



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

CHILD AND FAMILY AGENCY

**MINUTES OF BOARD MEETING
FRIDAY, 30 OCTOBER 2020**

Via Video Conference

Attendance	Name	Initials	Role
Present	Pat Rabbitte	Chair / PR	Chairperson
Present	Anne O’Gara	AOG	Deputy Chair
Present	Charles Watchorn	CW	Board Member/ Chair of ARC
Present/In Part	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 ODC
Present	Sean Holland	SH	Board Member/ Chair of SQC
Present	Patricia Doherty	PD	Board Member

In Attendance	Bernard Gloster Kate Duggan Pat Smyth Brian Lee Aidan Horan (Guest) Cormac Quinlan Anita Comerford Emma Dodrill Kay Keilthy	Chief Executive Director of Services and Integration(Interim) Director of Finance Director of Quality Assurance Director of IPA Director of Transformation & Policy Head of Strategy and Business Planning Board Administrator Board Secretary
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SIGNED: _____

DATE: 27th November 2020

CHAIRPERSON

Start 10:30

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

1. Apologies

The Board noted that L. Irwin would join the meeting at 12.00

1.2 Declarations of Interest

None

1.3 Minutes of 24 September 2020

The Board considered and approved the minutes of the Board meeting held on 24 September 2020. *Proposed by S Holland, Seconded by C. Watchorn*

1.4 Matters Arising

The Board noted the decisions made by the Board between scheduled Board meetings as follows:

1.5 On 27th August 2020 (in line with the Board's Protocol for making decisions between scheduled Board meetings) the Board approved (via email) the appointment of Pat Smyth, Director of Finance as Acting CEO for the period 27 August to 30 August.

1.6 On 2 October 2020 (in line with the Board's Protocol for making decisions between scheduled Board meetings) the Board approved (via email) the appointment of Kate Duggan, Director of Services and Integration as Acting CEO for the period of absence identified below:

Monday 5 October
Tuesday 6 October (Morning Only)
Wednesday 7 October
Thursday 8 October (Morning Only)
Friday 9 October

1.7 Other matters arising were dealt with under the scheduled Agenda.

2. Private Session

2.1 The Chair advised the Board that he had arranged to meet with the Minister for Higher Education, Innovation and Science to appraise the Minister of the work of the Social Work Education Group and discuss how to determine and influence the future supply of social workers from the Higher Education Institutes. An update will be provided at the November Board meeting.

2.2 The Board expressed grave disappointment with the lack of progress in relation to the Structure Reform Programme and raised concerns in relation the associated risks to the Agency. The Board noted that the Agency was still awaiting approval from the Department and the Department of Public Expenditure and Reform in relation to a number of critical posts. The matter will be raised as a matter of priority with the

Minister at the next Qtrly meeting. The Board agreed to discuss with the CEO how to progress the matter further.

- 2.3 The Chair of the Special Inquiries Committee updated the Board in relation to an ongoing investigation following agenda item 9.

B. Gloster, CEO and K. Duggan Director of Services and Integration (Interim) joined the meeting.

3 **CEO Report**

- 3.1 The CEO reported on activity and significant items of note since the last Board meeting which included:

- Finance 2020/2021
- HR
- Data Protection
- NRP Issus
- Structure Reform
- Covid 19Response
- Corporate Plan Development 2021 - 2023
- Mother and Baby Home Commission Records
- Operational Item of note.

- 3.2 The CEO reported on an allocation for 2021 of €61m in respect of ELS, which will result after full year effect of current ELS, of an available €13-€14m for demand spend. The CEO will submit a recommendation for the allocation of the available funding to the Board at the November Board meeting. The allocation of available funding will require engagement with the Department in the interim and thereafter transmission into a 2021 Business Plan

- 3.3 The CEO advised the Board that due to allocations for year-end prior to the new ELS of €61m for 2021, the Agency can consider once off investment in supports and priorities. The CEO approved internal limited expenditure between now and year end to clear some pressure points in unallocated cases and enhance voluntary services.

- 3.4 The CEO recommended to the Board the broad distribution of circa €3.5m to funded agencies subject to the conclusion of any necessary discussions with the Department. The final allocation will be advised to the Board in December. The Board approved the distribution of circa €3.5 m and the broad distribution headings as recommended by the CEO. **Proposed by A. O’Gara; Seconded by P. White**

- 3.5 The CEO updated the Board on the first phase of the ‘programme within a programme’ involving front-line staff engagement and training.

- 3.6 The Board noted that the pre estimates high ask in relation to GDPR had not materialised and therefore will require consideration within ELS.

- 3.7 The CEO sought Board approval for the activation of the previously approved utilisation of the remaining provision in the GDPR contract of €500,000.00 (net of VAT. The tender for the new process is not complete and will now be subject to reduction of original plan. The Board approved the activation of the remaining provision in the GDPR contract of €500,000.00 in order to carry continued activity to the end of January 2021. **Proposed by P. White; Seconded by D. Kiely**

The Board requested a review of the budget/spend to date in relation to the GDPR Programme.

- 3.8 The CEO appraised the Board of the lack of progress in obtaining the necessary approvals to proceed with the agreed Tusla restructure. The CEO outlined the impact of the delay on the change programme and the risks associated with the delivery of service. The Board was of the view that the risks associated with the Agency not being able to implement the agreed Tusla restructure should be identified in our Corporate Risk Register.
- 3.9 The CEO formally requested the Board to intervene. Following a lengthy discussion, the Board adopted the following resolution:

*The Board hereby instructs the Chairman of the Board to formally request the Minister to hold a meeting, as a matter of urgency, between the CEO, the Board Chairman, DEPR and the Department to obtain the necessary approvals to proceed immediately with the agreed Tusla restructure to enable the organisation to meet its obligations in relation to the protection of children. **Proposed by A. McDermott; Seconded by P. Doherty***

- 3.10 The Board noted the CEO report.

4.0 **Covid-19 Report**

P. Smyth, Director of Finance; K. Hayes, Director of HR (Interim) joined the meeting

The National Director of Services and Integration (Interim) presented a comprehensive report detailing the impact on operational services as the Agency moved from lockdown, to re-opening services (March to September 2020). The Board noted the content of the report and welcomed Tusla's commitment to maintaining essential frontline face to face services. The Board expressed appreciation of the staff for the manner in which they maintained services during Covid-19.

5.0 **Finance Report**

- 5.1 The Director of Finance reported on the financial performance of Tusla for year to date and highlighted areas of cost pressure and the projected funding deficit and expected capital spend in 2020.
- 5.2 The Board noted the content of the Finance Performance Report for year to September 2020.

B. Lee, Director of Quality Assurance, joined the meeting

6.0 **HR Report**

The Board noted the content of the Q3 HR Board Report and the Employment Monitoring Report as at 30 September 2020.

7.0 **Sub- Committee Report - ARC Meeting 23 October 2020**

7.1 The Chair of the ARC reported on the ARC meeting on 23 October 2020. The Chair drew the Board's attention to a guidance document, issued by the C & AG on the impact of Covid-19 on the control environment. The questions and issues raised in the guidance document will be considered as part of the ARC's review of the effectiveness of internal control.

7.2 The Board noted the Chair's report on the ARC meeting of 23 October 2020

8.0 **Review of Adequacy Report 2019**

The Board noted the Review of Adequacy Report 2019 and approved the submission of the Report to the Minister for Children, Disability, Equality, Integration and Youth in accordance with Section 8 of the Child Care Act 1991 (as amended by the Child and Family Agency Act 2013). **Proposed by P. White; Seconded by D. Kiely**

A. Horan, Director of IPA, joined the meeting.

9.0 **Presentation on Risk Management**

9.1 The Board welcomed A. Horan, Director of the IPA to the meeting.

9.2 A. Horan presented on risk management and engaged the Board in a discussion on risk and opportunities, risk appetite, management roles and responsibilities, Tusla's Statement of Internal Control and contemporary risk and assurance issues.

All members of Executive left the meeting.

Lunch Break

C. Quinlan, Director of Transformation & Policy; A. Comerford Head of Strategy and Planning joined the meeting.

10.0 **Research Ethics Committee**

10.1 The Board approved the appointment of Dr Patricia Kennedy as the first independent Chair of Tusla's Research and Ethics Committee. **Proposed by A. O'Gara; Seconded by L. Irwin.**

11.0 **Corporate Plan 2021 - 2023**

11.1 The Director of Transformation and Policy presented on the development of the Corporate Plan 2021 – 2023 and the key messages from Tusla's stakeholder engagement process.

11.2 The Board considered Tusla's revised vision, mission, values and behaviours and proposed amendments for consideration. The Board endorsed the approach to defining the behaviours and the revised approach to the Corporate Plan objectives and actions allowing the Executive to progress further work with the Senior Leadership Team. The Board will be presented with a first draft of the Corporate Plan 2021-2023 in advance of the November Board meeting. Board members were offered an

opportunity to provide any further observations in advance of the issue of the first draft of the plan. Feedback to be provided by the 13 November.

13. **AOB**

13.1 None.

Meeting Ended 14:30.