

Board Meeting
Friday, 26th April 2024 9:30 am
L4.03 & L4.04 Brunel Building

Name	Title	Attendance
Board Members		
Pat Rabbitte	Chairperson	Present
Avril McDermott	Deputy Chairperson	Apologies received
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	Apologies received
Board Office:		
Kay Keilthy	Board Secretary	Present
Emma Dodrill	Board Administrator	Present
In Attendance:		
Kate Duggan	Chief Executive Officer	In Part
Rosarii Mannion	National Director of People and Change	In Part
Pat Smyth	National Director Finance & Corporate Services	In Part
Fergus Ó Cuanacháin	Chief Information Officer	In Part
Anthony O’Leary	National Director Quality & Risk	In Part
Pamela Benson	Head of Legal Services	In Part
Anita Comerford	Head of Strategy and Business Planning	In Part
Therese Culligan	The Senior Manager, National Placement Team, Private Team & National SEN Team joined the meeting.	In Part

Signed:

Pat Rabbitte

Date: 31 May 2024

1. Opening Remarks

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

2. Apologies

- 2.1 The meeting noted apologies from Avril Mc Dermott and Teresa Maher.

3. Declarations of Interest

- 3.1 None

4. Minutes of Previous Meeting (28/03/2024)

- 4.1 The Board approved the minutes of the Board meeting held on 28 March 2024. Proposed by A O’Gara, Seconded by L. Irwin and agreed by the Board.

5. Action Log / Matters Arising

- 5.1 The Board noted the Action log as of 24 April 2024.

5.2 For submission to the Office of the Chief Inspector, HIQA

- 5.2.1 The Board approved the appointment of the following named individuals as an authorized signatory or signatories to sign relevant documentation on behalf of the Agency:

- Ms Kate Duggan, CEO
- Ms Clare Murphy, National Director of Services and Integration (I)
- Mr William O’Rourke, National Service Director children and Young Peoples Residential Care

Proposed by A. O Gara, Seconded by P. Doherty and agreed by the Board. Notice of the above resolution will be submitted to the Office of the Chief Inspector, HIQA.

6. Risk Management

- 6.1 The Board considered risk management as comprehended in the papers submitted to the Board for consideration.

7. Board Private Session

- 7.1 The Chair updated the Board on the Ministerial Quarterly Meeting held on 28 March 2024.

- 7.2 The Chair is scheduled to meet with the Public Appointments Service and the Department in early June with a view to filling the current vacancy on the Board following the conclusion of the State Boards advertisement process.

- 7.3 The Chair updated the Board on Tusla’s Child Care Law conference which was held on 9 of April 2024. The Law Conference focused on the proposed amendments to the Child Care Act 1991 and related matters. The Chair stated that the conference was highly beneficial as it provided the opportunity to discuss substantial content in relation to the new Bill and to reinforce the need for interagency co-operation. Following the conference, the Agency should pursue with DCEDIY the conclusion and content with new Bill.

- 7.4 The Board discussed the significant impact of the Contempt of Court Proceedings for the Agency and the CEO

8. CEO Report

The CEO joined the meeting.

- 8.1 The Board noted the CEO report showing the most significant risks for the Agency continue to relate to Special Care, SEA arrangements and Governance & Oversight of Third-Party Providers.
- 8.2 The CEO advised that the contempt of court proceedings is a significant challenge for Tusla. The Board acknowledged the difficulties for Ms Duggan over the Agency's alleged failure to comply with the court order, both in her role as CEO and on a personal level. The Board commended the CEO on her stance and the approach taken in relation to the contempt of court proceedings, noting the acute pressure that this situation puts on the Agency. The Board expressed its full support for the CEO.
- 8.3 The CEO informed the Board that the Agency was working with AGS in relation to alleged instances of abuse in a high-profile organisation.
- 8.4 The CEO advised that the External Review Group had commenced their work to examine Special Care Service provision and to provide assurances that all efforts are being taken to mitigate risks, increase capacity in Special Care and to make recommendation on any further actions that could be taken. A report will be available for the September Board meeting. The Board expressed disappointment that the Agency's request to provide an additional allowance to special care staff to improve recruitment and retention had not been approved by DPER.
- 8.5 The CEO raised concerns in relation to the timeline (September 2024) for the introduction of the revised Child Minding Registration and Inspection Services. The Agency was of the view that this was not achievable, however, the Agency will continue to seek to mitigate risks to achieve same.
- 8.6 The Board noted that TESS has been engaged by the Department of Education on the strategic priorities, particularly in relation to "Education 2050" and welcomed the expansion of the service.
- 8.7 The CEO informed the Board that the Birth Information and Tracing is now statutory compliant. The Board very much welcomed the progress in this area.

9. Tusla Data Management and Digital Transformation Strategy 2024-26

The Executive Team joined the Meeting.

- 9.1 The Board approved the Tusla Data Management and Digital Transformation Strategy 2024 - 2026. The Tusla Data Management and Digital Transformation Strategy 2024-2026 was considered by the ODC and recommended to the Board for approval. Proposed by S. Bowman and seconded by L. Irwin and agreed by the Board.

10. Tusla Property Protocol (V9 incorporating Board amendments)

- 10.1 The Board approved the amendments (as discussed at the March Board Meeting to the Draft Tusla Property Protocol) and adopted the Draft Tusla Property Protocol (V9). The Tusla Property Protocol was considered by the ARC and recommended to the Board for approval. The Board considered the Tusla Property Protocol at its March meeting and approved the Protocol subject to agreed Board amendments. Proposed by C. Watchorn and seconded by P. Doherty and agreed by the Board.

11. Procurement request to tender for 22 Lots of Specialist Legal Services

The Head of Legal Services joined the meeting.

- 11.1 The Board reviewed the Business Case for Procurement for Legal Services for Child Care, Employment, Corporate and Management Services and discussed the key themes emerging from the preliminary market consultation, the primary purpose of which was to align the needs of the organisation with the capacity and capability of the market and determine the most appropriate sourcing strategy.
- 11.2 The Board approved the procurement request to tender for legal services for 22 lots covering child care law, employment and corporate law. The tender project will commence in Q3 2024 and will conclude with contracts entered into on the 1 January 2025. The Contract duration will be 24 months with the option to extend for 2 further 12 months (24 months in total). The Board also approved a four-month extension of the current legal contract cycle, due to expire on 1 September 2024 until 31 December 2024. Proposed by S. Quigley, Seconded S. Bowman and agreed by the Board.

12. Protected Disclosures Report (Amended 2023)

- 12.1 The Board approved the amended Annual Protected Disclosures Report 2023 noting the two discrepancies in the version of the Report provided to the ARC on 23 March and the Board on 28 March. Proposed by P. Doherty, Seconded by S. Bowman and agreed by the Board.

The Head of Legal Services left the meeting.

13. Procurement proposal to proceed with Tender for Residential Services 2024

The Senior Manager, National Placement Team, Private Team & National SEN Team joined the meeting.

- 13.1 The Board considered the proposal for approval of the 2024 Residential Services Tender. The current procured contract for the provision of Children's Residential Service 1s due to expire in July 2024 with the option to extend the current contract by 12 months. It was proposed to extend the current contract to allow time to complete the tender process which will be open to all providers and work towards awarding contracts at the beginning of 2025.
- 13.2 The Board approved the proposal to proceed with the next steps in the tender process for Residential Services in 2024. Proposed by A. O'Gara, Seconded by P. Doherty and agreed by the Board.
- 13.3 The Board discussed the Agency's Residential Strategy in the context of the proposed tender for residential services. The CEO advised that it was intended to add a new chapter to the Agency's Residential Strategy, anchoring the 2024 tender request. The new chapter will be reviewed by the SQC in the first instance.

The Senior Manager, National Placement Team, Private Team & National SEN Team left the meeting.

14. Social Work targeted Sponsorship Scheme

- 14.1 The Board considered the paper on the Social Work Sponsorship Initiatives 2022 – 2024 and requested, to ensure comprehensiveness, that the paper be amended to include the Roma and Traveler Social Work initiative.

15. HR Employment Data Report (YTD)

15.1 The Board noted the HR Employment Data Report Year to Date.

16. Annual Report (Initial Draft)

The Head of Strategy and Business Planning joined the meeting.

16.1 The Board discussed the initial draft of the Annual Report for 2023. The 2023 Annual Report was presented in a new format for consideration by the Board. The Board was of the opinion that the report format adopted in 2022 should be followed through in 2023. It was agreed that the draft report would be reformatted in line with the 2022 Annual Report and circulated to Board Members for further feedback in advance of the May Board meeting.

The Head of Strategy and Business Planning left the meeting.

17. Financial Performance Report (YTD)

The Board reviewed the Financial Performance Report YTD and noted the contents of same.

18. Estates

18.1 Property Acquisition – CRS House Purchase Donegal Town

Following a review by ARC members, the ARC agreed to recommend to the Board the purchase of a house (as specified) in Donegal Town as part of the Agency's Childrens Residential Services Strategy. The Board approved the purchase of the CRS House in Donegal Town as proposed by the Head of Estates and the recommendation of the ARC. Proposed by L. Irwin, Seconded by C. Watchorn and agreed by the Board.

19. AOB

19.1 The Seal of the Agency was applied in accordance with the Agency's protocol. Details of the documents sealed and supporting documentation were recorded on the Seal Log.

End.