

Board Meeting
9:30 am Friday, 28 July 2023
L4.03 and L4.04, Brunel Building, HSQ, Dublin.

Name	Title	Attendance
Board Members		
Pat Rabbitte	Chairperson	Present
Anne O’Gara*	Deputy Chairperson	Present
Paul White	Ordinary Board Member	Present
Patricia Doherty	Ordinary Board Member	Present
Charles Watchorn	Ordinary Board Member	Present
Liam Irwin	Ordinary Board Member	Present
Avril McDermott	Ordinary Board Member	Present
Sean Holland	Ordinary Board Member	Apologies received
Sean Quigley	Ordinary Board Member	Present
Susan Bowman	Ordinary Board Member	Present
Teresa McDonnell	Ordinary Board Member	Present
Board Office:		
Kay Keilthy	Board Secretary	Present
Emma Dodrill	Board Administrator	Present
In Attendance:		
Kevin McCarthy	Secretary General, DCEDIY	In Part
Kate Duggan	I/Chief Executive Officer	In Part
Clare Murphy	I/National Director of Services & Integration	In Part
Pat Smyth	National Director Finance & Corporate Services	In Part
Rosarii Mannion	National Director People & Change	In Part
Anthony O’Leary	National Director Quality and Regulation	In Part
Paul Hayden	Estate Manager	In Part
Pamela Benson*	Head of Legal Services	In Part

*Attended via Video Link

Signed:

Pat Rabbitte

Date: 29 September 2023

1. Opening Remarks

- 1.1 The Chair noted a presence of a quorum and duly convened the meeting.

2. Apologies

- 2.1 Apologies noted from S. Holland.

3. Declarations of Interest

- 3.1 No declarations of interests were made in relation to the agenda items before the meeting for consideration.

4. Minutes of Previous Meeting (31/05/2023)

- 4.1 The Board approved the minutes of the Board meeting held on 31 May 2023. Proposed by L. Irwin; Seconded S. Quigley and approved by the Board.

5. Action Log / Matters Arising

- 5.1 The Chair of the ODC, on behalf of the SQC, requested the withdrawal from the Agenda of the Workforce Supply Report (Agenda item 16) until the Business Case for a Social Work Targeted Sponsorship Scheme was reviewed by the SQC. The Board agreed to withdraw Agenda Item 16.

6. Risk Management

- 6.1 The Board considered risk as comprehended in the reports submitted for consideration at the meeting.

7. ODC Chair Report on Committee Meeting of (13/07/2023)

- 7.1 The Board noted the report by the Chair of the ODC on the work of the committee since the last Board meeting. The ODC welcomed the recalibration of the Reform Programme and was assured that the new integrated approach along with the prioritisation of projects will result in the implementation of a more successful programme. The Committee requested that priority be given for the fundamental trainings required to upskill managers and change agents as part of the Leadership Development Programme. Agenda items considered by the ODC at its July meeting and recommended to the Board for approval will be dealt with under separate cover later in the meeting.

8. ARC Chair Report on Committee meeting of (14/07/2023)

- 8.1 The Board noted the report by the Chair of the ARC on the work of the committee since the last Board meeting. Agenda items considered by the ARC at its July meeting and recommended to the Board for approval will be dealt with under separate cover later in the meeting.

9. Board Private Session

- 9.1 Under the Board's current governance structure the Legal Function and the Estates Function report directly into the Board. The Chair proposed delegating the oversight of Tusla's Legal and Estate functions to the Audit and Risk Committee in the first instance with elements of both functions being reviewed as and when appropriate by the Service and

Quality Committee.

- 9.2 The Chair updated the Board on a matter previously brought to the Board's attention and on the CEO recruitment campaign.
- 9.3 The Board approved appointment of Pat Smyth, National Director of Finance and Corporate Services as Acting Chief Executive in accordance with Section 29(3) Child Family Agency Act 2013 in the absence of the I/CEO for the period 31 July to 4 August 2023 inclusive. Proposed by C. Watchorn; Seconded by A. McDermott and agreed by the Board.

The I/Chief Executive; I/National Director of Services & Integration; National Director of Finance & Corporate Services; National Director of People & Change and the National Director of Quality & Risk joined the meeting.

10. Secretary General DCEDIY

- 10.1 The Chair welcomed the Secretary General, DECDIY to the Board meeting. In his opening remarks the Chair referred to the recent publicity concerning the pressure on services in respect of separated children and unaccompanied minors. He said the consistent upward trajectory of compliance of recent years seemed to be challenged by the most recent HIQA DSWKWW Report. The Board was of the view that the HIQA Report highlighted the impact of the pressure faced by the Agency in terms of the increasing scale of the demand for services and the pressures in relation to recruitment/retention.
- 10.2 The Secretary General thanked the Board for the invitation to attend the Board meeting. The Secretary General referred to the Departments ongoing engagement with the Agency and their collaborative objective to manage urgent and strategic pressures.

11. CEO Report

- 11.1 The Board noted I/CEO Report as of July 2023. The I/CEO reiterated the urgent and strategic risks in relation to inadequate placement capacity with significant inadequate capacity to meet demands and an increasing over reliance on the private sector particularly on high-cost unregulated SEA's. The capacity challenges remain as a direct result of reduction in Foster Carers, inability of the Community and Voluntary Sector to scale capacity in the context of funding deficits and workforce supply issues. The demand challenges primarily result from increases in the number of Separated Children Seeking International Protection and the increase in the complexity of children and young people requiring care. The I/CEO assured the Board that efforts were being made to mitigate the risks.
- 11.2 The meeting discussed the outcome of the Ombudsman's Roundtable discussions with key stakeholders and welcomed the Agency's invitation to the Children's Rights Alliance to host a roundtable event with key Departments and relevant State Agencies to explore the current challenges in response to Separated Children Seeking International Protection. The Secretary General appraised the Board of the establishment of a new Cabinet Committee on Children and Education. The Board welcomed the establishment of the new Cabinet Committee.
- 11.3 The meeting was of the view that the Agency needs to articulate its specific, urgent and strategic challenges and be very clear and succinct as to what action / support it needs from key Departments, relevant State Agencies and Government. The Board acknowledged that without additional funding the Agency may face difficulty in achieving its statutory functions.

- 11.4 The Board asked the Secretary General to consider issuing a tender document to the Higher Education Institutes, sponsored by DCEDIY, to fund Social Workers.

11.5 Integrated Reform Programme (Update)

I/CEO provided an update on the recalibrated Integrated Reform Programme. Following external stakeholder engagement on the Reform Programme with HIQA and DCEDIY and internal sessions with RCO's, Service Directors and Area Managers the next phase of CEO/EMT engagement sessions will be rolled out in August/September 2023 across all 17 areas. The I/CEO will update the Board again in September.

11.6 HIQA Report

The Board expressed concern with the findings of the recent DSWKWW HIQA Report. The I/CEO informed the Board that the area was carrying over 54 vacancies. The I/CEO sought assistance from Foroige and Barnardos to support new graduates and reassigned social workers from Early Year's services to assist with staffing vacancies in the area.

12. Judge Simms Correspondence

- 12.1 The Board noted correspondence previously discussed.

13. Child Sexual Exploitation Management - UCD Report

- 13.1 The Interim Director of Services and Integration reported on the UCD Scoping Study on the Sexual Exploitation of Children and Young People in Ireland. The findings highlighted concerns about the safety of children and young people in the care of the State. The Board noted that the Agency had written to the Sexual Exploitation Research Team seeking assurances that reports of exploitation featured in the study were reported to Tusla and or An Garda Síochána. The Board requested the Interim Director of Services and Integration to undertake a review of the concerns raised in the scoping study and report to the Board on the matter.

14. Performance Activity Report (Q1 2023)

- 14.1 The Board noted the Performance Activity Report for Q1 2023 and the ongoing increase in the number of referrals. The Board welcomed the review and audit to be undertaken by the Practice Assurance and Service Monitoring Team into all Tusla and Tusla commissioned child residential services.

15. HR Monthly Data Report

- 15.1 The Director of People and Change reported on the HR Monthly Data Report. The Board acknowledged the significant progress in the HR Monthly Data Report and welcomed the inclusion of the employee survey data. The Board also noted the ongoing good work in relation to the attraction, recruitment and retention initiatives to support and increase the supply of Social Workers in 2023.

16. Workforce Strategy (Workforce Supply Report)

- 16.1 This item was withdrawn to provide for the submission / consideration of a Business Case for Social Work Targeted Sponsorship Scheme to be provided to SQC / Board.

17. Financial Performance Report (YTD May 2023)

- 17.1 The Board took as read the Financial Performance Report YTD May 2023. The Board noted

the very significant service demands in 2023 including the lack of available residential placements, the huge reliance on SEA's which are continuing to cause upward pressure on expenditure. The Board also noted the significant increase in the use of GAL's and associated legal costs which is demand led and controlled by the Courts.

17.2 The Director of Finance and Corporate Services updated the Board on the Agency's engagement with DCEDIY on the Estimates 2024 process and the level of investment required to tackle some of the issues.

17.3 The Board noted that IFMS went live on 3 July 2023 in accordance with the planned schedule.

17.4 The Board thanked the Secretary General for his attendance at the meeting.

The Secretary General left the meeting.

18. Procurement of Data Protection Officer (DPO) for the National Review Panel (NRP)(Tender)

18.1 The Board agreed that the tender for the procurement of a Data Protection Officer for the NRP be referred to the SQC for review before consideration by the Board.

19. Review of Adequacy Report (2022)

19.1 The Board approved the Review of Adequacy Report 2022 prepared in accordance with Section 8 of the Child Care Act 1991 for submission to the Minister for Children, Equality, Disability, Integration and Youth. Proposed by S. Bowman; Seconded by L. Irwin and approved by the Board.

20. Procurement of Legal Service Provider Contracts (Extension Approval for Lots 1-22)

The Head of Legal Services joined the meeting for this item.

20.1 The Board advised the Executive of its intention to delegate the oversight of the Legal Function to the ARC going forward.

20.2 On the 25 June 2021 (Decision No.210625/10.1) provided for the entering into contracts with Legal Contract Providers for an initial period of 12 months with 3 subsequent 12-month extensions. The Board noted that contracts issued for an initial period of 2 years (1 September 2021 to 31 August 2023) with 2 subsequent 12-month extensions.

20.3 The Board approved the recommendation to extend the current legal services contracts (22 Lots) for a further 12 months (1 of 2 approved extensions) from 1 September 2023 to 31 August 2024. Proposed by C. Watchorn; Seconded by P. Doherty and approved by the Board.

21. CRS House Purchase Programme (Capital Costs)

The Estates Manager joined the meeting.

21.1 The Board advised the Executive of its intention to delegate the oversight of the Estates function to the ARC going forward.

21.2 The Board noted the CRS House Purchase Programme (Capital Costs) report provided for information. To further understand the modification and upgrading needed to meet the requirements arising from HIQA compliance and other statutory provisions, and the Boards

concerns in respect of same, the Board requested that the SQC review the standard house specification for CRS and suggested that a value for money (VFM) review be undertaken by the ARC.

22. Procurement of Fire Consultancy (Award of Contract)

- 22.1 The Board approved the proposed award of contract, as recommended by the ARC, to the successful tenderer, following an open competition carried out in connection with the tender for services of suitably qualified fire safety consultants for the provision of fire risk assessments, floor plans and scoping of remedial works for Tusla Children's Residential Services (CRS) Statutory Centres. Proposed by T. McDonnell; Seconded by P. White. and approved by the Board.

23. Estates - Leasehold acquisition of office accommodation, Tralee

- 23.1 The Board approved the recommendation to enter into a lease for office accommodation in Tralee, Co Kerry based on the information provided by the National Head of Estates for consideration at the meeting. Approval is subject to PRG approval. Proposed by L. Irwin; Seconded by C. Watchorn and approved by the Board.

The Estates Manager and C. Watchorn left the meeting.

24. Procurement of SCSIP Residential Provision (Award of Contract)

- 24.1 The Board approved the commissioning of six additional children's residential centres, with a capacity of six beds each for separated children seeking international protection. The centres will be commissioned from providers who were panelled following an extensive procurement process in July 2022. The Board approved contracts for a period of one year.

25. Procurement of GP Services (Award of Contract)

- 25.1 The Board approved to the award of contracts for GP Services (GP Services Tender Project 20691) for on Call Services operating 24/7 for Childrens Residential Services including Special Care Residential Services. Proposed by S. Quigley Seconded by L. Irwin and agreed by the Board.
- 25.2 The Interim Director of Services and Integration agreed to investigate the recouping of medical card costs under the contract and report on to the Board.

26. Procurement of ICT Infrastructure and Cloud Partner (Tender)

- 26.1 The Board approved to proceed to complete the following tenders as recommended by the ODC:
- tenders for resourcing partners (three contracts in total) as a key enabler for the Reform Programme ICT work Streams. The tenders are for the supply of technical contractors.
 - tender for an infrastructure and Cloud Partner.
- Proposed by S. Bowman; Seconded by A. McDermott and approved by the Board.

27. Procurement for ICT Partners to augment three of the ICT Teams (Tender)

- 27.1 The Board approved to proceed to complete the following tenders:
- tenders for resourcing partners (three contract in total) as a key enabler for the reform Programme ICT Workstreams. The tenders are for the supply of technical contractors on drawdown to augment ICT Team.

Proposed by S. Bowman; Seconded by L. Irwin and approved by the Board.

28. AOB

End.