



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

CHILD AND FAMILY AGENCY			
MINUTES OF BOARD MEETING HELD ON 26 July 2019 at 10.30am			
BRUNEL BUILDING, HSQ, DUBLIN			
Attendance	Name	Initials	Role
Present	Pat Rabbitte	Chair / PR	Chairperson
Present	Anne O'Gara	AOG	Deputy Chair
Present	Rory O'Ferrall	ROF	Board Member/ Chair of Audit & Risk Committee
Present	Liam Irwin	LI	Board Member
Present	Deirdre Kiely	DK	Board Member
Present	Avril McDermott	AMcD	Board Member
Present	Paul White	PW	Board Member/Chair of Organisational Development Committee
Present	Sean Holland	SH	Board Member/ Chair of Service & Quality Committee
	Vacancy		Board Member

In Attendance	Pat Smyth Jim Gibson Colette Walsh Brian Lee Cormac Quinlan Eoin Sheridan Paul Hayden Gill Barry Emma Dodrill Kay Keilthy	Interim Chief Executive Chief Operations Officer Director of HR Director of Quality and Assurance Director of Transformation & Policy Interim Director of Finance Head of Estates DPO (Interim) GDPR Board Administrator Board Secretary
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SIGNED: _____

Pat Rabbitte

DATE: _____

27/09/2019

CHAIRPERSON

Start: (10.30)

It was noted that a quorum was present and the Board meeting was duly convened

1. Apologies

None

1.1 Declarations of Interest

No conflicts of interest relating to the agenda items were declared

1.2 Minutes of the Board Meeting of 28 June 2019

The Minutes of the Board Meeting held on 28 June 2019 were considered and approved by the Board subject to a minor change and signed by the Chair.

1.3 Matters Arising

Minister Zappone unable to attend Board meeting as scheduled.

Private Session

The Board went into private session.

Private Session ended.

2. Board Sub Committee Reports

2.1 Service and Quality Committee (SQC) Report

The Board noted the draft minutes of the SQC meeting held on 27 June 2019.

The Board discussed and clarified the issues raised at the Service and Quality sub-committee in relation to Board committee membership as follows:

- The Board may (in accordance with the CFA Act Section 25 (2)) appoint to a committee of the Board persons who are not members of the Board but have special knowledge and expertise related to the purposes of the committee. A person appointed by the Board to a committee will be a full member of that committee.
- The Committee may invite persons who are not members of the Board but have special knowledge and expertise related to the purposes of the committee to attend committee meetings as and when appropriate. A person invited by the Committee will not be full member of that Committee.

2.2 Audit and Risk Committee (ARC) Report

2.3. The Board noted the draft minutes of the ARC meeting held on 12 July 2019.

P. Smyth ICEO joined the meeting

3. ICEO Monthly Report

3.1 The ICEO provided a summary of the main points of his monthly report.

- A meeting with Phelim Quinn, CEO of HIQA has been scheduled to discuss the most effective ways of addressing the areas of greatest risk prioritised by the SMT and Senior Managers following a number of HIQA inspection reports setting out issues of major non-compliance. The Board expressed concern at the Agency's noncompliance with HIQA standards and welcomed the Agency's planned engagement with HIQA. The Board noted that HIQA identified a number of positive findings across different service areas throughout their inspection reports.
- Extensive engagement has taken place with An Garda Síochána in respect of data sharing and good progress has been made on a general inquiry basis. A draft Data Sharing Agreement was provided to the AGS on 10 July 2019 for their review.
- DCYA and Tusla will attend the Joint Committee on Children and Youth Affairs on Wednesday 31 July to discuss the issues raised on the RTE investigates Programme on the Regulation of Crèches.

3.2 The Board requested a presentation by Tusla's Chief Social Worker on social work practice and the challenges faced by front line social workers. The presentation will include a review of worked cases using the signs of safety assessment model approach.

3.2 The Interim Chief Executive will be absent on leave from 10 August to 18 August. Approval was sought for the appointment of Jim Gibson, COO, as acting Chief Executive for the period 10 August to 18 August 2019.

3.3 **L.Irwin proposed the approval of the appointment of J. Gibson as acting CEO. The proposal was seconded by R. O'Ferrall, accordingly the Board approved the appointment of J. Gibson as acting CEO for the period 9.00am on 10 August to 8.00am on 18 August 2019**

Jill. Barry DPO (Interim) GDPR joined the meeting

4. Update on GDPR

4.1 The Board noted the conclusion of the Request for Tender evaluation process for the provision of specialist services to support the implementation of Tusla's GDPR + Programme Phase 2. The project's success will be dependent on the successful implementation of the recommended model and hiring of staff. The Board noted the risk to the success of the GDPR+ Programme Phase 2.

4.2 The Board was asked to recommend the approval of the contract for services to support the implementation of Tusla's GDPR + Programme Phase 2 to the successful tenderer, PWC.

4.3 **A.McDermott proposed the approval of the recommendation to award the contract for services to support the implementation of Tusla's GDPR+ Programme Phase 2 to the successful tenderer, PWC. The proposal was**

seconded by R.O’Ferrall. Accordingly, the Board approved the recommendation to award the contract to PWC.

P. Hayden, Head of Estates joined the meeting

5. Estates – Property Acquisition

- 5.1 The Board was asked to approve the recommendation to enter into a short term lease agreement with Coolowen Properties Limited in relation to Unit C, Northpoint House, Northpoint Business Park, Cork. The approval sought is contingent upon the retrospective recommendation of the PRG.
- 5.2 **L. Irwin proposed the approval of the recommendation to enter into a lease agreement in relation to Northpoint House, Northpoint Business Park, Cork subject to approval by the PRG. The proposal was seconded by R. O’Ferrall. Accordingly, the Board approved the recommendation to enter into a lease in relation to Unit C, Northpoint House, Cork subject to retrospective approval by the PRG.**
- 5.3 The Head of Estates updated the Board on an issue arising with the procurement process in respect of the refurbishment and extension of St. Joseph’s Limerick. On March 26, 2019 the Board approved the recommendation to award the enabling works contract to the successful tenderer Conack Construction Ltd. Conack Construction Ltd have advised that they are unable to stand over the tender figure. In accordance with procurement regulations Tusla will revert to the second tenderer on the procurement list and issue a letter of intent. The Board noted that the tender cost submitted by the second tenderer was 400,000 + Vat more than Conack Construction Ltd. The Head of Estates will provide an update to the Board in September.

SMT joined the meeting

6. Q2 Business Plan Update

- 6.1 The Board noted the update on the implementation of the Business Plan(BP) 2019 as of Quarter 2 2019. The Report detailed progress made on actions due in the second quarter of 2019, the progress towards actions that are for completion throughout 2019 and actions outstanding from the 2018 Business Plan. No priorities were deemed to be at significant risk. The Board queried the correlation between the BP risk ratings and the Risk Register. The Executive will cross reference BP risk ratings with the Risk Register at the end of the BP cycle. The Board was of the view, that the narrative provided against some of the actions, failed to fully reflect the progress achieved. The Director of Transformation and Policy will reflect the Board’s comments back to individual action holders regarding the narrative.

- 6.2 The Director of Quality updated the Board on the RTE investigates programme in relation to Hyde & Seek Crèche. Redacted

Redacted

Inspection reports on crèches are not published until they are fully completed to ensure fair procedures.

7. **Update on Redacted Case”**

- 7.1 The COO circulated a paper to the Board with information on the actions taken to ensure oversight and governance of the Agency’s response to the Case. The NRP will prioritise a review of the case. The Board noted a high level desk top file review was undertaken independent of the operational line management of the case. SH requested a high level governance /oversight desktop review be undertaken on cases in the area. The COO will provide the Board with on-going updates regarding the NRP review and implementation of the recommendations from the high level desk top file review of the case. Redacted

8. **Financial Outturn – June 2019 / Cost Containmentment Update**

- 8.1 The Board noted the Tusla Financial Performance Report – June 2019 providing an update on the financial outturn for the year to date period to June 2019. The Board requested a breakdown of the increase in pay figure between new staff and pay restoration.

The Board noted the 2019 projected year end overspend of €26 million. A note on Cash Breakeven Options 2019 was distributed at the meeting and noted by the Board. The Agency will need to successfully implement significant pay and non-pay cost containments to enable the Agency to live within its Cash Funding allocation in 2019. The Board acknowledged the difficulties in controlling costs in relation to demand led specialist residential and foster care placements. The COO will provide the Board with a paper on Foster Care focussing on recruitment and retention.

The Board was of the view that the projected overspend for 2019 was a consequence of the underfunding of the Agency on establishment, the full impact of which will not be reflected until 2020. The Board agreed that the matter should be escalated to the Minister. The Chair will set out the parameters of the Agency’s financial problems when discussing the 2020 budget at the next quarterly meeting with the Minister.

PW left the meeting

LI stepped out of the meeting

9. **Draft Estimates 2020**

- 9.1 The Board noted the report providing an overview of the development of Tusla’s estimate submission for 2020, providing details of progress to-date.

The Board requested the inclusion of a column showing the projected outcome for 2019 in the ELS Chart and requested a check of the headcount numbers.

SH left the meeting

10. HIQA Action Plan

- 10.1 The Board noted the progress against the HIQA Action Plan and the SMT engagement with the EAG. The next EAG meeting will take place on Thursday, 1 August. The 4th and final quarterly report of the EAG is to be available for presentation at the end of September.

LI re-joined the meeting

11. Performance Data – May

- 11.1 The Board noted the overview of the May 2019 national performance and activity data for the Agency. The data showed a reduction in the numbers of unallocated and retrospective cases.

12. Chief Risk Officer Report

- 12.1 The Board noted the update on the Corporate Risk Register and the new emerging risks to the Agency. The following new and emerging risks were identified.:

- Planned changes to the HSE
- Recent NRP Referrals
- Media Coverage
- Disability Placements
- Draft HIQA Reports

The Board noted the organisational responses to the identified risks.

13. Monthly HR Performance Data

- 13.1 The Board noted the HR Integrated Report July 2019. The Agency is meeting its recruitment targets as set out in its Business Plan 2019.

14. AOB

- 14.1 None

SH: Thank you for the meeting

LI: Thank you for the meeting

End (03.26)