

Board Meeting
9:30 am Wednesday, 20 December 2023
L4.03, Brunel Building, Dublin 8.

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	Present
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:		
Kate Duggan	I/Chief Executive Officer	In Part
Clare Murphy	I/National Director of Services & Integration	In Part
Rosarii Mannion	National Director People & Change	In Part
Anthony O’Leary	National Director Quality & Regulation	In Part
Pat Smyth	National Director Finance & Corporate Services	In Part
Fergus Ó Cuancháin	Chief Information Officer	In Part
Anita Comerford	Head of Strategy and Business Planning	In Part
Paul Hayden	Head of Estates	In Part
Marion Brattman	National Manager for Research	In Part
Bernard Barrett	National Research and Information Specialist	In Part
Roberta Mulligan	Service Experience, Governance and Risk Systems Manager	In Part

Signed: 

Date: 26 January 2024

1. Opening Remarks

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

2. Apologies

- 2.1 None.

3. Declarations of Interest

- 3.1 No declaration of interest was made in relation to any of the agenda items before the Board for consideration.

4. Risk Management

- 4.1 The Board discussed risk management as comprehended in the reports submitted for consideration at the meeting.

5. Board Private Session

- 5.1 The Chair updated the Board on the recent quarterly meeting with the Minister held on 11 December 2023.
- 5.2 The Board discussed the agenda and associated submissions for consideration. The Board resolved to schedule a special purpose meeting to review Tusla's Estates Strategy. Consideration of agenda item 26 – Tusla Property Protocol and agenda item 27 – Lease Renewal for Brunel was deferred until the special board meeting to be scheduled in the early part of Q1 2024. The Chair said he had some concerns about the heavy workload of the committees and the special purpose meeting would provide an opportunity to review the functioning of the committees.

6. Action Log / Matters Arising

- 6.1 The Board noted the Action Log as of 18 December 2023.
- 6.2 The Board approved the arrangements to delegate the CEO functions to Mr. Pat Smyth, Director of Finance and Corporate Services from 4th January to 11th January 2024 inclusive in the absence of the CEO. Proposed by L. Irwin and Seconded by P. White

7. SQC Chair Report on Committee Meeting of (30/11/2023)

- 7.1 The Chair of the SQC reported on the work of the Committee since the last SQC report to the Board.
- 7.2 Tusla's National Research Office presented on the Agency's Research Strategy 2023 – 2029. The SQC agreed to recommend the Research Strategy 2023 – 2029 to the Board for approval. The National Research Office will update the Committee on an annual basis going forward.
- 7.3 The Assistant National Director for Practice Reform provided the SQC with an update on practice reform workstreams and provided a case study mapping out what the reform of Integrated Response Pathways and Therapeutic Services will look like in practice. The Case Study will be made available to Board members via the Board Portal
- 7.4 The National Director for People and Change provided a verbal update in relation to retention initiatives including existing education providers, new colleges and plans to progress a social

work apprenticeship model. A business case for the Targeted Sponsorship Social Work Scheme was discussed in detail at the SQC's special purpose meeting held on 29 September. The National Director for People and Change will present a revised business case for a Targeted Sponsorship Social Work Scheme to the full Board for discussion in the new year.

8. ARC Chair Report on Committee meeting of (08/12/2023)

- 8.1 The Chair of the ARC updated the Board on the work undertaken by the Committee since the last ARC report to the Board.
- 8.2 The Chair brought to the attention of the Board the Internal Audit findings identified in IA Q3 Report in relation to ICT and GDPR.
- 8.3 The ARC approved the IA workplan for 2024.
- 8.4 The following were considered by the ARC and recommended to the Board for approval under the Board's consent agenda.
 - ARC TOR's
 - Psychology Costs 2023
 - Extension of the GDPR Third Party Support Contract with PWC until June 2024.
 - Legal Services re-tender for District Court Childcare Applications in the Midlands.
 - Acquisition and Disposal of Properties
- 8.5 The Chair of the ARC proposed the appointment of Caroline McGroary as an additional external member of the Audit and Risk Committee. The Board formally approved the appointment of Ms. McGroary for an initial period of 1 year.

9. Internal Audit Charter

- 9.1 The Board approved the Internal Audit Charter for 2024 with relevant changes to audit approvals process.. Proposed by C. Watchorn, seconded by P. Doherty and agreed by the Board.

Consent Agenda (Agenda Items 10 to 17.8)

The Board requested agenda item 14 to be removed from the consent agenda. The Chair agreed to take Agenda Item 14 as part of the Finance Report later in the meeting. The Board approved the remaining agenda items covered under the consent agenda. Proposed by P. Doherty, seconded by L. Irwin and approved by the Board.

10. Minutes of Previous Meeting (24/11/2023)

- 10.1 The Board approved as part of the consent agenda; the Minutes of the Board meeting held on the 24/11/2023.

11. SQC Terms of Reference

- 11.1 The Board approved as part of the consent agenda, the SQC's Revised Terms of Reference (V5.3) as recommended by the SQC.

12. ARC Terms of Reference

- 12.1 The Board approved as part of the consent agenda, the ARC's Revised Terms of Reference (6.4) as recommended by the ARC.

13. Board Operating Plan (2024)

- 13.1 The Board approved as part of the consent agenda, the Board Operating Plan for 2024.

14. HSE Psychology Costs 2023

- 14.1 This agenda item was removed from the consent agenda at the request of Board members.

15. Procurement Third Party Support Extension of Contract between Tusla & PWC (GDPR)

- 15.1 The Board approved as part of the consent agenda, the proposal by the EMT to extend the third-party support contract between Tusla and PwC (GDPR) dated 1 March 2021, and due to conclude on 1 March 2024, to June 2024 and within the approved budget and ELS. This proposal was considered by the ARC and recommended to the Board for approval.

16. Re-tender for Lot 6 the Midlands for District Court Childcare Applications

- 16.1 The Board approved as part of the consent agenda, the proposal by the Head of Legal Services to re-tender for legal services Lot 6 the Midlands for District Court Childcare Applications arising from a notice of termination by the current service provider. This proposal was considered by the ARC and recommended to the Board for approval.

17. Estates (x8)

17.1 Renewal of Lease - North Point House

The Board approved as part of the consent agenda, the proposal by the Head of Estates to renew the lease for office accommodation at Northpoint House, Cork. This proposal was considered by the ARC and recommended to the Board for approval.

17.2 Variation to existing Board Approval - Nenagh PCC

The Board approved as part of the consent agenda, the proposal by the Head of Estates to increase floor area in respect of previously approved leasehold acquisition at Nenagh Primary Care Centre. This proposal was considered by the ARC and recommended to the Board for approval.

17.3 Renewal of License - Meath Enterprise Centre, Navan

The Board approved as part of the consent agenda, the proposal by the Head of Estates to renew the license at Meath Enterprise Centre, Navan. This proposal was considered by the ARC and recommended to the Board for approval.

17.4 Renewal of Lease - Killarney Court, Dublin

The Board approved as part of the consent agenda, the proposal by the Head of Estates to renew the lease at Killarney Court, Dublin. This proposal was considered by the ARC and recommended to the Board for approval.

17.5 Reassignment of Lease Gateway, Cork

The Board approved as part of the consent agenda, the proposal by the Head of Estates to reassign the lease at Gateway Cork, and associated surrender of lease at Northpoint, Cork. This proposal was considered by the ARC and recommended to the Board for approval.

17.6 Renewal of Lease, Connaght House , Sligo

The Board approved as part of the consent agenda, the proposal by the Head of Estates to

renew the lease for office accommodation at Connaght House, Sligo. This proposal was considered by the ARC and recommended to the Board for approval.

17.7 Purchase of CRS Property, Co. Galway

The Board approved as part of the consent agenda, the proposal by the Head of Estates to purchase a child residential service property in Galway. This proposal was considered by the ARC and recommended to the Board for approval.

17.8 Lease Renewal Cork City

The Board approved as part of the consent agenda, the proposal by the Head of Estates to renew the lease at a property in Cork city for a social work led service. This proposal was considered by the ARC and recommended to the Board for approval.

The Chief Executive joined the meeting.

18. CEO Report

18.1 The Board noted the CEO's Report and the significant progress made in 2023.

18.2 The CEO updated the Board in relation to a particular incident which had recently come to her attention. The Board noted that the incident had been escalated to all appropriate parties.

18.3 The CEO highlighted that placement capacity, emergency service provision and demand for services for Separate Children Seeking International Protecting continue to be significant risks for the Agency.

18.4 The SCSIP stakeholder engagement is now near completion and a draft report will be available for the January 2024 Board meeting. Following consideration by the Board the Report will be submitted to the Minister.

18.5 The CEO provided the Board with an outline of Tusla's 10-year anniversary event scheduled for 6 February 2024. The Board approved the construct of the event as articulated by the CEO.

18.6 The Board noted that the CEO had met with the Deputy Chair, A. O'Gara, to consider the further integration of TESS and AEARS into the wider family support services.

19. Tusla Research Strategy 2024-29 (presentation)

The National Director for People & Change; National Director for Quality & Regulation; National Director for Finance & Corporate Services; I/National Director for Services & Integration; Chief Information Officer; The National Manager for Research and the National Research and Information Specialist joined the meeting.

19.1 The National Manager for Research and the National Research and Information Specialist presented on Tusla's Research Strategy 2024 – 2029. The Board welcomed the Tusla-wide research strategy which will be implemented across the Agency to support use and access to best evidence and is seen as essential to improving Tusla services to deliver better outcomes for services users.

19.2 The Board formally approved the Tusla Research Strategy 2024 – 2029. Proposed by A. O'Gara, seconded by S. Holland and approved by the Board.

The National Manager for Research and the National Research and Information Specialist left the meeting.

20. Corporate Plan 2024-26

The Head of Strategy and Business Planning joined the meeting.

20.1 The Board reviewed the final draft of the Corporate Plan 2024 – 2026. The Board approved the final draft of the Corporate Plan 2024 – 2026, subject to the incorporation of feedback provided in relation to Tusla's Values. and the insertion of the Chair's foreword. An analysis of the Agency's key risks will be provided as an appendix to the Plan.

20.2 The Board approved the submission of the revised Corporate Plan 2024 – 2026 to the Minister before 28 December in accordance with Section 42 of the Child and Family Agency Act 2013. Proposed by P. Doherty, seconded by T. McDonnell and approved by the Board.

21. Performance Statement (2024)

21.1 The Board noted the final draft of the Performance Statement for 2024.

22. Business Plan (2024)

22.1 The Board reviewed the draft Business Plan for 2024. The Board approved the Business Plan for 2024 based on the Agency's 2024 funding allocation. The Board acknowledged that the challenge for the Agency in 2024 will be to deliver services within the constraints of the budget and increasing demand.

22.2 The Board approved the submission of the Business Plan 2024 to the Minister in accordance with Section 46 of the Child and Family Agency Act 2013. Proposed by S. Quigley, seconded by C. Watchorn and approved by the Board.

23. Business / Corporate Plan Progress Report (Q3 2023)

23.1 The Board noted the update on the implementation of the 2023 Business Plan including the status of all actions, activity measures and targets as at the end of Q3. and approved its onward submission to DCEDIY.

The Head of Strategy and Business Planning left the meeting.

24. Financial Performance Report (YTD)

24.1 The Board approved for payment the HSE Invoice for Psychology Service for 2023 in line with Tusla's Memorandum of Understanding with the HSE. Proposed by A.O'Gara, seconded by C. Watchorn and approved by the Board. The EMT will review its commitment to the HSE in relation to psychology services in 2024. The SQC also undertook to schedule a review of psychology services as part of the Committee's workplan for the coming year.

24.2 The Director of Finance and Corporate Services reported on Tusla's Financial Performance YTD October 2023. The Agency continues to deal with very significant demand pressures in 2023 which are continuing to cause upward pressure on expenditure. The Agency has received a supplementary allocation to address the Agency's projected 2023 deficit on a once of basis. The demand led pressures along with the lack of available residential placements, particularly in the area of Separated Children Seeking International Protection means that projections for 2024 remain unpredictable.

24.3 The IFMS implementation has impacted on the reporting of Capital expenditure in the 2nd half of 2023 and may have impacted on some projects, however it is expected that the Capital budget will be fully spent in 2023.

25. Estates Capital Approval Thresholds

- 25.1 The Board considered the proposed recommendation to increase the value threshold in respect of the award of capital construction contracts to €1 million. The current position provides that all proposed capital contracts with a value exceeding €500K require Board and Ministerial approval. The Board, following discussion, approved to increase the value threshold in respect of the award of capital construction projects from €500K to €1 million and noted that the Department is currently considering having the Ministerial approval threshold raised from its current level. Proposed by C. Watchorn seconded by P. Doherty and agreed by the Board.

26. Tusla Property Protocol

The Head of Estates joined the meeting.

- 26.1 The Board agreed to defer consideration of this agenda item until 2024 when a special purpose meeting will be scheduled to review the matter.

27. Estates Renewal of Lease - Brunel

- 27.1 The Board agreed to defer consideration of this agenda item until 2024 when a special purpose meeting will be scheduled to review the matter.
- 27.2 The Board thanked Paul Hayden for his work in his role as Tusla Head of Estates and noted the work involved in the development of the draft Tusla Property Protocol. Section 37(1) Personal Informi

The Head of Estates left the meeting.

28. HR Employment Data Report (YTD)

- 28.1 The Director of People and Change presented the HR Employment Data Report YTD. The Board noted progress to date. A report on the Agency's targeted sponsorship scheme will be presented to the Board in new year.

29. Performance Activity Report (Q3 2023)

- 29.1 The Director of Quality and Regulation presented the Quality and Regulation and Service and Integration Integrated Report Q3 2023. The report identified some positive trends in Q3 including improvements in HIQA compliance in CRS, Fostering and in CPW in Cork. The Director of Services and integration reported that the number of referrals in 2023 is likely to exceed 90,000, ongoing capacity and capability issues continue to contribute to regulatory noncompliance with ongoing reliance on the use of SEA's continuing to pose challenges and risks to the Agency. The Board noted the VHA continues to be of concern accounting for 56% of incidents reported on the NIMS system.

30. National Corporate Risk Register (Q3 2023)

The Service Experience, Governance and Risk Systems Manager joined the meeting.

- 30.1 The Board noted the NCRR for Q3 2023 showing a decrease in the number of risks to 13 with four risk de-escalated from the register. Since Q2 2023 report, a review of all risks on the NCRR have been completed.

31. Annual Risk Report (2023)

- 31.1 The Board considered the Annual Risk Report 2023 providing a summary of the risk

management practices that have occurred throughout the period November 2022 to November 2023 and the proposed next steps for the forthcoming period. The Board noted that this year an internal audit of Tusla's National Corporate Risk Management Framework was undertaken and resulted in a satisfactory audit opinion. It also welcomed the alignment of the NCRR risks with the Tusla Risk Appetite Statement (RAS) allowing the use of the RAS to assist in the review of NCRR risks. The Board congratulated the executive team on the continuing maturing and embedding of the Organisational Risk Management Framework.

The Service Experience, Governance and Risk Systems Manager left the meeting.

32. Procurement award of contract to partner to provide Applications Team Resources

- 32.1 At its meeting in July, the Board approved an ICT paper to tender for a contracted partner to provide ICT Applications Team Resources. This paper was for approval of a drawdown figure of a max of eight resources, however, it is now suggested to increase this figure to a max of 16 resources.
- 32.2 The Board approved the Tender Evaluation Panel's recommendation to award the contract to the successful partner to provide ICT Applications Team Resources on drawdown as required. The Board noted there is no commitment under the contract to drawdown the additional resources. Proposed by S. Bowman; Seconded by A. O'Gara and agreed by the Board.

33. AOB

- 33.1 Following the annual review of the TOR's of the Committees it was proposed that the Board should consider broadening the membership criteria of the Board sub-committees to reflect greater diversity. The Board agreed to consider the matter at a future Board meeting.

End.