

**Board Meeting**  
 9:30am, Thursday, 28th March 2024  
 L4.03 & L4.04 Brunel Building

Name	Title	Attendance
<b>Board Members</b>		
Pat Rabbitte	Chairperson	Present
Avril McDermott	Deputy Chairperson	Present
Patricia Doherty	Ordinary Board Member	Present
Charles Watchorn	Ordinary Board Member	Present
Liam Irwin	Ordinary Board Member	Present
Anne O’Gara	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
<b>Board Office:</b>		
Kay Keilthy	Board Secretary	Present
Emma Dodrill	Board Administrator	Present
<b>In Attendance:</b>		
Kate Duggan	Chief Executive Officer	In Part
Rosarii Mannion	National Director of People and Change	
Pat Smyth	National Director Finance & Corporate Services	In Part
Fergus Ó Cuanacháin	Chief Information Officer	In Part
Crona Barry	Head of Financial Excellence and Governance	In Part
Shane Campbell	National Estates Manager	In Part
<b>External Attendees:</b>	Aidan Horan, IPA	In Part

Signed: 

Date: 26 April 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 None

## **4. Minutes of Previous Meeting (26/01/2024 & 20/02/2024)**

- 4.1 The Board approved the minutes of the Board meeting held on 26 January 2024. Proposed by C. Watchorn and seconded by L. Irwin.
- 4.2 The Board approved the minutes of the Special Purpose Board meeting held on 20 February 2024. Proposed by A. O'Gara and seconded by S. Holland.

## **5. Action Log / Matters Arising**

- 5.1 The Board noted the Action Log as of 27 March 2024.
- 5.2 The Board noted that a proposal in relation to the continued leasing of office space in Brunel will be submitted to the Board in April.

### **5.3 Delegation of Chief Executive Function**

- 5.3.1 The Board approved the arrangement to delegate the CEO functions to Mr. Pat Smyth, National Director of Finance and Corporate Services on 8 April and from 15 April to the 22 of April inclusive in the absence of the CEO. Proposed by C. Watchorn and seconded by P. Doherty.

## **6. Risk Management**

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

## **7. Board Performance Report**

- 7.1 The Board approved its Annual Performance Report for 2023 subject to some minor changes.

## **8. Board Private Session**

- 8.1 The Board noted that the next quarterly meeting with the Minister was scheduled for the afternoon.
- 8.2 The Chair informed the Board that he had met with the CEO and agreed objectives for the year. The Chair will maintain regular contact with the CEO throughout the year.

## **9. ODC Chair Report on Committee Meeting of (20/03/2024)**

9.1 The Chair of the ODC reported on the work undertaken by the Committee at its meeting on 20 March 2024. The Chair updated the Board on progress in relation to the reform programme, stating that the Agency had reached a significant milestone in relation to the reform programme and design. The ODC acknowledged the significant level of investment from the extended management team and were assured about the focus and collective responsibility in relation to the next stage of the process. The Chair expressed the view that the effort involved to implement the next phase should not be underestimated, particularly in the context of the increase demand for services.

9.2 The Board discussed and noted the ODC Chair's report.

## **10. SQC Chair Report on Committee Meeting of (21/03/2024)**

10.1 The Chair of the SQC reported on the work undertaken by the Committee at its meeting held on 21 March 2024. The Committee agreed to undertake service visits to gain strategic or grassroots insight as part of their annual workplan and discussed how it might increase diversity on the Committee. The SQC welcomed the draft Outcomes Framework noting its alignment with the work on practice reform and agreed to recommend to the Board for formal approval.

10.2 The Board discussed and noted the SQC Chair's report.

## **11. ARC Chair Report on Committee meeting of (22/03/2024)**

11.1 The Chair of the ARC reported on the work undertaken by the Committee at its meeting on 23 February and 23 March 2024. The Chair updated the Board in relation to IA's budgetary position and current underfunding. The ARC having considered the draft AFS as at 31 December 2023 agreed to recommend to the Board the submission of the AFS 2023 including the Governance Statement and the Statement of Internal Control to the Comptroller and Auditor General for the purpose of audit in accordance with Section 51 (6) of the Child and Family Agency Act 2013.

11.2 The ARC reviewed the Assertions Report 2023 and agreed to recommend its submission to the Board for consideration.

11.3 The Board discussed and noted the ARC Chair's report.

11.4 Following a brief discussion in relation to FRC's it was requested that a paper on FRC's be submitted to the SQC for review. The Chair of the ARC provided assurance that internal audit findings in relation to FRC's were followed up. The Board asked that the Agency look at the funding requirement protocol for commissioned services in relation to Tusla branding.

11.5 The ARC reviewed a proposal for the procurement of personal alarm devices for staff and agreed to submit the paper to the Board for consideration as part of the Board's consent agenda. The Board requested that legal advice be sought to clarify the Agency's liability for when staff are using the personal alarm devices outside of their working environment. A Personal Alarm Response Protocol was also requested to be provided to the SQC for review.

## **12. Consent Agenda**

### **12.1 Procurement Award of Contract for Microsoft Solutions Renewals (Licensing) and associated services**

The Board approved as part of its consent agenda the award of contract for existing

Microsoft Solution Renewals and Associated Services to the successful tenderer following completion of tender and evaluation process. The procurement was supported by the Office of Government Procurement (OGP) and Evaluation was chaired by the OGP representative. This recommendation for approval was reviewed by the ODC on March 20 2024 and recommended to the Board for approval.

#### **12.2 Grants to funded Organisations in excess of €1 million.**

The Board approved as part of its consent agenda the continuation of funding to Tusla funded services in receipt of funding in excess of €1 million. This recommendation for approval was reviewed by the ARC on 23 February 2024 and recommended to the Board for approval.

#### **12.3 Business Case for Personal Alarms for Staff**

The Board as part of its consent agenda approved the proposal to procure monitored personal alarms for staff to mitigate the risk of lone working and VHA. This recommendation for approval was reviewed by the ARC on 23 February 2024 and recommended to the Board for approval. The Board discussed this proposal under the ARC Chair's report and requested additional information/action in relation to liability and response protocols.

#### **12.4 Procurement Award of Contract for Legal Services Lots 12**

The Board approved as part of its consent agenda to enter a contract with the preferred tenderer for lot 12 Galway/Roscommon lot for childcare work. The tender competition ran in full compliance of EU procurement rules and government policy and procedures through e-tenders. This recommendation for approval was reviewed by the ARC on 23 March 2024 and recommended to the Board for approval.

#### **12.5 Protected Disclosures Annual Report (2023)**

The Board approved as part of its consent agenda the Protected Disclosure Annual Report prepared in compliance with Section 22 of the Protected Disclosure Act 2014 for publication. This recommendation for approval was reviewed by the ARC on 23 March 2024 and recommended to the Board for approval.

#### **12.6 Procurement Plan 2024**

The Board approved the Procurement Plan 2024 noting the Corporate Procurement Plan 2024 / 2025 and the 40/02 Report as part of the Board's consent agenda. This recommendation for approval was reviewed by the ARC on 23 March 2024 and recommended to the Board for approval.

#### **12.7 Estates**

##### **(i) License acquisition aftercare House Wexford**

The Board approved the license acquisition of a house in Wexford to support care experienced young adults to avail of secure and stable accommodation as part of a joint project with Wexford County Council. This recommendation was reviewed by the ARC on 23 March 2024 and recommended to the Board for approval.

##### **(ii) Lease acquisition Nessian House Cork**

The Board approved the leasehold acquisition for office accommodation in Nessian House, Cork. This recommendation was reviewed by the ARC on 23 March 2024 and recommended to the Board for approval.

##### **(iii) Ownership change Donegal PCC**

The Board noted the change in ownership in relation to Donegal PCC.

#### **(iv) Ownership change Portarlinton PCC**

The Board noted the change in ownership of Portarlinton PCC.

### **12.8 Outcomes Framework**

The Board approved the proposed Tusla Outcomes Framework. This recommendation for approval was reviewed by the SQC on 22 March 2024 and recommended to the Board for approval.

### **13. CEO Report**

*The Chief Executive joined the meeting.*

- 13.1 The Board noted the contents of the CEO report for March 2023. The CEO highlighted Special Care, Special Emergency Arrangements and Governance and Oversight of Third-Party Providers as the three most significant risks for the Agency.
- 13.2 The CEO gave a comprehensive update on all matters related to SEA's, providing an outline of the National SEA Assurance Integration structure, key risks, and current priorities. The Board acknowledged the robust mitigations in relation to the key and emerging risks and noted the importance of the continued implementation of the reform programme.
- 13.3 The CEO raised concerns in relation to the governance and oversight of third-party providers at area and regional level which did not meet assumptions made. The Board was assured that significant progress has been made in identifying the issues and scope of the problem. Interim measures are being applied to mitigate risk points. The CEO advised that she had commissioned a national group, supported by an external consultant to design a fit for purpose operating model to be completed by Q3 2024.
- 13.4 A report on Special Care will be presented by the CEO later on in the meeting.

### **14. Reform Programme Region and Network Boundaries**

*The National Director of People and Change, the National Director of Finance and Corporate Services and the Chief Information Officer joined the meeting.*

- 14.1 The CEO provided an update on progress made in relation to Reform of Structure (Regional) and Practice. The Board approved the new Regional & Network Structures and Change Management and Engagement Approach as recommended by the ODC. Proposed by A. O'Gara, Seconded by L. Irwin and approved by the Board.

### **15. Integrated Reform Programme Approach to Change Management & Engagement**

- 15.1 The Board noted the presentation on the Approach to Change Management & Engagement considered by the ODC at its March meeting. The CEO provided a high-level verbal summary of the reform programme and approach to change management and engagement.

### **16. Special Care Update**

- 16.1 The CEO provided a high-level summary on the background to the recent Supreme Court Judgment in relation to Special Care and an update on contempt of court proceedings.
- 16.2 The CEO provided a presentation on Special Care including the profile of young people currently in and awaiting special care along with a high-level summary of key challenges and actions taken. An external review group has been commissioned to look at Special Care, in particular its legislative basis.

## **17. National Corporate Risk Register (Q4 2023)**

17.1 The Board noted the NCRR as of Q4 2023.

## **18. Performance Activity Report (Q4 2023)**

18.1 The Board noted the Performance Activity Report for Q4 2023 showing an integrated overview of key trends concerning Tusla performance and the actions that have commenced/been implemented to mitigate the performance challenges and risks identified in the report. The increase in referrals is continued into Q1 2024 data.

## **19. Assertions Report 2023 (Internal Controls)**

*Head of Financial Excellence and Governance and A. Horan, IPA; joined the meeting.*

19.1 The Board reviewed the effectiveness of its system of internal control, including financial, operational and compliance controls and risk management. The Assertions Report 2023 supported the Board in its reflection of the adequacy and effectiveness of controls and risk management arrangements for 2023 and provided an evidential basis for the affirmations and disclosures within the Statement of Internal Control.

19.2 The Board thanked the Director of Finance, Head of Financial Excellence and Governance for their work in preparing the Assertions Report 2023.

*A. Horan left the meeting.*

## **20. Annual Financial Statement (AFS) Draft 2023 for C&AG**

20.1 The Board approved the Draft Annual Financial Statements for year ending 31 December 2023 including the Governance Statement and the Statement of Internal Control for submission to the Comptroller and Auditor General for the purpose of audit in accordance with Section 51 (6) of the Child and Family Agency Act 2013. Proposed by C. Watchorn, Seconded by S. Quigley and approved by the Board.

## **21. Financial Performance Report (YTD)**

21.1 The Board noted the Financial Performance Report providing commentary on financial results to end of February 2024 and full year forecast. Private Residential and Foster Care will be the principal cause of the overall forecast overspend for the Agency in 2024.

## **22. HR Employment Data Report (YTD)**

22.1 The Board noted the HR Employment Data Report for the year end December 23 and the period January 2024.

## **23. Implementation of Tusla People Strategy**

23.1 The Director of People and Change provided an update on the implementation of the Tusla's People Strategy 2022 - 2024. including retention, supply and workforce development. The Board welcomed the retention and recruitment initiatives in place and requested a value for money report at the conclusion of the various initiatives.

## **24. AOB**

24.1 None

End.