



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

HANSARD

Douglas, Tuesday, 29th January 2019

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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 (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: It would appear this morning that we are without a Chaplain, so I shall lead us in prayer.

PRAYERS

The Speaker

Leave of absence granted

The Speaker: Hon. Members, looking round the Chamber, I had an indication that Mr Boot was going to be late due to the late arrival of the inbound aircraft. I also have given leave to Mrs Beecroft and Mr Malarkey.

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1. Questions for Oral Answer

CHIEF MINISTER

1.1. Isle of Man EU Settlement Scheme – Laying before Tynwald; opening date for registration

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

When the Isle of Man EU Settlement Scheme will be laid before Tynwald; and what date registration will be open?

The Speaker: We turn, then, to Questions for Oral Answer and we will start, in the traditional manner, with Question 1. I call on the Hon. Member for Ramsey, Mr Hooper.

Mr Hooper: Thank you, Mr Speaker.

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I would like to ask the Chief Minister: when will the Isle of Man EU Settlement Scheme be laid before Tynwald and what date will registration be open?

The Speaker: I call on the Chief Minister to reply.

The Chief Minister (Mr Quayle): Thank you, Mr Speaker.

20 The Isle of Man has committed to implementing an EU Settlement Scheme which will align as closely as possible with the United Kingdom Settlement Scheme, allowing the two settlement schemes to ensure consistency and simplicity for EU nationals living on the Isle of Man and for EU nationals who wish to move between the Isle of Man and the United Kingdom.

25 The EU Settlement Scheme is set to fully launch on 30th March 2019, the same date as the United Kingdom will launch their scheme. Applications to the Isle of Man Settlement Scheme may begin on this date. There will be no fee for the settlement scheme application.

30 The Isle of Man's EU Settlement Scheme will be introduced in exactly the same way as the United Kingdom, as a new appendix to the Immigration Rules, Appendix EU. Appendix EU will be introduced via a Statement of Changes in Immigration Rules once the United Kingdom has completed any final amendments to the Settlement Scheme. The date that the Statement of Changes in Immigration Rules will be laid before Tynwald is therefore dependent on when the United Kingdom makes the final amendments to their scheme. It is anticipated these Rules will be laid before Tynwald at either the March or April sittings.

35 **The Speaker:** Supplementary question, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.

40 I would like to thank the Chief Minister for his Answer. I would also like to thank him for agreeing to waive the fees for EU nationals. I saw the announcement on Twitter, which has made me worry a little bit that he was going to be starting to follow Donald Trump's attitude towards policy announcements, but I am grateful that he is doing that.

45 He says that the Isle of Man scheme will be opening on the same date as the UK scheme: 30th March. I wonder if the Chief Minister is aware that the UK scheme is already open in a test phase to allow certain members of the public to apply early in order to grant them some kind of certainty, and if he is aware that Jersey have announced they are opening their scheme on 11th February, which is obviously well in advance of the UK scheme launching. So my question to the Chief Minister is: why are we not launching our scheme early in order to give Isle of Man residents – EU citizens on the Isle of Man – that certainty that they will have settled status after Brexit day?

50

The Speaker: Chief Minister to reply.

The Chief Minister: Thank you, and first and foremost may I thank the Hon Member – I am honoured that he follows me on Twitter! *(Laughter)*

55 Mr Speaker, I think the Hon. Member answered his question in his question. It was a test; that is what the UK did.

60 Our colleagues in the Channel Islands are perfectly capable of opening whatever they want, but I cannot see the point in opening a scheme when we do not know what the scheme exactly is going to be. We have agreed that we will closely monitor the UK scheme and we will follow theirs. If our colleagues in Jersey have decided to have a resettlement scheme slightly different to ours, then that is their choice but we have chosen to closely monitor the UK scheme and therefore cannot see the point in opening something before we know what the final rules and regulations are.

65 I think it is incredibly important that we do state time and time again that EU nationals living on the Isle of Man – I think there are circa 4,200 living on the Isle of Man – are welcome to the Isle of Man, we wish them to stay, their time already based here will be counted for the five-year Settlement Scheme period and we will obviously be issuing far more press details once we know what the final UK scheme will be.

The Speaker: Supplementary question, Mr Robertshaw.

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Mr Robertshaw: Thank you, Mr Speaker.

I thank the Chief Minister for his detailed and quite technical answer, but in simple layman's terms ... As those outside listen to this, aware of all the complexities and uncertainties that exist around the whole Brexit matter, is he able to clarify in very simple terms what those subject to this might very well expect afterwards? Are they safe on a continuing basis to live and work in the Isle of Man as full citizens? If he can capture a simple statement to that effect, I would be most grateful, Mr Speaker.

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The Speaker: Chief Minister to reply.

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The Chief Minister: Thank you, Mr Speaker.

I thank the Hon. Member for enabling me to clarify it, and I will do my utmost to clarify it in as simplistic a form as possible.

If you are an EU national living on the Isle of Man, then as long as you comply with the five-year term of residence in the Isle of Man you will receive settled status and you will be able to apply for that up to 31st December 2020. After that, it really will be dependent on what the United Kingdom agree – whether they have a hard, non-negotiated Brexit or a negotiated settlement. But irrespective of no deal or a deal, we can guarantee that the Settlement Scheme will continue to run until 31st December 2020, so anyone currently on the Isle of Man, and their family, is absolutely safe.

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The Speaker: Supplementary question, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.

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The Chief Minister keeps talking about a final scheme in the UK. I may be wrong in this, but my understanding is that the UK has already got their final EU Settlement Scheme. The whole purpose of the public test phase is to test the technical processes and the application process because there are going to be so many people applying for it. So I would just like some clarity from the Chief Minister on whether or not he believes the UK scheme will be subject to further amendments. As far as I am aware, the scheme that they are using now is the final set of rules and regulations; it is just the application process that is being tested. And if we are only going to be opening our system on 30th March, which is the day the scheme goes live, what sort of public testing will there be, given that there are over 4,000 EU citizens on the Isle of Man? That is going to be a substantial number of people who are going to be trying to use this new system for the first time, probably on or just after launch day, so what assurances can he give that the system will be able to cope with that number of people?

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The Speaker: Chief Minister to reply.

The Chief Minister: Thank you, Mr Speaker.

The advice that we have received is that until that date the UK may be looking at minor tweaks – so we are not looking at major tweaks but minor tweaks that may happen – and therefore we have felt it prudent that until we know how the final scheme is going to appear it would be pointless going ahead with something that differs.

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We want to closely align ourselves, and by closely aligning ourselves that will mean – and I do not think I got this element out – that you would be able to live say for three years in the Isle of Man and then seamlessly move into the United Kingdom and do two years there, and then you would have your five-year residency order. That is why it is so important that we personally feel on the Isle of Man that we closely align ourselves with the UK scheme, so that any EU national living on the Isle of Man will have no concern that, if they need to leave the Island or come over

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to the Isle of Man from the UK having maybe only done two years say in the United Kingdom, their rights will not be affected. That is why that element is absolutely key.

125 I can only assure Hon. Members that our officers in the Cabinet Office who deal with immigration will do their utmost to ensure that there is not a crash, but as all residents on the Isle of Man ... It is not a case that on 30th March 2019 they should register and that is the only date; they will have a full year to register. So yes, I should imagine those who are super keen on paperwork will maybe go ahead on the first couple of days; I would be disappointed if our office was unable to cope with the situation.

130 **The Speaker:** Supplementary question, Mr Callister.

Mr Callister: Thank you, Mr Speaker, and I thank the Chief Minister for his answers this morning, but can I ask him what would happen if somebody failed to comply with the application? I make reference to police checks that are going to be carried out and what the process will be at that particular junction, if the Chief Minister could just elaborate on that point, please.

The Speaker: Chief Minister to reply.

140 **The Chief Minister:** Thank you, Mr Speaker.

I think an element of it will ride on whether or not we have a negotiated deal. If there is a negotiated deal, then there will be a six-month potential period after for any problems to be sorted out. If there is not a negotiated deal, then on 29th March 2019 the scheme will start – though, as I said before, they would have until 31st December 2020. I think we would need to take this on a case-by-case basis. If the Hon. Member has a constituent with a problem, then I am more than happy, if they would like to send me details, to have my team look at that individual case.

150 **The Speaker:** Supplementary question, Dr Allinson.

Dr Allinson: Thank you, Mr Speaker.

Would the Chief Minister agree that, unfortunately, there seem to be daily changes with Brexit plans over in the United Kingdom – to the point where last week the Prime Minister went back on the plan to charge people, meaning that they then had to refund some of those people who had gone through the trial process – and surely waiting for the eventual decision of the United Kingdom makes sense?

160 Can I also thank him for his statement today, which shows that it will be business as usual for those EU residents on the Isle of Man who have the security that during a long transition period they can register, but also the reciprocal nature of their time spent in the United Kingdom and on the Isle of Man will hopefully help recruitment for those people who want to work on this continent.

The Speaker: Chief Minister to reply.

165 **The Chief Minister:** Thank you.

I thank the Hon. Member for Ramsey, whose area it is in the Cabinet Office and who therefore is exceptionally knowledgeable on the said topic.

170 We are doing our utmost. I had the joy of being in Westminster all day yesterday and being stuck in the airport for a few hours trying to get home again. The situation is changing all the time and I think today the Parliament in the UK will be voting on the options that the Speaker over there ... the five that he agrees to be debated now. Should they amazingly reach a majority

on one of those options, then that may well give us a clear indication of where the Immigration Rules are going to go forward.

175 I would like to reiterate that EU nationals living on the Isle of Man are safe, they can apply. If they have not already got their five-years residency, they will be counted as being here, and as long as they stay for five years or stay in the UK and the Isle of Man combined for a five-year period, they are welcome and will be allowed to remain without any problems whatsoever.

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

Mr Moorhouse: Thank you, Mr Speaker.

Does the Chief Minister have any indication of the people involved in this application process?

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

190 **The Chief Minister:** Yes, Mr Speaker, I thank the Hon. Member for that question. I think in the Census in 2016 the number of EU nationals living on the Isle of Man was 4,184, so hopefully – my colleagues in the Department for Enterprise, helping to grow the working population – that will be slightly higher by now.

The Speaker: Supplementary question, Miss Bettison.

Miss Bettison: Thank you.

195 The Chief Minister mentioned that the deadline for applying would be 31st December 2020, but in the UK scheme that is only if there is not a deal. Can he confirm that if there is a deal we would follow to 30th June 2021, as per the UK scheme? Or does he just know something we do not after his visit yesterday? *(Laughter)*

200 **The Speaker:** Chief Minister to reply.

The Chief Minister: Thank you. I will happily read out the official statement:

In the event of a 'no deal' scenario when the UK leaves the EU on 29 March 2019, there will continue to be a Settlement Scheme for EU nationals who are already here (in the IOM/UK) before 30 March 2019.

The UK has confirmed that in this scenario, the Settlement Scheme will continue to run until 31 December 2020 as planned, despite there being no agreed implementation period. However, there will not be a six month 'grace period' for applications after 31 December 2020. The new immigration system will be implemented from 01 January 2021.

That is in a no-deal scenario.

INFRASTRUCTURE

1.2. Ramsey bus and tram stations – Update re improvements

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

What progress has been made in relation to improving the Ramsey Bus and Tram Stations; and if he will make a statement?

205 **The Speaker:** We will move on. Question 2 and I call on the Hon. Member for Ramsey, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.
I would like to ask the Minister for Infrastructure: what progress has been made in relation to improving the Ramsey bus and tram stations, and will he make a statement?
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The Speaker: I call on the Minister for Infrastructure to reply.

The Minister for Infrastructure (Mr Harmer): Thank you, Mr Speaker.
I am pleased to inform the Hon. Member that considerable progress has been made in this area. The Department has been busy preparing a fully integrated design for the tram station site that meets the needs of the transport network, our visitor economy and the local community.
215

A large range of draft strategic design options have been prepared and assessed. The local Commissioners have also been involved in this early design stage to ensure that the solution is appropriate to the needs of the town and that opinions of the local authority are included in any proposed scheme from the start.
220

A draft design based on the various needs has now been developed and is currently being assessed for cost and technical feasibility. Working with various stakeholders will proceed to create and refine the design for further consultation and submission to Planning.

It is expected, subject to successful value analysis, technical design and approvals, that a draft plan will be available late summer 2019.
225

The Speaker: Supplementary question, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.
I would like to thank the Minister for that very positive message. I am quite reassured that he intends to go out to consult as well with the local community. I think that is quite important.
230

One question I have for him is ... I am sure the Minister is aware that the development of these sites is quite heavily interlinked with a number of other housing or proposed housing developments in and around Ramsey, and I am just wondering what assurances he can give us that this plan that is going ahead now is not going to cause any more delays to any of those other housing developments.
235

The Speaker: Minister to reply.

The Minister: Yes, thank you, Mr Speaker.
No, this will be a separate scheme and it has been appraised on that basis. So there will be no delays on any other housing schemes.
240

EDUCATION, SPORT AND CULTURE

1.3. Secondary school students – Key initiatives to assist in achieving full potential

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

What key initiatives the Department will pursue in 2019 to help all secondary school students achieve their full potential?

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

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Mr Moorhouse: Thank you, Mr Speaker.

I would like to ask the Minister for Education, Sport and Culture: what key initiatives will the Department pursue in 2019 to help all secondary school students achieve their full potential?

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The Speaker: I call on the Minister for Education, Sport and Culture to reply.

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

255

My Department will continue to work to improve standards of provision and outcomes in high schools for all students through the process of quality assurance. This process starts with the schools providing evidence to the school improvement team, which provides an evaluation of each school, ensuring they are in a position to continue to improve.

In addition, the school improvement advisers offer support and challenges to schools, enabling schools to think critically about their work, and challenge, where necessary, the validity of their evidence base with regard to students at all levels.

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Finally, the Department remains committed to the process of external validation of all schools, which ensures there is an independent and rigorous view of the schools' work with students.

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In addition to the above, the Improvement Service will be seeking to continue to build on collaboration between schools as well as providing opportunities for staff professional development and capacity building across the system, continue to offer opportunities for dialogue between school leaders and those who work centrally through their attendance at termly senior leader meetings, half-termly headteacher meetings and heads of subject meetings twice per year.

270

Schools also have their own specific improvement priorities depending upon identified areas of improvement. The Department will also be working towards achievement of objectives within the Programme for Government, including expanding vocational employment and skills training provision, ensuring that our young people have the skills and knowledge to enter the workplace, ensuring our education is responsive to the future employment needs.

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The Speaker: Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker, and thank you, Minister.

280

From September 2019, Ofsted will be promoting the importance of schools delivering rich curriculums and giving less credit to schools that focus on exam success at the expense of a broad education. Will this influence departmental policy?

The Speaker: I call on the Minister to reply.

The Minister: Thank you, Mr Speaker.

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I would like to thank the Member for that question, because it is quite interesting to see that Ofsted in the UK, with the new leadership, have actually started to look at the way that the Isle of Man is doing it. So it is quite pleasing to see that they are probably looking to follow us.

The Speaker: Supplementary question, Mr Moorhouse.

290

Mr Moorhouse: Thank you, Mr Speaker.

Will the Minister look at the full impact of producing ESO support on primary classrooms? Their focus might be on one child but their impact is on many.

295 **The Speaker:** This particular Question is about secondary education – if we stick to that, if that is okay. (**The Minister:** Next one.) We will come to primary school education next.

**1.4. Primary school students –
Key initiatives to assist in achieving full potential**

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

What key initiatives the Department will pursue in 2019 to help all primary school students achieve their full potential?

The Speaker: In which case, we will move on to Question 4. I call on the Hon. Member for Arbory, Castletown and Malew to ask Question 4.

300 **Mr Moorhouse:** Thank you, Mr Speaker.

I would like to ask the Minister for Education, Sport and Culture: what key initiatives will the Department be pursuing in 2019 to help all primary school students achieve their full potential?

The Speaker: I call on the Minister for Education, Sport and Culture to reply.

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

The Department's Education Improvement Service will continue to improve standards of provision and outcomes in its primary schools by a process of quality assurance.

310 This process begins with schools being asked to provide evidence of their own evaluations of themselves, thereby ensuring they are in a position to continue to improve. In addition, a small team of school improvement advisers will offer support and challenge to schools, enabling schools to think critically about their own work and challenging, where necessary, the validity of their evidence base.

315 In addition to the above, the Improvement Service will be seeking to develop further collaboration between the schools, including opportunities for them to review and evaluate each other; research and training around effective use of support staff; equality, diversity and inclusion in schools, including adherence to the relevant clauses in the Equality Bill. And schools of course will also have their own specific improvement priorities, and of course the Department will be continuing to work towards achievements and objectives of the Programme for Government.

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The Speaker: I am pretty sure Mr Moorhouse has a supplementary question!

Mr Moorhouse: Thank you, Mr Speaker. Thank you, Minister.

325 Will the Minister look at the full impact of reduced ESO support in primary classrooms? Their focus might be on one child but their impact is on many.

The Speaker: Minister to reply.

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

We are having a look across our special educational needs. We are looking at the devolved financial budget for those. So the area is actually being looked at.

The Speaker: Supplementary question, Mr Shimmins.

335 **Mr Shimmins:** Thank you, Mr Speaker.

I listened to the Minister for Education's responses to the Question and the previous Question, which basically said, 'We will continue. We will continue. We will continue.' The question was about new initiatives. Can the Minister tell us is he not introducing any new initiatives? What new initiatives does he have to improve?

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The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

345 I think the Question says key initiatives not new initiatives. So the key initiatives are we are doing a lot really well. When you look at how Ofsted are looking to change what they are doing in the UK I think we should be proud of our education system. When I speak to the unions and teachers they are really pleased with the education system in the Isle of Man. We have a lot to be proud of and that is why a number of jurisdictions actually come over here to look to see what we are doing and hopefully copy and give their children the same opportunities.

350 But, as the Hon. Member says, we are always trying to improve. That is why the staff are out there on training sessions and if they see any initiatives that they think we should bring forward I am sure the headteachers will be keen to do that in their schools.

The Speaker: Supplementary question, Ms Edge.

355

Ms Edge: Thank you, Mr Speaker.

I am just interested to ask the Minister if he could clarify why external validation is appropriate in secondary education, but he does not feel it is appropriate, or he certainly did not mention it, for primary.

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The Speaker: Minister to reply.

The Minister: Sorry, Mr Speaker. I did miss it out to try and make it a bit shorter.

365 *And finally, (Laughter)* the process of external validation of all schools will continue, ensuring an independent and rigorous view of schools at work!

The Speaker: Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker.

370 Will the Minister continue to build an increased emphasis on supporting mental health of students and teachers, and how does he envisage this going forward?

The Speaker: Minister to reply.

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

I think that is something that we are all very much aware of now, the mental health state, so it is something that the Department, and through my colleagues in Safeguarding and Inclusion, we are constantly looking at.

380 **The Speaker:** Supplementary question, Mrs Caine.

Mrs Caine: Thank you, Mr Speaker.

385 Could I ask the Minister, because the very word 'initiative' would suggest to me that it is a new method of challenging and improving both primary and secondary education, so initiatives are new and, like the Hon. Member, Mr Shimmins, I am not really hearing any new methods that the Department is coming up with.

390 But I would also really like to challenge him to say, considering Ofsted is now looking at a richer, broad curriculum, would there be any possibility that the Department would consider outside assessment by Ofsted or a similar body? Is there any possibility we could challenge the Department to do some benchmarking of Island schools with those on the adjacent islands?

Thank you, Mr Speaker.

The Speaker: Minister to reply.

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

I know the Hon. Member is a key mover for league tables, but I think what Ofsted has recognised is league tables are damaging to our children. We have just had a question regarding mental health, regarding our young people, and I would challenge you to go out and see the damage they are saying in the UK that these league tables have actually caused young people.

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The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

405 Just with regard to the Minister, he did include external validation there; I wonder whether he would circulate the last external validations for each of the schools? It would be really helpful to view them, if he will do that.

410 Yes, I keep hearing that we are world class and we are leaders in the Island; however, previous Questions in the House with regard to the external validation and obviously with regard to Ofsted ... it seems to be a complete no-no. Can the Minister advise why this is felt, because all he has talked about is internal validation and peer validation, and it would be great to see these reports to see how our schools are validated.

The Speaker: Minister to reply.

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

These reports are published on the school website and they are publicly available. If the Hon. Member wants the latest lot of external validations I will ensure that Hon. Members are circulated with them.

420 **The Speaker:** Supplementary question, Mr Baker.

Mr Baker: Thank you very much, Mr Speaker.

425 Would the Minister agree with me that Ofsted's recent announcement that they need to broaden and enrich the curriculum is a direct consequence of the harmful impact of league tables and the excessive focus that has been driven by Ofsted's inspection regime in the UK?

430 Furthermore, the announcement yesterday from the UK government of easing the burden on teachers by taking away unnecessary administration and giving them more flexibility is again a symptom of the same issue, and that these issues are not the same in the Isle of Man due to the Department's conscious decision not to go down this route of league tables, of the use of organisations like Ofsted, and that that actually is an endorsement of the approach that the Department has taken?

The Speaker: Minister to reply.

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

Yes, I agree with the Hon. Member. For many years the Department has looked at this. In areas regarding SATs: the Isle of Man stopped doing SATs and the UK has now stopped doing SATs. So surely what I was saying previously is we should celebrate that we are giving our young

440 people these opportunities, that they are not constantly under pressure for these league tables and the distress that it actually causes them. How many Hon. Members went ...? How much stress are you going through on election day? Tests create stress for a lot of people.

The Speaker: Supplementary question, Mr Shimmins, after which I have two more and then I am drawing a line under this subject.

445 Supplementary question, Mr Shimmins.

Mr Shimmins: Thank you, Mr Speaker.

The question of, 'Is an initiative a new thing or not?' is actually covered quite well in the *Cambridge English Dictionary*, where the first definition is:

A new plan or process to achieve something or solve a problem.

450 Is the Minister for Education really saying there are not problems in our education system and we should not look to improve further?

The Speaker: Minister to reply.

455 **The Minister:** Mr Speaker, I think when we bring trainers over to teach our teachers and our leaders, that is when the new initiatives are coming through. So we are saying that we are bringing people over to the Isle of Man who are talking to our senior leaders. I was recently at one of the senior leaders ... as were most of the Members of my Department; I think most of them turned up during the day for the speakers that were coming in. The diversity speaker that we had in the Barrool Suite not many days ago had been round in our schools, so the schools are, in areas, bringing in new initiatives.

The Speaker: Supplementary question, Dr Allinson.

465 **Dr Allinson:** Thank you, Mr Speaker.

Would the Minister agree that one of the key initiatives of his Department is to maintain social inclusion, to maintain one of the most inclusive education systems in the British Isles, which is impossible to benchmark against schools in adjacent isles that deliberately game the system to achieve better results?

470

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

475 Yes, I would agree with the Hon. Member. Our schools are inclusive. In the adjacent island they have special schools where they put children with additional educational needs. They have pupil referral units where they send all their naughty children. Our school system is inclusive. We try to have an inclusive system for them.

The Speaker: Final supplementary, Hon. Members. I turn to Ms Edge.

480

Ms Edge: Thank you, Mr Speaker.

I am just wondering if the Minister would confirm when was the last time he actually spoke to or surveyed his employees to see about the validation process and whether they are comfortable with the validation process or whether they would prefer Ofsted within our schools?

485

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

490 I think any review of people, of what they are doing, they question, and they would say, yes, we tried to look at another area; whether they would like the additional area, trying to get a consensus of that, I think you have got as much chance of getting a clear Brexit as a consensus about whether they want one body reviewing them or another.

TREASURY

1.5. Supporting people returning to work – Statement

The Hon. Member for Ramsey (Dr Allinson) to ask the Minister for the Treasury:

Further to his Written Answer in January in Tynwald, if he will make a further statement on his plan to help people who are off work owing to sickness, to return to employment?

The Speaker: We turn to Question 5, and I call on the Hon. Member for Ramsey, Dr Allinson.

495 **Dr Allinson:** Thank you, Mr Speaker.

I would like to ask the Minister for the Treasury: further to his Written Answer in January to Tynwald, will he make a further statement on his plans to help people who are off work owing to sickness, to return to employment?

500 **The Speaker:** I turn to the Minister for the Treasury to reply.

The Minister for the Treasury (Mr Cannan): Mr Speaker, I do not think I need to remind Hon. Members of the significant criticism that the last administration received regarding the Personal Capability Assessment Scheme administered by Dependability and which was brought to a rapid
505 end. However, Members will also recall, I hope, that we did initiate a review into this matter and Tynwald clearly supported the findings in the Lancaster Report that we should take a holistic approach to helping individuals who have been on long-term incapacity benefits into work when they are capable of doing so.

Mr Speaker, I can confirm that, since the Tynwald sitting on 15th January, the Treasury
510 continues to give further thought to this matter. But employment advisers do continue to hold work-focused conversations, where requested, with recipients of long-term incapacity benefits to better understand, at an individual level, what their aspirations are to return to work and what help they need to enable them to do so. Employment advisers would guide benefit claimants through the opportunities for work training, retraining and other forms of support
515 which are available through the Job Centre and may be appropriate to them according to their current and future capacity to work. Where appropriate, Mr Speaker, reference would be made to a disability employment adviser who may be able to offer further advice and assistance.

We do continue to discuss with the Department for Health and Social Care how we can best
520 deliver the right support to ensure those who are capable of working and who are appropriately considering work are enabled to do so.

The Speaker: Supplementary question, Dr Allinson.

Dr Allinson: Thank you, Mr Speaker.

525 I would like to thank the Minister for his comprehensive reply. I would also remind him that in March last year, in another place, he made a very well-received statement about this whole

issue and again he emphasised the introduction of a holistic approach and said that really what we needed was less checking up, more helping up. At the time, he stated:

Additional staffing will include a GP supported by an occupational health psychologist and a physiotherapist. The existing GP sick note will be changed with appropriate training for GPs to encourage patients to focus on the pathway back to work from the start of the process.

I would like to ask him whether this model is going to be pursued over the coming year.

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The Speaker: Minister to reply.

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The Minister: The answer to the question, I think, Mr Speaker, is that we are continuing to work with the Department for Health and Social Care to make sure that a complete process is in place.

I am sure the Hon. Member will understand, particularly given his background, that these cases are sensitive and need to be handled in both a professional manner and indeed in a considerate manner and a holistic approach involves, as he rightly points out, both GPs right through to an end conclusion and may involve multiple parties.

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I think what we are needing and struggling to do is to get this in place, given the multiple pressures on the Health Service, and we need to make sure that when we are going through effectively an occupational therapy return to work process in a holistic manner that those qualified professionals in the Health Service are able, in fact, to manage that workload appropriately.

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I think he will understand, obviously, with some 2,200 people receiving long-term incapacity benefits, which is approximately a figure which has been in place for some time, that providing an end-to-end solution effectively needs to be handled extremely sensitively. So I think what I would ask for him is just to give us a little bit more time to try and get this almost into some form of comprehensible process so that Hon. Members can clearly understand what the pathways are.

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But I would also ask Hon. Members to understand that delivering a concise, clear programme which follows a black and white, rigorous, numbered pathway does not necessarily meet everybody's case and what we are trying to do is to make sure that we have this holistic approach which ensures that any pathway back to work has certain safeguards and a certain measure of understanding so that individuals who have multiple reasons for being on incapacity benefit, can be treated appropriately.

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HEALTH AND SOCIAL CARE

1.6. Ramsey and District Cottage Hospital – Update re physiotherapy self-referral service

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

Further to his statement in July regarding physiotherapy services at the Ramsey and District Cottage Hospital, if he will make a further statement on the self-referral service?

The Speaker: Question 6. I call on the Hon. Member for Ramsey, Dr Allinson.

Dr Allinson: Thank you, Mr Speaker.

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I would like to ask the Minister for Health and Social Care: further to his statement in July regarding physiotherapy services at the Ramsey and District Cottage Hospital, will he make a statement on the self-referral service?

The Speaker: Minister for Health and Social Care to reply.

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

Recruiting the professional staff needed to be able to reopen the satellite units in the north and the south of the Island for self-referral physiotherapy is proving difficult. The jobs have been changed to incorporate a wider breadth of service delivery and to make the roles more attractive to candidates. We have been working hard with universities, agencies and the specialist recruitment team in OHR to attract candidates to apply for vacancies, but we have again this month had no one apply.

570 There is a severe shortage of physiotherapists across the UK and Europe. We have recently recruited two new members of staff, but both of these candidates need visas and this is currently in process. This still leaves the section short by three staff. The staffing establishment for the self-referral team was originally designed to manage 5,500 contacts per year. A later restructuring of the service increased capacity to approximately 6,700 contacts per year. Over 575 the last six years the capacity required within the service has increased to more than 10,000 contacts per year and so demand currently far outstrips our capacity.

We have looked at other ways to deliver the service, including shared care with private practitioners under a networked contract, but local private physiotherapists have expressed no interest at the moment in working with the Department. Services could be provided definitely by working within GP practices as first-contact physiotherapists, but again we would need to be able to recruit to those staff vacancies.

580 Due to various difficulties, we have had to continue to deliver the physiotherapy self-referral from a central base to ensure there is safe delivery of care and to maximise the existing capacity we already have.

In closing, Mr Speaker, in July in another place, as the Question alluded to, I stated that when our capacity increases in terms of staffing we will reopen our satellite units again in Ramsey and Port Erin and I am happy to reinforce that statement once again here today, that I continue to be committed to that. I see physiotherapy as a community service and that means it should be a service delivered in the community.

590 **The Speaker:** Assuming the Hon. Member is not going to accuse the Minister of massaging the figures, Dr Allinson, a supplementary question.

595 **Dr Allinson:** Thank you – I think – Mr Speaker.

Would the Minister agree that self-referral services such as physiotherapy, audiology and psychological therapies not only allow patients to access health services when they need them but relieve pressure on general practice?

600 But would the Minister also acknowledge that the current system of only booking five days in advance for physiotherapy means that many patients may have to spend weeks phoning the service each morning at eight o'clock just to access the service, and this is not a problem just for the people of the north but across the Island?

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

The Minister: Thank you, Mr Speaker.

I most certainly do acknowledge there is a problem and I have discussed it with the Hon. Member for Ramsey – both Hon. Members for Ramsey, in fact, in relation to that.

610 Obviously, we have got two members of staff due to commence work but it is obviously visa dependent, so they are currently in the UK immigration system. Until we actually have their case numbers we are not able to inform our Immigration Office to find out where they are in the process. Once those two come on board, then there are things that we can look at because our

615 capacity is expanded by two; but we will still be three members of staff short, so it is unlikely that boost of two will allow us to reopen the satellite units.

One of the things that is crucial – and this is why I am pushing for this service to have the staffing and the expansion that it requires – is, as the Hon. Member rightly says, it does link into other treatments and prevention as well, so it is important that they are up to staff. But there is a shortage of physiotherapists both across the UK and wider in Europe and unfortunately we are affected by that as well, so all we can do is continue to advertise and hope that we can fill the vacancies.

The Speaker: Supplementary question, Mr Hooper.

625 **Mr Hooper:** Thank you very much, Mr Speaker.

I would like to thank the Minister for his answer and his firm commitment to restarting the service in Ramsey and in the south.

I think it is safe to say this is not the only service within Health that is struggling with vacancies and staffing and as a result is being curtailed by the Department. So my question to the Minister is: what additional measures is he taking to make sure these vacancies are filled? His last comment there – we will just continue to advertise and hope that the vacancies are filled – seems an entirely inappropriate way of dealing with this problem. Are they exploring other avenues – incentive payments, key worker housing? What is it the Department is doing above and beyond simply registering the job with an agency and hoping for the best?

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The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

I did say in the original Answer that we had actually changed the jobs, so one of the things we have been doing is allowing the roles to expand so there are more challenges within them to encourage candidates. There have been, in previous adverts, incentive payments and it still has not brought anyone forward.

In terms of what the Hon. Member for Ramsey said about curtailing of services, it is not about curtailing of services; it is about ensuring that the services we deliver can be done in a safe way. We could have tried to keep the satellite units open, but the advice was that that would not have provided a safe service, and as the Department of Health and Social Care one of the things we have got to be absolutely fundamentally certain on is that the services we are providing are safe. So that is why it has been centralised.

I do want to see the satellite units reopened, but equally there is a shortage of physiotherapists across the UK as well – the UK NHS is in exactly the same situation in Scotland, Wales and England – and basically, if people are not coming forward and applying and they are not applying in NHS England either, then there is not much we can do in relation to that. We have tried the incentive payments and equally that brought no one forward.

655 **The Speaker:** Supplementary question, Mr Baker.

Mr Baker: Thank you, Mr Speaker.

I think the Hon. Member for Ramsey is on the same lines as myself. There is a recurring theme here around recruitment as being a key challenge for the Health Service and it is broader than just physiotherapy, so my question, very much along the lines of Mr Hooper's, was: has the Department got the right approach? Does it have sufficient flexibility to attract the right candidates, which of course is not just good for the Health Service but it is also good for the Island in terms of the need to grow our working population?

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

The Minister: Thank you, Mr Speaker.

670 Yes, I do believe we do. There are recruitment problems in certain areas, and again if you look at that it mirrors England. I would personally say we are actually in a better position recruitment-wise than if we look across the water to the NHS, particularly NHS England in some of the roles they are trying to fill.

675 One of the things that the Hon. Member for Ayre and Michael said that I think is absolutely crucially important is he mentioned the right candidates, and that is just as important as anything else. It is not just a case of filling a vacancy with a person and off you go. We have got to make absolutely certain that the people we are recruiting are the right people for those vacancies as well.

680 So yes, there are challenges, but I think actually there is a lot of change going on in the Department and there is a lot of change going on in healthcare in the Island, and I think it is a very exciting time for people to be joining our NHS here in the Isle of Man because there is change and we are moving forward with an integrated care strategy and community services such as physiotherapy. So I think now, if ever, is a very good time for people to be coming forward, applying for these vacancies and getting involved, because I think they have a real opportunity to do something different over here in the Isle of Man.

685 **The Speaker:** Supplementary question, Mr Perkins.

Mr Perkins: Thank you, Mr Speaker.

Have the Minister and his team considered training physiotherapists on the Island to give our young people the chance to better themselves?

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

The Minister: Thank you, Mr Speaker.

695 We obviously do the training for nurses and also mental health nurses that has been set up, and the first cohort of nurses graduated last September. In relation to the training of physiotherapists, I think it has been something that has been looked at but I will go back and check. Obviously there are costs involved in training, so we have set up for mental health and we have for the general nursing base, but we have got to be very careful about going down the route of trying to train individual specialities because the costs will very quickly escalate and I would much rather that the money was spent on frontline health.

700 **The Speaker:** Final supplementary, Mr Perkins.

Mr Perkins: I thank the Minister for his reply.

705 The long-term costs are probably worse than actually initiating training, because if you cannot get people where does the Island stand?

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

710 I do not think that is quite correct. After this there will be three members of staff down. One of the problems with training programmes is they have to be ongoing. They are not a moment in time where you set it up. If we were running a physiotherapy service the size of say a hospital trust in the UK, or several hospital trusts, it would make sense because every year you would need people graduating and coming forward into the system. What you do not want to do over here is set up something in a speciality where you have got people graduating each year, you fill your vacancies and those people have got nowhere to go. You are just providing more at this end. That is why we have focused on mental health and we have also focused on nursing,

720 because that is where there is a huge bulk for people to be able to go in and obtain jobs when they qualify. But like I say, again, trying to train in individual small specialities could actually turn out to be quite costly for the Island.

HOME AFFAIRS

1.7. Drivers under the influence of drugs and alcohol – Numbers stopped over Christmas and during 2018

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

How many drivers were stopped for driving while under the influence of (a) drugs and (b) drink (i) over the Christmas period and (ii) in 2018?

The Speaker: Question 7. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker.

725 I would like to ask the Hon. Member for Home Affairs: how many drivers were stopped for driving while under the influence of (a) drugs and (b) drink (i) over the Christmas period and (ii) in 2018?

The Speaker: In the absence of the Minister for Home Affairs, I call on Dr Allinson to reply.

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A Member for the Department of Home Affairs (Dr Allinson): Thank you, Mr Speaker.

735 Section 40 of the Road Traffic Act 1985 gives the Police the power to stop any vehicle. In the case of drivers suspected of being under the influence of alcohol or drugs, officers will stop a car after they have observed careless driving. They cannot know, until they have spoken to the driver, whether or not alcohol or drugs have played a part.

740 The Isle of Man Constabulary does not keep full records of the total number of vehicles that its officers stop outside of specific campaigns; indeed, it would be impractical to do so. However, I am able to inform the Hon. Member that the number of drivers arrested on suspicion of drink or drug-related driving for the calendar year 2018 was 155. The number arrested during the Christmas period, which for this purpose runs from 22nd November 2018 until 6th January 2019, was 30. In addition, as previously published in an Isle of Man Constabulary press release, there were 349 vehicles stopped as a direct result of the anti-drink-drive campaign in the month of December, where records were specifically recorded. Consequently 23 arrests were made, which resulted in eight drivers being charged in court, 11 were bailed pending further inquiries and a further four were released without charge.

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The Speaker: Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker, and thank you, Hon. Member.

750 Is there any data available in terms of the number of drivers stopped for driving under the influence of drugs?

The Speaker: Dr Allinson to reply.

755 **Dr Allinson:** Thank you, Mr Speaker.

In 2018 as a total there were 126 arrests for drink driving and 13 for drug driving. We can compare this with 2017, where there were 161 arrests and of those 20 were drug driving arrests.

760 What I would like to say to the Hon. Member is obviously we have recently had a Road Safety Strategy and one of the fatal four is drink and drug driving, together with speeding, careless and dangerous driving, seat belts and mobile phone use.

Can I also call the attention of the Hon. Member to our recently published Road Safety Action Plan, which comes directly on the back of the Road Safety Strategy, which will commit to producing an annual road safety communication campaign plan informed by collision and offence data. We will also review the effectiveness of seasonal road user campaigns and use the findings to inform future campaigns. It will develop the steps to enable roadside drug screening and crucially review evidence and develop a road safety communication plan to reduce the incidence of drink and drug driving in the future.

Thank you.

770 **The Speaker:** Supplementary Question, Mr Moorhouse.

Mr Moorhouse: Thank you, Speaker.

Given the number of drivers now stopped for driving under the influence of drugs, has the Department considered a standalone campaign to warn against these specific dangers?

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The Speaker: Member for the Department of Home Affairs, Dr Allinson, to reply.

Dr Allinson: Thank you, Mr Speaker.

As I have already just stated, the Road Safety Strategy particularly highlights the dangers of driving when incapacitated due to the use of drugs, both in terms of illegal drugs and legal drugs. And there are clear guidelines for a lot of people when they get behind the wheel that they must be suitable to do so. I think it is people's individual responsibility, if they are on prescribed medications, to ask their GP, ask their pharmacist whether these might interfere with their driving and take the necessary steps forward.

785 But as I have said, in our Road Safety Action Plan we will be using evidence to determine the best way of informing people about the Road Safety Strategy and hopefully reduce the number of people who unfortunately seem to still feel it is acceptable to get behind the wheel when they are either under the influence of drugs or alcohol.

790 **A Member:** Hear, hear.

The Speaker: Supplementary question, Mr Baker.

Mr Baker: Thank you very much, Mr Speaker.

795 Will the Hon. Member, in the light of the reference to the Road Safety Action Plan that he referred to in his earlier answer, and the strategy that was extensively supported in another place earlier this month, and given the interest in this Question, this whole topic, circulate the Road Safety Action Plan to all Hon. Members for interest? I think there is a lot of interest in this area and certainly it is something that I have not personally seen yet, so I think it would help the Department and the wider message if that could be circulated quite widely.

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The Speaker: Member to reply.

Dr Allinson: Thank you, Mr Speaker.

805 I thank the Hon. Member for his interest in the action plan. This is now on our website but I will make sure it is circulated to all Hon. Members.

The Speaker: Final supplementary, Mr Moorhouse.

810 **Mr Moorhouse:** Thank you, Mr Speaker.

Just returning to the media campaign, given the significant number of people who have been stopped for this offence, isn't it time that people out there actually saw some specific campaign in the newspapers, on Facebook, directed to this specific issue?

815 **The Speaker:** Member to reply.

Dr Allinson: Thank you, Mr Speaker.

I think the Hon. Member highlights one of the problems. For years the Isle of Man Constabulary and the Department of Home Affairs have been having these publicity campaigns saying it is wrong to get behind the wheel of a car when you are drunk. Time and time again we have said it is unacceptable. How many times do you have to say that before you say enough is enough, let's prosecute these people. (**Two Members:** Hear, hear.) One of the reasons we have got an increase in arrests this year is because the Constabulary have been doing exactly that. This year we have not reminded people, yet again, it is unacceptable; we have gone out to catch them.

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We will continue to use this evidence to make sure that our roads are as safe as possible in terms of people completely unacceptably getting behind the wheel of the car when they think they can get away with it – they cannot.

INFRASTRUCTURE

1.8. Ronaldsway Airport – Measures to prevent disruption by drones

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

What measures are in place to prevent drones disrupting operations at Ronaldsway Airport?

830 **The Speaker:** Question 8. I call on the Hon. Member for Ramsey, Mr Hooper.

Mr Hooper: Thank you, Mr Speaker.

I would like to ask the Minister for Infrastructure: what measures are in place to prevent drones disrupting operations at Ronaldsway Airport?

835 **The Speaker:** I call on the Minister for Infrastructure to reply.

The Minister for Infrastructure (Mr Harmer): Thank you, Mr Speaker.

Regulations to restrict the flying of small unmanned aircraft, colloquially referred to as drones, near to the Isle of Man Airport were laid before the December 2018 sitting of Tynwald and came into force on 1st January 2019.

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In summary, these new regulations restrict the flying of drones with an operating mass of more than 250g within 5km of the Isle of Man Airport. In order for drones to operate legitimately near the Isle of Man Airport, permission must be obtained from the Isle of Man Civil Aviation Administration, a division of the Department for Enterprise which works closely with my Department. Drones weighing less than 250g are not considered to be a significant risk to full-size aircraft and in effect are lightweight toys. It is therefore considered that prohibition of drones less than 250g would be a disproportionately restrictive measure.

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These measures are similar to those that the UK has recently proposed for all UK airports.

The Speaker: Supplementary question, Mr Hooper.

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Mr Hooper: Thank you very much, Mr Speaker.

I think this was so eloquently put just now by my hon. colleague from Ramsey: making something illegal does not stop it from happening. The question was specifically about what measures are in place to prevent drones disrupting operations, not what the legal situation is in respect to flying drones near the Airport, which we all appreciate is now illegal.

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The question for the Minister really is: if I went down to the Airport tomorrow and flew a drone and stopped the Airport from operating, what is it down there that is going to stop me from doing that, catch me if I have done it and then prosecute me afterwards? That is the fundamental question I have got for the Minister.

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The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

Yes, as I have mentioned previously, we are working very much with Gatwick. We are taking part in a number of debriefing exercises with Gatwick Airport across UK airport operators.

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As I have said before, the chances are that we would be equally the target as many other regional airports and therefore we are considering all sorts of technological options against this risk. This is really very important and we have to take our place alongside other airports in eliminating this risk.

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The Speaker: Supplementary question, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.

I would like to thank the Minister for that and I would appreciate it if he could keep this House informed as to when those things progress, because it is our only Airport, it is a lifeline Airport for the Isle of Man and he does need to make sure that it is fully operational.

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A supplementary question for the Minister is: does he have any idea what the cost is of shutting the Airport for an hour due to weather or due to whatever it is? What is the cost to the Island of not having that Airport operational when it should be?

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The Speaker: Minister to reply.

The Minister: Thank you.

Obviously it will be very high. It is a lifeline, as our sea services are. Obviously we will work with the Department for Enterprise in an economic analysis. I do not have those figures to hand, but you are right: it is massively significant if people cannot get to business trips and business meetings. Our Airport has to be open, it has to be easy to use and has to be a shining beacon, really. Obviously we will work with colleagues on the economic impact now, but certainly the impact is huge.

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The Speaker: Supplementary question, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr Speaker.

Can I repeat the first part of the Question – it has not been answered – by the Hon. Member for Ramsey, Mr Hooper? Specifically, as he clearly has not got an answer as to what to do in the event of a drone occurrence, will he please keep this House informed as to when a solution has been found?

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I think I have interpreted the Question correctly. Thank you.

The Speaker: Minister to reply.

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The Minister: Yes, of course we will, within obviously the security element of the matter, but absolutely we will keep the House informed.

POLICY AND REFORM

1.9. Electoral Register – Statement on collection of information

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

If he will make a statement on the collection of information required for revising the Electoral Register which is being done in London, with special reference to data security and costs?

The Speaker: We turn to Question 9. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

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Mr Moorhouse: Thank you, Mr Speaker.

I would like to ask the Minister for Policy and Reform if he will make a statement on the collection of information required for revising the Electoral Register which is being done in London, with special reference to data security and costs?

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The Speaker: I call on the Minister for Policy and Reform to reply.

The Minister for Policy and Reform (Mr Thomas): Thank you, Mr Speaker.

The electoral registration officer is required by legislation to maintain a complete and accurate register of electors in the Isle of Man. This is achieved by sending a registration form to all households in the Island each year and asking people to confirm or update the elector details held by the Government. The Cabinet Office engages the services of an external provider to supply and manage the paper-based elements of the annual canvass, including printing, postage and scanning. An open and transparent procurement exercise was carried out during August and September 2018 to put in place the contract for the 2019 canvas.

The quotes submitted by the Government portal were assessed against the requirements specified in the procurement exercise. After considering the options, a decision was taken by the Cabinet Office Political Group to appoint the ERS Group, which is based in London. This is a long-established election and voter registration company with a proven track record of dealing with local authorities, political parties, the NHS and trade unions in the British Isles. In addition to the quality of service offered by the ERS Group, the bid was significantly lower than the other quotes received. This has enabled the Government to achieve cost savings of more than 50% compared with the 2018 canvass, while maintaining the integrity of the process.

In addition to the paper-based elements of the canvass, the Cabinet Office has introduced online, phone and text response options in recent years to make the process quicker and easier for residents. The software to facilitate these options is provided by Idox, a company based in Berkshire. This is the same organisation that provides the software used to administer the Isle of Man's Electoral Register.

I can assure Members that the data captured during the annual canvass is used only for Isle of Man electoral registration purposes. The data is not shared by the ERS Group or Idox with any

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of their subsidiaries, it is not transferred out of the British Isles and it is not subject to automated decision making or profiling. A privacy notice in respect of the annual canvass is published on the Government website. This provides details of the service providers engaged by the Cabinet Office for the 2019 canvass and explains how and why the electoral registration data is collected and processed.

Looking further ahead, I would ask Members to note that a review has been carried out by the Cabinet Office and proposals will be brought forward later this year to modernise the electoral registration system and associated legislation. Elements of this project fall under the umbrella of the Smart Services Framework.

Thank you, Mr Speaker.

The Speaker: Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker, and thank you, Minister, for that very detailed answer.

In terms of reassuring the Manx people about their personal data being protected, you went some way in your Answer to doing that, but is there any way you can actually check that during the next 12 months to ensure data is being maintained and protected as we would expect?

The Speaker: Minister to reply.

The Minister: We have a very good Information Commissioner Office. We have a law in place and we have very good quality assurance systems inside all parts of the public service and Government, I am assured of that.

The Speaker: Supplementary question, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.

Whilst at the moment I think we accept the UK as an equivalent jurisdiction in respect of data security and data protection, their laws are somewhat different to ours, specifically, for example, the Investigatory Powers Act that exists in the UK. There is a risk, a small risk perhaps, after Brexit that the UK will not be granted adequacy; it is not an automatic right. So my question to the Minister is what contingency plans are there in place if the UK is deemed not to be an equivalent jurisdiction following their exit from the EU to make sure that states' data held in the UK in respect of electoral registration is safe, secure and held in accordance with Manx legislation?

The Speaker: In as much as that relates to the Electoral Register, Minister to reply.

The Minister: Thank you very much, Mr Speaker

As always, I appreciate that the Hon. Member for Ramsey follows this situation very closely and I can assure him, this Hon. House and the general public that that is a contingency that is being managed and we will be bringing something to the other place shortly.

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

I just wonder if the Minister can advise whether they have looked at the impact on the local economy of this going to an off-Island company and what weighting was given to Isle of Man companies?

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker, and for that helpful question.

990 The quotes received were assessed against the requirements specified in the procurement exercise. The social and economic value of supporting a local business is an important factor in the procurement process, but of course Government and all of the public service must also strive to achieve best value in terms of cost and quality through fair and open competition.

995 In this procurement exercise the successful bid, from a highly respected supplier of election and voter registration services, was almost 50% lower than the quote submitted by any local provider. I can confirm that the successful quote was for £32,000. The cost of supplying and managing the equivalent paper-based services for the 2018 canvas was £66,000.

The Speaker: Supplementary question, Mr Moorhouse.

1000 **Mr Moorhouse:** Thank you, Mr Speaker, and thank you, Minister, for the £32,000 figure.

In terms of the cost of sending out these materials and the response envelopes, if everyone was to return their pre-paid envelopes would the costs go above £32,000? There is going to be some disparity here potentially in terms of the cost of postage alone and what we are paying.

1005 **The Speaker:** Minister to reply.

The Minister: Mr Speaker will accept we have gone some way beyond the Question, which is about data security –

1010 **The Speaker:** No, and costs.

1015 **The Minister:** Fair point. The bid is a realistic bid. The point I would make is that last year over 11,000 people responded by text, online or by message service. Each of those services works really well. Each of those services is provided by our software supplier and, as I have said, the Smart Services Framework is coming in. We save an awful lot of money if more and more people use the Smart Services Framework in the context of electoral registration. So the main point is that I am not worried about the cost of postage. Everybody has got the right to be included in any digitally transformed process, but it is a hell of a lot more efficient, it is a hell of a lot better value for the public service, it is very quick, it takes seconds through the online, the telephone or the messaging service to update or now change electoral registration.

1020 I would encourage people to take that service and we will continue to reduce costs in this important part of the democratic process. And in coming years, after the legislation has gone through and after the Smart Services Framework is in place, we will have individual registration, I hope, subject to decisions in this place and the other place, and the process can be transformed even more.

The Speaker: I am conscious of the clock, so I will just take the last three supplementary questions that I have indicated on this particular Question, and the first up is Mr Perkins.

1030 **Mr Perkins:** Thank you, Mr Speaker.

In view of the Isle of Man Constabulary issuing warnings to people about text messages and scams, would the Minister ask his Department to look into the fact that the people who replied by text could not possibly have been picked up by the scamming companies and used to try and scam people?

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The Speaker: Minister to reply.

The Minister: Thank you very much, Mr Speaker.

1040 The Office of Fair Trading, of which the Hon. Member is chair, has an important role in terms of helping the public understand risks, the Information Commission has an important role in terms of assuring the process from an external perspective and I have an important role, as do other members of the public service, in making sure that the systems we have in place are lawful and efficient in terms of all the risks that we acknowledge.

1045 I stand here today saying I would be deeply disappointed if there were any risks of scamming from this service because this is a highly respected company, in a highly regulated environment.

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

1050 The Minister said it was 50% lower and he also talks about smart services. I just wonder if the Minister has done an impact assessment on the local economy. Particularly I am standing here as Chair of Isle of Man Post Office and the impact that it has had there with regard to that. I just wonder what the percentage weighting was for a local supplier.

The Speaker: Minister to reply.

1055

The Minister: Thank you very much, Mr Speaker.

1060 We are not talking about a fortune. The local economy matters. There are salary impacts, there are public revenue impacts, it has even been suggested online and on social media recently that there is a pension impact to this. We have got to remember the scale of what we are talking about. We are talking about tens of thousands of pounds. Of course the economic impact and local multipliers are important, of course they have been costed in, in various situations, but especially in this hon. place where a number of people talk constantly about smarter Government and have an aspiration for smaller Government, I do not think it would be realistic to test every decision.

1065 The people who made that decision in the Cabinet Office Political Group were very mindful of local issues. As has been made public through a press release, this contract is for 12 months and I really do hope that everybody who has been subject to the impact of this decision reflects on what they do and what they can do in the future. I hope that the local suppliers ... best wishes for them in future procurements. And most importantly, the Smart Services Framework is at the heart of this and in a couple of years' time I really do hope that we have got in place the local system that enables us to go towards one public service based on the information that we have about people for the electoral registration, of course inside the law and with the acceptance and the consent of the general public.

1075 **The Speaker:** Final supplementary to the Question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr Speaker.

1080 Could the Minister confirm that the total cost paid for this contract will not exceed the £32,000 he outlined in his previous answer?

The Speaker: Minister to reply.

1085 **The Minister:** I will endeavour to circulate to Members, subject to commercial confidentiality and the procurement rules, as much information as I can to provide any assurance. Obviously the hon. questioner has more information at his fingertips apparently than I do right at this moment, but I will circulate information as much as I can.

Standing Order 3.5.1(2) suspended to complete Oral Questions

The Speaker: Now, Hon. Members, that brings us to the end of the hour allotted for Questions.

Ms Edge.

1090

Ms Edge: Mr Speaker, is it possible to suspend Standing Order 3.5, please, to continue with the Questions?

The Speaker: We require a seconder for that. Mr Robertshaw?

1095

Mr Robertshaw: I second.

The Speaker: The motion is that Standing Orders be suspended to take the two remaining Questions for Oral Answer. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

1100

EDUCATION, SPORT AND CULTURE

**1.10. Christmas pantomime in DESC venues –
Award of contract**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Education, Sport and Culture:

Who has been awarded the contract for the Christmas pantomime in the Department's venues?

The Speaker: We turn then to Question 10, and I call on the Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

1105

I would like to ask the Minister for Education: who has been awarded the contract for the Christmas pantomime in his Department's venues?

The Speaker: I call on the Minister for Education, Sport and Culture to reply.

1110

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

The Department recently tendered for provision of the next three years' pantomimes. The assessment of the tenders has been completed and all tenderers have been informed of the outcome.

One of the tenderers has requested a review of the assessment process and they have been informed of the outcome of the review.

1115

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Can I just seek clarification from the Minister that, once the process of procurement is carried out, that will be published?

1120

The Speaker: Minister to reply.

1125 **The Minister:** Thank you, Mr Speaker.
Once the agreement has been signed.

**1.11. Education Bill –
Date for introduction into the Branches**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Education, Sport and Culture:

When the Education Bill will be introduced into the Branches?

The Speaker: We turn to Question 11, and I call on the Hon. Member for Onchan, Ms Edge, again.

1130 **Ms Edge:** Thank you, Mr Speaker.
I would like to ask the Minister for Education, Sport and Culture: when will the Education Bill be introduced into the Branches?

1135 **The Speaker:** I call on the Minister for Education, Sport and Culture to reply.

The Minister for Education, Sport and Culture (Mr Cregeen): Thank you, Mr Speaker.
The consultation on the draft Education Bill will be going live this week and will run for seven weeks. It is hoped that the new Bill will enter the Branches in April 2019.

1140 **The Speaker:** Supplementary question, Ms Edge.

1145 **Ms Edge:** Thank you, Mr Speaker.
The Minister said he is *hopeful* that it will be in the Branches in April 2019: is it not already delayed? Can the Minister not give more of a firm commitment about the legislation coming forward?

The Speaker: Minister to reply.

1150 **The Minister:** Thank you, Mr Speaker.
It is out for the seven weeks, we have put an additional week consultation because of half term. So once the consultation has been completed we will then review the consultation responses and it is hoped that it will be in in the Branches by April. It will be this year.

1155 **The Speaker:** Supplementary question, Dr Allinson.

1160 **Dr Allinson:** Thank you, Mr Speaker.
I would like to thank the Minister for his statement today. Can he also confirm that a press release has gone out this morning urging the public to participate in the consultation, particularly parents, and particularly those students who want to participate in shaping education for the future?

The Speaker: Minister to reply.

1165 **The Minister:** Thank you, Mr Speaker.
Yes, this is a vitally important piece of legislation which has being much needed for many years for the Department, so I would urge people to take part in the consultation.

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

1170 Just to follow on from the Hon. Member for Ramsey, Dr Allinson, I am assuming when you have had to put a plea out to people that there has been a not very good return at present?

The Speaker: Minister to reply.

1175 **The Minister:** Mr Speaker, it has only just gone out live today, so there is no plea! It has only gone online today.

The Speaker: Supplementary question, Mr Shimmins.

1180 **Mr Shimmins:** Thank you, Mr Speaker.

Perhaps the Minister for Education can just clarify. The consultation is going out, it is going to run for seven weeks and then the Bill is going to come in in April. Does that mean he has kind of made his mind up already? What is the point of consultation? Is the Bill cast in stone and you are just consulting? Just explain it to me. I am struggling to understand.

1185

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

1190 I think the Hon. Member, who is just bringing his own Bill through legislation now, should know what the consultation period is. So we are going through the consultation period. As I said earlier, we will wait to see what the consultation responses say, then if there are any amendments to the Bill then that is when we will be coming forward with the Bill.

Mr Shimmins: In April? Because it is two months –

1195

The Speaker: Order, order!
Supplementary question, Mr Shimmins.

Mr Shimmins: Oh! I ... *(Laughter)*

1200

The Speaker: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr Speaker.

1205 Looking ahead for seven weeks, that brings us to 19th March, so if the Minister is bringing this forward to Tynwald in April ... And my other question to the Minister is what consultation has he done with his educational professionals in the schools?

The Speaker: Minister to reply.

1210 **The Minister:** Thank you, Mr Speaker.

As the Hon. Member said, this is going until the middle of March, and then we will have a period of weeks when we can consider the consultation before entering into the House of Keys with the Bill. **(A Member:** Hear, hear.)

1215 As regards consultation with educational professionals, they have been aware of what we are doing. They currently have the Bill. The unions received the draft proposals last week, so they got it ahead of the consultation period going ahead.

The Speaker: Supplementary question, Mr Shimmins.

Mr Shimmins: Thank you, Mr Speaker, I will have one more go.

1220 If we just look at the timescale that has been suggested, the consultation is going to run to the middle of March, then you will need to consider the points that are brought out in that consultation, you will need to consider if you need to make any amendments to the Bill, they will then need to be presented to the Council of Ministers – there is a timetable for that. The question I am making is it sounds that the April date is unrealistic, unless you have decided
1225 actually we are just going through the consultation process as a process and you are not serious about taking that on board and making changes to the Bill, because otherwise April feels very optimistic as a timescale.

The Speaker: Minister to reply.

1230

The Minister: Thank you, Mr Speaker.

I think it is between a rock and a hard place because I am getting asked to be firm on a date when it is going to enter into the Keys and then I am being told that we are going to be flexible. That is why I said it is *hoped* to be in Keys by April, we have to see what the responses say. So it
1235 is a hope that we will get to Keys in April; if not, then it will be after that.

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

Ms Edge: Thank you, Mr Speaker.

1240 I am beginning to think there might be no hope here! The Minister said that it had gone out to the unions last week. Do they have to return their responses to the Department separately from the consultation?

The Speaker: Minister to reply.

1245

The Minister: Thank you, Mr Speaker.

We have regular dialogue with the unions as part of the process. They will be making their submissions, but we are hoping that we can bring this Bill forward with the full support of the unions.
1250

The Speaker: That concludes Questions for Oral Answer.

Turning to Questions for Written Answer, they will be circulated in due course.

2. Questions for Written Answer

POLICY AND REFORM

2.1. Safeguarding Board support team – Progress with establishing

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

What progress has been made with establishing the Safeguarding Board support team in the Cabinet Office?

The Minister for Policy and Reform (Mr Thomas): An administrative team to support the Safeguarding Board is already in place. The team consists of a Business Manager, Secretary and two dedicated training posts.

1255

The Safeguarding Office is located in Chester Street, Douglas and, in conjunction with the Independent Chair of the Safeguarding Board, oversight for the team is via the Cabinet Office.

Support for the Board builds on the arrangements which were previously established to support Safeguarding Children's Board and Safeguarding Adults Partnership.

1260

The Business Manager post was most recently recruited to in August 2018. However, the post holder has since taken up a new position within Government and recruitment to the current vacant post is in progress.

2.2. Ageing Population research report 2013 – Update and revisit of action plan

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

What progress has been made with the Programme for Government Action: Update the ageing population research report from 2013, and revisit the action plan; and when the updated report and action plan will be published?

The Minister for Policy and Reform (Mr Thomas): The 2013 Ageing Population report is currently under review and is being updated with the latest available information regarding each of the areas the report considered. However, a number of the areas within that report are or have been addressed through the Programme for Government, such as the new Manx State Pension, the current review into health and social care and the investigation into the funding of residential and nursing care.

1265

In line with the timescale set out within the Programme for Government, the report and relevant action plan will be considered by the Council of Ministers during May 2019 and published thereafter.

1270

EDUCATION, SPORTS AND CULTURE

**2.3. School attendance and absences –
Details per school for year ending July 2018**

The Hon. Member for Garff (Mrs Caine) to ask the Minister for Education, Sports and Culture:

How many (a) authorised and (b) unauthorised school absences there were in the school year ending July 2018, broken down by school; and what the overall attendance level of each school was in the same period?

The Minister for Education, Sport and Culture (Mr Cregeen):

Wider Narrative – Attendance:

1275 Current legislation (see below) states it is the parent's responsibility to ensure their children attend school.

24. Duty of parents of children of compulsory school age

(1) It is the duty of the parent of every child of compulsory school age to cause him to receive suitable education, either by regular attendance at school or otherwise

Following ongoing monitoring of attendance and a recent review into the work of Educational Welfare Officers (EWO), the Department has sought to revise the thresholds for intervention to ensure earlier action is taken to support improvements where there are cases of short to medium term absence from school.

1280 It is important to note that authorised absences include educational visits, sporting activities/competitions, school trips and instances of religious observance.

1285 The Department has the legal right to impose fines on parents of children who are persistently absent with no valid reason. In practice, fines are rarely imposed, as EWOs are involved early to work with families to improve attendance. Short of imposing fines, the Department issues a 15-day warning letter to parents, advising them of steps required by the Department, and support available to improve attendance of pupils.

[See Table 2.3A as follows]

Table 2.3A

SCHOOL	B. Total possible attendances of pupils	C. Total absences for pupils	(2 sessions per day)		Average Year Attendance
			authorised	unauthorised	
Anagh Coar Primary School	42234	2596	2491	105	93.97%
Andreas Primary School	32369	1426	1372	54	95.21%
Arbory Primary School	67551	2877	2148	729	96.35%
Ashley Hill Primary School	95931	4448	4354	94	95.53%
Ballacottier	99952	5295	5013	282	94.93%
Balakermeen	569570	42599	35803	6796	93.06%
Ballasalla	38370	2188	1937	251	95.53%
Ballaugh	23425	812	790	22	97.39%
Braddan	57292	3243	2772	471	94.57%
Bunscöill Ghaelgagh	24977	1287	1210	77	92.98%
Bunscöill Rhumsaa	177126	8549	7566	983	97.37%
Castle Rushen	286992	22269	15647	6622	92.31%
Cronk Y Berry	176013	6402	5382	1020	96.56%
Dhoon	25260	821	819	2	96.98%
Foxdale	24273	1302	1049	253	94.71%
Henry Bloom Noble	119741	6633	6306	327	95.27%
Jurby	21669	1741	1309	432	93.74%
Kewaigue	44058	2091	1460	631	95.81%
Laxey	59824	2576	2277	299	95.69%
Manor Park	37708	1681	1283	398	95.49%
Marown	71575	3323	2669	654	96.05%
Michael	40142	1752	1703	49	96.02%
Onchan	171798	8776	7800	976	95.36%
Peel Clothworkers	166067	8267	6315	1952	94.85%
Phurt le Moirrey	56214	2382	2359	23	96.20%
Queen Elizabeth II	272143	23969	16313	7656	91.86%
Ramsey Grammar	305293	22850	17937	4913	93.27%
Rushen	88334	4605	3994	611	94.39%
Scoill yn Jubilee	150327	7496	7095	401	95.69%
St Johns	53184	2824	2616	208	95.10%
St Marys	97787	4844	3783	1061	95.71%
St Ninians	423475	33047	27845	5202	92.85%
St Thomas	21912	1164	1024	140	93.87%
Subby	55878	2563	2562	1	95.83%
Scoill Vallajeelt	68139	3231	1768	1463	96.35%
Victoria Road	80914	2557	2110	447	97.75%
Willaston	72541	3385	3081	304	95.55%

**2.4. School suspensions and exclusions –
Details per school for last five years**

The Hon. Member for Garff (Mrs Caine) to ask the Minister for Education, Sports and Culture:

How many school suspensions and exclusions there were broken down by (a) duration (b) school and (c) school year in each of the past five years?

The Minister for Education, Sport and Culture (Mr Cregeen):

Wider Narrative – School Suspensions

1290

The Department became aware of a significant rise in suspensions from secondary schools following requests from secondary school leaders and political members with regard to the existing policy and processes surrounding pupils on the periphery of mainstream education.

The Department analysed suspensions data between the years 2013 and 2017 and found that suspensions from secondary schools had increased by 80% during the period, from approx. 650 to over 1100 suspension days per year.

Due to the significant increase in suspensions, the Department instigated a wide-ranging review of policies and practices linked to behaviour in secondary schools. The review is being carried out by a School Improvement Adviser, supported by the Head of the Education Support Centre and due for completion in April 2019.

So far, the review has included the following:

- Detailed analysis of IOM suspensions data in terms of overall numbers, reasons for suspension, suspensions of pupils with SEN, length of suspension and levels of suspension across the 5 Secondary schools.
- An analysis of the difference in practice between Primary and Secondary schools, considering suspensions from Primary schools are negligible over the five year period.
- Comparative analysis of suspensions or fixed term exclusions with several other British Isles jurisdictions.
- The constitution of a Behaviour Review Working Party, consisting of the reviewers and senior leaders from all 5 Secondary schools. This group meet half termly, and as well as work towards reducing suspensions, are held to account for their approaches to managing behaviour in their respective schools.
- Observations of practice in all 5 Secondary schools, carried out by the Head of the Education Support Centre.
- Input from Educational Psychologists and the Department's Inclusion and Safeguarding division.
- Interviews with pupils, teachers and parents.
- Extensive research and review of wider literature with regards behaviour management in schools.
- A review of existing Secondary School Behaviour Policies
- A review of the options for alternative education provision on the Island
- Input from the IOM Youth Service and other partner agencies
- A review of the existing DESC Suspensions policy (2013), and drafting of a revised policy (January 2019) to be put for approval by the Department at the beginning of February.

Since the instigation of the review at the beginning of 2018, there has been a 16% reduction in suspensions from secondary Schools, following five consecutive years of increases.

This reduction is continuing this academic year 2018-19. Comparing the number of suspensions in half term 1 (2017-18) with half term 1 (2018-19) has shown a 33% reduction in numbers of suspensions issued by secondary schools.

The review will make a number of recommendations to schools and the Department, that will support the development of approaches to behaviour and target further reductions in the rate of fixed term suspensions.

A. School suspensions and exclusions in each of the past five years – duration

Year	2014	2015	2016	2017	2018
Duration					
0.5	9	0	21	22	20
1	100	268	192	236	179
1.5	29	28	27	60	31
2	169	134	222	205	185
2.5	6	6	5	12	4

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3	35	29	44	49	57
3.5	1	1	2	0	0
4	6	7	8	6	7
4.5	0	0	0	0	1
5	8	13	12	26	28
5.5	0	0	0	0	0
6	1	0	1	3	4
6.5	1	0	0	1	0
7	0	0	1	0	5
7.5	0	0	0	1	0
8	0	0	0	0	1
8.5	0	0	0	0	0
9	0	0	1	0	0
9.5	0	0	0	0	0
10	1	0	4	4	5
TOTAL	366	486	540	625	527

B. School suspensions and exclusions in each of the past five years – by School

Year	2014	2015	2016	2017	2018
School					
Ashley Hill	0	0	0	1	1
Ballakermeen	184	132	186	192	217
Bunscoil Rhumsaa	2	2	0	3	1
Cronk Y Berry	0	0	0	0	5
Castle Rushen	19	74	40	37	23
Henry Bloom Noble	0	0	1	0	0
Manor Park	0	0	1	0	0
Onchan	0	0	0	1	0
Phurt le Moirrey	0	0	0	0	3
Queen Elizabeth II	43	34	69	64	40
Ramsey Grammar	50	89	102	85	109
Scoil yn Jubilee	0	0	0	0	1
St Ninian's	68	155	141	241	121
Sulby	0	0	0	1	0
Victoria Road	0	0	0	0	2
Willaston	0	0	0	0	4
TOTAL	366	486	540	625	527

The remaining 21 primary schools have had no suspension or exclusions over the past five years.

C. School suspensions and exclusions in each of the past five years – by School Year

School Year	2013-14	2014-15	2015-16	2016-17	2017-18
Number	369	429	463	619	573

**2.5. Home educated children –
Number registered each year since 2008**

The Hon. Member for Garff (Mrs Caine) to ask the Minister for Education, Sports and Culture:

How many children were registered as being home educated in each year from 2008 to the present?

1335 **The Minister for Education, Sport and Culture (Mr Cregeen):** The Department only keeps data on the children of compulsory school age, who are currently registered as home educated. This registration under the Education Act 2001 is only required when the parents decide to home educate. The figures below are not definitive as children may move off Island or register at school on/off Island and the parents do not inform the Department as they are currently not required to under the Education Act 2001.

1340 Some parents will also let us know that they are still home educating so the year in the table below is the year the Department last received notice from the parents. The new Education Bill will require parents who choose to home educate to inform the Department of any changes to these arrangements. From this database we currently have 141 children who are currently home educated.

Year	No. of Children
2009	1
2010	7
2011	6
2012	9
2013	4
2014	3
2015	17
2016	29
2017	26
2018	39
Total	141

HEALTH AND SOCIAL CARE

**2.6. Waiting times for operations –
Progress made on reduction**

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

What progress has been made with the Programme for Government Action: Reduce waiting times for operations?

1345 **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.

1350 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.

The Hospitals Directorate has been working hard to address waiting list challenges across all surgical specialties since the Programme for Government actions were introduced, and reduce

the overall time that patients are waiting for surgical procedures. Particular developments include:

- 1355
- Recruitment of additional consultants in Ear Nose & Throat (ENT), Urology, Gynaecology and General Surgery
 - Development of new upper limb service in Orthopaedics

Our developments have made a positive impact on the waiting list, with a reduction of 44% in patients waiting more than 12 months for their procedure (with 38 patients now on the waiting list for more than 12 months) and an overall reduction in waiting list size of 14%. There are currently 455 patients awaiting a surgical procedure across the Hospitals Directorate.

1360

These improvements are despite an overall increase in demand on the hospital, peaking in November 2018 where 5,800 referrals were received across all specialties.

The Hospital Operational Management team will shortly start work on a series of productivity improvements. The first stage of this will be a quality improvement programme in our Operating Theatres which will seek to improve theatre efficiency, thereby allowing more operations to take place using existing capacity, whilst also ensuring that quality and patient experience are paramount. This project, which will be facilitated by external consultants, expert in theatre productivity and quality, has been funded by the Healthcare Transformation Fund and will shortly go out to competitive tender.

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1370

Other elements of the recovery plan will include a further review of procedures of limited clinical value, to mirror current UK NHS policies within this area, whilst also ensuring that existing Isle of Man policies governing procedures of limited clinical value are being applied rigorously, thereby ensuring that theatre time can be dedicated to undertake procedures that have a solid clinical evidence base.

1375

Finally, this year will see a comprehensive consultant job planning and clinically productivity assessment, to ensure that our medical staff are delivering levels of clinical activity on a par with equivalent services in the UK, where waiting times for both outpatient appointments and surgical procedures are significantly less than the Isle of Man.

2.7. Health and care services provision – Improving governance and accountability

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

What progress has been made with the Programme for Government Action: Improve governance and accountability in the way we provide health and care services?

1380 **The Minister for Health and Social Care (Mr Ashford):** The Department of Health and Social Care (DHSC) 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 DHSC governance structure.

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

1385

The DHSC seeks constantly to improve both corporate and clinical governance.

A helpful definition of corporate governance in a public sector organisation is found in the UK government's 2017 'Corporate governance in central government departments: code of good practice':

Corporate governance is the way in which organisations are directed, controlled and led. It defines relationships and the distribution of rights and responsibilities among those who work with and in the organisation, determines

the rules and procedures through which the organisation's objectives are set, and provides the means of attaining those objectives and monitoring performance. Importantly, it defines where accountability lies throughout the organisation.

1390 The Government Code of February 2017 (<https://hr.gov.im/media/1189/the-government-code-february-2017.pdf>) is the primary set of principles and rules in respect of the operation of the various bodies comprising the government of the Isle of Man. The DHSC complies with the Government Code, and has published additional documents to provide details specific to its own corporate governance.

1395 The term clinical governance is defined as a framework through which organisations are accountable for continually improving the quality of services and safeguarding high standards of patient care by creating an environment in which excellence in clinical care prevails.

The basic elements of clinical governance include:

- emphasis on education and training for professionals;
- 1400 • clinical audit systems – cyclical review of clinical performance against measurable standards with changes in clinical practice upon such review;
- assessment of clinical effectiveness – whether a particular action works and whether it represents value for expenditure etc.;
- research and development – to generate evidence to inform decisions about policy and implementation changes;
- 1405 • openness – to enable frank discussions about safety and quality matters while respecting confidentiality of patients and providers;
- committees and processes to ensure that these elements occur; and,
- risk management.

1410

All of these elements are in place in the DHSC and are improving: although not all are at the same level of effectiveness or maturity.

1415 Sir Jonathan Michael's progress report on his Independent Review of the Isle of Man Health and Social Care System was presented to Tynwald this month. He commented on governance, and brought in a third concept: that of system governance, being

... the framework, rules and policies which ensure that the health and care system as a whole delivers fair access to high quality services and value for money for the tax payer.

Sir Jonathan made observations about all three forms of governance in his progress report.

The findings to date suggest that most concerns with corporate governance relate to the absence of publicly accessible data, the lack of external regulation for health and social care services and the absence of legislation requiring such regulation.

With regard to clinical governance, the findings indicate that there are key aspects that are not in place on the Island due to the lack of the necessary regulatory and legislative framework.

In relation to system governance, the findings so far identify areas that could be significantly improved especially with regard to how providers of care are held to account for the care provided and how population health can best be planned and managed.

1420 The DHSC expects that governance-related recommendations will be made in Sir Jonathan's final report which is expected to be presented at the May 2019 Tynwald. If the report and its recommendations are approved, the DHSC will then put in place a plan to implement and further improve all three aspects of its governance.

**2.8. Healthcare provision –
Improving communication with public**

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

What progress has been made with the Programme for Government Action: Improve the way we communicate with the public about the way we provide healthcare, which has a target date of March 2019, and is reported as Amber in the latest status report?

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.

1425 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.

Communications support is required and requested across a vast range of functions and sites so it is important that resources are targeted on areas where the greatest positive impact can be made.

1430 The challenge of health and social care communications is complex as it needs to meet the diverse requirements of different groups:

- the public
- patients
- medical professionals at many locations
- 1435 • internal / governmental, including off Island
- educational and awareness
- external and media, including off-Island

1440 Over the past six months, significant changes have progressed in expanding the scope, depth and relevance of communications. Digital platforms have been utilised to engage directly with the public, allowing messages to be tailored to target audiences. Visual techniques have added an extra dimension, by presenting information in a straightforward and appealing manner. Input from a graphic design professional – a recent addition to the Comms team – has also driven a number of enhancements to traditional media.

1445 Social media has been used to flag up newsworthy health and social care-related topics under discussion in the UK public arena to an Island audience – where relevant. This is done with the intention of raising awareness and understanding of the issue and implications for the Isle of Man. A recent example of this has been explaining arrangements for supply of prescription medicines in the event of a No Deal departure from the EU on 29th March.

1450 Communication of a number of public-facing campaigns (wasted meds, oral health among nursery age children, the 2018 festive #drinksafe campaign) used different platforms and methods to deliver key messaging and included interviews with politicians, officers, stakeholders and children.

1455 Internal departmental communications have been strengthened, with focused efforts to engage with staff in autumn 2018 around the launch of the Department’s Vision for integrated care. Over five days, workshops, presentations, Q&A sessions with the leadership team and a symposium were hosted at a marquee event at Noble’s Hospital to which all members of staff were invited. Blogs, videos, vox pops and a multi-media ‘My Job Matters’ campaign, highlighting diverse roles within health and social care. Feedback from the event has been analysed and communicated to staff.

**2.9. Healthcare employer of choice –
DHSC progress**

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

What progress has been made with the Programme for Government Action: Become an employer of choice in healthcare?

1460 **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.

1465 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.

The original commitment from the Department in relation to becoming an employer of choice related to the broad themes of employee engagement and recruitment and retention and included the following seven milestones:

- Have Your Say DHSC Action planning undertaken
- 1470 • Implement Care Values in DHSC
- DHSC Branding – Implementation of JD templates
- DHSC – Implementation of Branding Toolkit
- Revised Recruitment & Retention Strategy developed
- Recruitment & Retention Strategy approved

1475 Have Your Say action planning has largely been undertaken at a local level, in response to specific feedback relating to that work area. At a corporate level a staff engagement: 'Big Tent Event' took place in September 2018, in addition to the related poster campaign on the theme 'My Job Matters'

1480 A comprehensive organisational development plan was devised for the Department which took account of many of the issues raised through the Have Your Say survey and which included the actions relating to CARE values. CARE values have been established and communicated, form the basis of nurse recruitment and are incorporated into Job Description templates. There is further work to be done in embedding these values.

1485 The Recruitment and Retention Strategy has recently been reviewed and the majority of the actions identified in the original plan have been progressed. The need for a revised strategy specific to the DHSC has been largely addressed by the adoption of the Isle of Man Government People Strategy.

**2.10. Health and Social Care Services –
Delivery of legal frameworks**

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

What progress has been made with the Programme for Government Action: Deliver clear legal frameworks for all essential Health and Social Care Services by March 2021?

1490 **The Minister for Health and Social Care (Mr Ashford):** Over the last two quarters the primary focus has been on ensuring that the Department's legal framework continues to operate effectively following the United Kingdom's withdrawal from the European Union.

1495 This project has involved a substantive review of all primary and secondary legislation for which the Department is responsible, together with a review of all EU regulations, directives, decisions and tertiary legislation falling within Protocol 3 and applicable to the Department and all section 2A Orders and section 2B Regulations made under the European Communities (Isle of Man) Act 1973 for which the Department has responsibility.

This Brexit review project has affected the progression of other items on the Department's legislative programme, particularly the Capacity Bill and the Medicines Act 2003 (Amendment) Bill.

1500 In addition to the Brexit review project the Department is currently progressing the drafting instructions regarding amendments to the Adoption Act 1984; in liaison with the Attorney General's Chambers progressing with the Schemes required under the National Health and Care Service Act 2016; the drafting of secondary legislation required under the Abortion Reform Act 2019 and necessary amendments to the Department's Pharmaceutical Services Regulations and the Adult Social Care Services (Charges) Regulations.

2.11. Care data sets – Design and delivery

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

What progress has been made with the Programme for Government Action: Design and deliver a suite of care data sets to underpin the core work streams by 2021?

1505 **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.

1510 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.

A Health Outcomes Framework, ('DHSC HOF') has been developed and reporting it will drive transparency, quality improvement and outcome measurement throughout the Department.

1515 The DHSC HOF is comprised of five domains underpinned by a total of 49 individual indicators which will report the delivery of healthcare (including primary care, acute care and mental health), adult social care and public health.

DHSC HOF reporting will commence from Q1 2019 and will be made public.

Current schedule of work in progress – 2019

1520 *1. JSNA Substance Misuse – Core Data Set*

Development of the JSNA Substance Misuse Core Data Set is currently ongoing.

To ensure consistency of reporting, a stakeholder work shop is planned for March 2019.

The aim of the workshop is to:

- 1525 • Enhance current sharing of anonymised statistical information
- Engage full stakeholder participation
- Create reporting indicators to fulfil a core data set
- Aid successful implementation of the JSNA Substance Misuse Strategy

Once agreed, reporting parameters will be formalised to enable consistent and regular reporting.

- 1530 2. *Adult Social Care Outcomes Framework ('ASCOF')*
Work is scheduled (to commence by Q2 2019) to review/enhance the Adult Social Care Outcomes Framework.
Reporting will replicate the format of the DHSC HOF, and be published internally and publicly.
Once agreed, specific indicators will be grouped within reporting domains. The ASCOF will
1535 drive transparency, quality improvement and outcome measurement

**2.12. DHSC vacancies –
Number and specialism**

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

What roles are vacant within his Department, broken down by specialism; and how many were vacant 12 months ago?

- The Minister for Health and Social Care (Mr Ashford):** I regret that it is not possible to provide the data requested at present. We are currently transitioning to a new HR and Payroll system, during which time the priority has been to ensure that occupied positions are included. Work to identify vacancies is ongoing, and it is expected that a response to the Question can be
1540 provided by 31st March 2019.

**2.13. DHSC vacancies –
Duration of vacancy per specialism**

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

How many roles within his Department, broken down by specialism, have been vacant for; (a) less than six months; (b) more than six months but less than a year; and (c) a year or more?

- The Minister for Health and Social Care (Mr Ashford):** I regret that it is not possible to provide the data requested at present. We are currently transitioning to a new HR and Payroll system, during which time the priority has been to ensure that occupied positions are included. Work to identify vacancies is ongoing, and it is expected that a response to the Question can be
1545 provided by 31st March 2019.

INFRASTRUCTURE

**2.14. Public sector housing stock –
Total in each of last 10 years**

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

What the total public sector housing stock was in each of the last 10 years?

The Minister for Infrastructure (Mr Harmer): The figures below are as declared by public sector housing authorities and include both general needs housing and sheltered housing.

FINANCIAL YEAR	TOTALS
2008-09	5,932
2009-10	5,927
2010-11	5,941
2011-12	6,142
2012-13	6,122
2013-14	6,162
2014-15	6,210
2015-16	6,209
2016-17	6,204
2017-18	6,222

Fluctuations in housing numbers in some years reflect housing development and investment and are due to the demolition of older housing stock prior to the construction of new replacement housing.

1550

Order of the Day

3. BILL FOR FIRST READING

3.1. Highways (Amendment) Bill 2019

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

The Secretary: Bill for First Reading: Highways (Amendment) Bill 2019; Member in charge,
1555 Mr Harmer.

4. BILL FOR SECOND READING

4.1. Income Tax Legislation (Amendment) Bill 2019 – Second Reading approved

Mr Cannan to move:

That the Income Tax Legislation (Amendment) Bill 2019 be read a second time.

The Speaker: Item 4, Bill for Second Reading – Income Tax Legislation (Amendment) Bill 2019.
I call on Mr Cannan to move.

Mr Cannan: Mr Speaker, this Bill amends and confirms two temporary taxation orders (TTOs)
1560 and confirms a third. It also makes a number of amendments to the Income Tax Act 1970.

I will now give Hon. Members an overview of the Bill.

One of the main purposes of this Bill is to confirm three temporary taxation orders which
were approved by Tynwald as part of the 2018 Budget. Two of these orders are also amended by
the Bill.

1565 Before I provide you with an outline of the orders, I would like to remind you of the
temporary taxation order process. A temporary taxation order is used by the Treasury to amend
and introduce primary Income Tax legislation. It is mainly used to react quickly to international
changes or to introduce measures for the Budget. The order has the same power as primary
statute and has immediate effect once approved by Tynwald. However, it will cease to have
1570 effect within 12 months of the day on which it was approved by Tynwald, unless this House
reads a Bill confirming the order for a second time.

So the first of these orders extends the existing tax relief available for nursing expenses so
that it can include the costs of engaging a qualified physiotherapist in certain circumstances. The
second temporary taxation order introduces legislation enabling a new type of pension scheme
1575 to be offered by pension providers, which will allow scheme members greater freedom to access
their pension funds. It also makes a small number of amendments to both the Income Tax
(Retirement Benefits Schemes) Act 1978 and the Income Tax Act 1989.

The third temporary taxation order amends section 2PA of the Income Tax Act 1970 to clarify
the definition of 'distribution'. It also introduces an anti-avoidance measure aimed at limiting
1580 the tax loss that can occur when Isle of Man companies are used to convert taxable income into
capital gains which are not taxable in the Isle of Man.

Lastly it updates section 105AA of the Income Tax Act 1970 to clarify an existing provision
regarding the appointment of authorised officers by the Assessor and their powers.

1585 The Bill provides that confirmation of the pensions order and the anti-avoidance order are both subject to amendments contained in the Bill. The amendments to the temporary taxation order providing for the new pension scheme are intended to make the scheme both easier to operate and more flexible and also contain a measure to encourage pension providers to keep fees to a reasonable level. The Bill provides for the amendments to have come into operation at the same time as the original order.

1590 Meanwhile the amendments to be made to the temporary taxation order introduced in the anti-avoidance measure will help ensure that three specific and completely legitimate scenarios will not be unintentionally caught by this measure. The Bill also provides for these amendments to have come into operation at the same time as the original order.

1595 The other main purpose of the Bill is to make three amendments to the Income Tax Act 1970. The first of these concerns the Income Tax Commissioners and introduces a requirement in section 88 of the Act for at least one commissioner to be suitably qualified and experienced to be appointed as deputy chairman of the commissioners. The second amendment expands the definition of tax position in section 120 of the Income Tax Act 1970, so that it also includes compliance with the Common Reporting Standard, which is the OECD's standard for automatic exchange of financial account information. This will enable existing inspection powers to be used to investigate suspected cases of non-compliance with the standard.

1600 The third and final amendment inserts a new section 63CA into the Act and is intended to address a recommendation made in the peer review of the Island undertaken by the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes. The new section introduces a requirement for a foreign company that is tax resident in the Island to ensure the information on the legal owners of the company is held by a person resident on the Island. It also introduces penalties for non-compliance.

I beg to move the Second Reading.

1610 **The Speaker:** I call the Hon. Member for Middle, Mr Shimmins.

Mr Shimmins: Thank you, Mr Speaker.

I beg second and reserve my remarks.

1615 **The Speaker:** Hon. Member for Garff, Mrs Caine.

Mrs Caine: Thank you, Mr Speaker.

1620 With reference to the first measure under clause 2, I welcome extending tax relief to physiotherapy, but I feel it stops short of what is required. Can I inquire of the Hon. Treasury Minister whether any thought was given to extending tax relief on essential social care, enabling elderly or infirm people to remain in their own homes?

One constituent has almost round-the-clock carer/companion assistance along with agency cover for days off and holiday time, with the main carer costing in excess of £30,000 a year. Would it be possible to extend tax relief measures to encompass this?

1625 At present my constituent is taxed on the interest on savings, a significant part of which are withdrawn from the bank to pay carers and a homecare company. I would like to ask the Minister if it would be possible for this to be considered under this amendment Bill for the forthcoming Budget; and secondly, could the Minister please clarify who the tax relief applies to. Is it the person receiving the care or would it also be available for a family member if they are contributing to the costs?

Thank you.

The Speaker: Hon. Member for Ramsey, Mr Hooper.

1635 **Mr Hooper:** Thank you very much, Mr Speaker.

1640 Firstly, I would just like to thank the Treasury Minister. It has been welcomed that there has been some positive engagement with industry around these changes. I would, however, like to take this opportunity to remind Treasury about the new Agency structure within the Department for Enterprise. The Agencies themselves are eager and willing to engage with Treasury on proposed changes to Income Tax legislation that reflects and impacts on their business sectors.

1645 These amendments are quite welcome and they do address some of the issues and concerns that were raised when the original TTO was brought to Tynwald last year. I would just welcome a few comments from the Treasury Minister on some specific sections of the changes to section 61L of the Income Tax Act. My reading of this section is that going forwards, the change will be that 40% of each individual withdrawal will be tax free, but also a person could elect to withdraw just over 40% of the total balance to take the entire tax-free amount out at once, leaving all the taxable portion of the pension safe and secure inside the pension scheme. I would just like to get some clarity if that understanding is correct.

1650 I have heard some concerns also regarding the ability to register these Isle of Man Pension Freedom Schemes (PFSs) as Registered Overseas Pension Schemes with HMRC in the UK. I am just curious, if the Treasury Minister knows: can these PFS schemes ... are they eligible for registration at the moment? If they are not, will these changes enable them to be eligible for registration with HMRC as Registered Overseas Pension Schemes?

1655 I would also like confirmation from the Treasury Minister that these amendments themselves will be applied retrospectively back to the date of the original temporary taxation order.

The Speaker: I call on the mover to reply, Mr Cannan.

1660 **Mr Cannan:** Thank you, Mr Speaker.

I will deal with the Hon. Member for Garff first. What I would point out to her ... She is asking to extend basically the tax relief to further cases, particularly including the cost of caring for an elderly person in their own home. So before I say that we have not considered that, I want to explain or point out to Hon. Members that in 2015 Treasury looked carefully at the Carer's Allowance that was being paid and Hon. Members should recognise, it was increased from £61.35 per week to £112.10 per week and currently stands at £116.60 per week. So I just want to reassure Hon. Members, there are significant allowances in place and those allowances were increased – effectively almost doubled – three years ago.

1670 That payment is made when a person gives up work or reduces their working hours to care for a severely disabled person and in the majority of cases we think that is more appropriate than giving tax relief. So Treasury has not considered extending tax relief to include the cost of caring for an elderly person to remain in their own home. Primarily this would go well beyond the current Nursing Expenses Allowance, which is restricted to those who are severely disabled, either physically or mentally, and who require frequent and continued supervision day and night by a nurse. So at this time we are not in favour of that proposal, Mr Speaker, but I would be happy to continue to discuss it going forward.

1675 Turning to the Hon. Member for Ramsey, the part of his question ... I cannot comment on HMRC at the moment and what view they are taking of these schemes. I really would ask Hon. Members, where questions take on that sort of complexity that requires significant consideration of the question that is being asked, that we do have some sort of prior knowledge about that so I can give a reasoned answer on the floor. But I think his question about the 40% in terms of the tax-free allowance is correct. If he wishes some clarification on that, again I am happy to provide it, but what he was asking was essentially correct.

1680 I hope that satisfies Hon. Members. Thank you, Mr Speaker.

1685 **The Speaker:** The question is that the Income Tax Legislation (Amendment) Bill 2019 be read for a second time. Those in favour ,please say aye; against, no. The ayes have it. The ayes have it.

Hon. Members, that concludes the business on our Order Paper for today. The House will stand adjourned until 5th February at 10 o'clock in our own Chamber.

1690

Thank you.

The House adjourned at 11.28 a.m.