the House of Keys on 12th June 2018. The figures supplied can change on a daily basis and have been updated as below.

Number of customers using pre-payment meters	7,889
Number of pre-payment customers having an outstanding debt	270
Total outstanding debt there is for pre-payment meters	£52,774
Amount of the largest single debt on a pre-payment meter	£3,521.00
Average debt across all pre-payment meters that hold a debt	£195.46

It should be noted that Manx Utilities always encourage customers to discuss their debt issues with the customer services team. Switching to a pre-payment meter from a standard meter is an option offered to customers to help with budgeting and assisting in the gradual payment of existing debt.

Order of the Day

3. BILL FOR FIRST READING

3.1. Dormant Assets Bill 2018

750 **The Speaker:** Item 3, Bill for First Reading. I call on the Secretary of the House.

The Secretary: Bill for First Reading: Dormant Assets Bill 2018; Member in charge, Mr Shimmins.

**Procedural –
Leave granted to the Speaker to arrive late next sitting;
festive good wishes**

755 **The Speaker:** Hon. Members, I will remind you that there is a presentation in the Barrool Suite immediately after the sitting.

I also would like to request the leave of the House to be late arriving to the next regular sitting of the House on 22nd January, in order to attend an event marking the centenary of the Dáil, with presiding officers from other European parliaments. Would that be acceptable to Hon. Members?

760

Members: Agreed.

The Speaker: I will be here as soon as I can.

765 That then concludes the business of the House. May I wish you all a Merry Christmas and a Happy New Year. Nollick ghennal as blein vie noa.

The House now stands adjourned until 10.30 a.m. on 15th January in Tynwald Court.

The House adjourned at 10.31 a.m.