

Board Meeting
9:30 am Friday, 31 May 2024
L4.03 & L4.04 Brunel Building

Name	Title	Attendance
Board Members		
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
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
Clare Murphy	I/National Director of Service & Integration	In Part
Crona Barry	The Head of Financial Excellence and Governance joined the meeting.	In Part
Anita Comerford	Head of Strategy and Business Planning	In Part

Pat Rabbitte

Signed:

Date: 26 July 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 conflict of interest was declared in relation to agenda items before the Board for consideration.

4. Minutes of Previous Meeting (26/04/2024)

- 4.1 The Board approved the minutes of the Board Meeting held on 26 April 2024. Proposed by C. Watchorn, Seconded by L. Irwin and agreed by the Board.

5 Action Log / Matters Arising

- 5.1 The Board noted the content of the Action Log as of 29 May 2024

5.2 Delegation of Acting Chief Executive

- 5.2.1 The Board approved the arrangement to delegate the CEO functions to Mr. Pat Smyth, National Director of Finance and Corporate Services from the afternoon of the 31st of May until Monday, 3rd June 2024. Ms. Duggan will resume her CEO functions on Tuesday, 4th June 2024.

- 5.2.2 The Board approved the arrangement to delegate the CEO functions to Mr. Pat Smyth, National Director of Finance and Corporate Services on Friday, 28th June. Ms. Duggan will resume her CEO functions on Saturday, 29th June 2024.

- 5.2.3 The above delegation arrangements were Proposed by L. Irwin and seconded by S. Bowman and agreed by the Board.

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 current Board vacancy recruitment process. It is anticipated that the process will be completed by the end of June.
- 7.2 The Chair updated the Board on the launch of the new educational pathways to social work, held in Cork on 24th May 2024 and congratulated all concerned with this breakthrough development. The launch of the Master's in Social Work Apprenticeship Programme & Tertiary Degree Programme for Social Work was noted as a significant development for the Agency. Tusla continue to work with other stakeholders to introduce this groundbreaking apprenticeship programme (Masters) in Social Work.

8. SQC Chair Report on Committee Meeting of (23/05/2024)

- 8.1 The Chair of the SQC updated the Board on the work undertaken by the Committee since the last board meeting.

8.2 The Committee had an extensive discussion on the substance of the National Review Panel Annual Report 2023 and discussed the operational difficulties for the NRP arising from GDPR requirements. Whilst the number of notified deaths was the second highest recorded the variation from other years is not statistically significant. Following consideration of the NRP report the SQC agreed to write to the CEO asking her to consider possible steps that might be taken to reduce suicide among young people receiving a service from Tusla.

8.3 The Service Director Children's Residential Services presented on the Special Care Annual Report 2023. The Committee noted that the report indicates that the operation of Special Care Services does not confirm that special care is in accordance with national standards, the interim special care orders, or the special care orders generally, and the child's programme of special care. However, the Committee also noted the pressures on the service and the actions that have and are being undertaken to remedy this position. A copy of the report was circulated to the Board for information.

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

9. ARC Chair Report on Committee meeting of (24/05/2024)

9.1 The Chair of the ARC updated the Board on the work of the Committee since the last Board meeting.

9.2 The ARC met with the C&AG in relation to the 2023 audit. The C&AG raised no concerns in private session with the Committee. The Committee approved the AFS, SIC and Governance Statement for 2023 and recommended approval by the Board.

9.3 The Internal Audit Report for Q1 2024 showed three Tusla Reports with an "unsatisfactory" rating. In the case of unsatisfactory reports, remediation is normally agreed before the audit is completed. However, this was not possible in the case of the NRP due to the lack of a governance structure.

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

10. Board and Committee Submission Guidelines (Revised)

10.1 The Board approved the revised Board and Committee Submission Guidelines. Proposed P. Doherty, Seconded by S. Quigley and agreed by the Board.

11. Board Self Evaluation Effectiveness Review

11.1 The Board's Self-Evaluation Effectiveness Review for 2023 was noted. A review of the online self-evaluation questionnaire will be undertaken in 2024.

12. CEO Report

The CEO joined the meeting

12.1 The Board noted the CEO report showing the collective focus of the EMT remains on integrated risk mitigation in relation to the four most significant risks for the Agency in relation to Special Care, SEA's, Governance & Oversight of third-party Providers and ensuring implementation of the 2024 Business Plan and progressing the Tusla Integrated Reform Programme.

12.2 The CEO updated the Board in relation to the recent contempt of court proceedings where the Judge declined to grant the Declaration of Contempt sought by the Plaintiff. The Board welcomed the acknowledgement by the Judge for the need for a "collaborative approach" amongst all parties to resolve the issue and noted his decision to hear oral evidence from the Agency and, very possibly other agencies to explain their position. The Chair noted that the judgement of the CEO on the issue

has been vindicated.

- 12.3 The integrated Bed Capacity Working Group remain on target for 20 statutory beds in 2024. This equates to 16 mainstream beds and four step down beds from Special Care, three of which are scheduled to be available within the next week.
- 12.4 Cost stabilisation is in place across all SEA providers with a 20% reduction achieved in special Care.
- 12.5 Following a discussion on the lack of the effect of mitigating actions on the Agency's Risk profile the CEO agreed to look at how the impact of mitigating actions can be better reflected and reported to the Board including the targeted levels.
- 12.6 The Board discussed and noted the content of the CEO Report

13. Break

14. Consent Agenda

The Executive Teams joined the meeting.

The approval of items under the consent agenda was Proposed by A. O' Gara, Seconded by A. McDermott and agreed by the Board.

14.1 Research and Ethics Committee (Appointment of Independent Chairperson)

The Board approved as part of its consent agenda the formal appointment of the Chairperson of Tusla's Independent Research Ethics Committee (REC) for the period 2024 – 2027. The SQC, based on the selection and recruitment process adopted, recommended formal approval of Ms Minogue as the REC Independent Chairperson by the Board.

14.2 Child Safeguarding Statement 2024 – 2026

The Board as part of its consent agenda approved Tusla's Revised Child Safeguarding Statement 2024 – 2026. The revised Child Safeguarding Statement was reviewed by the SQC on 23 May 2024 and recommended for approval by the Board.

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

The Board as part of its consent agenda, approved the extension of the third party support contract between Tusla and PWC for a period of three months from 1 July 2024 to 30 September 2024. The proposed third party support contract extension was reviewed by the ARC on 24 May 2024 and recommended for approval by the Board.

14.4 Estates

(i) Lease renewal - Callan Road, Kilkenny

The Board as part of its consent agenda, approved the lease renewal for office accommodation, Callan Road, Co. Kilkenny. The proposed lease renewal was considered by the ARC on 24 May 2024 and recommended to the Board for approval.

(ii) Leasehold Transaction - Tubberycurry, Sligo

The Board as part of its consent agenda, approved the lease renewal for accommodation in Tubberycurry, Sligo for the provision of services. The proposed lease renewal was considered by the ARC on 24 May 2024 and recommended to the Board for approval.

15. Report on the Challenges Facing Unaccompanied and Separated Children Seeking

International Protection (Stakeholder Engagement SCSIP Report)

- 15.1 The (I) Director of Services and Integration presented on the Children's Rights Alliance Report based on the consultation findings, discussions and feedback that took place during the strategic engagement with stakeholders representing statutory and non-statutory sectors with responsibility and or interest in the needs of unaccompanied and separated children. The Executive was asked to prepare a Tusla report, extracting the value provided from the CRA Stakeholder Engagement Report. Additional data was sought in relation to the profile and demographic of unaccompanied and separated children. The Board noted and welcomed the resumption of access to health screening for unaccompanied and separated children seeking international protection.

16. Financial Performance Report (YTD)

- 16.1 The Director of Finance and Corporate Affairs presented on the Financial Performance year to date. The Board noted the projected overspend for the year with demand led pressures in the areas of Private Residential, Private Foster Care, Legal Costs and the significant service demand in the area of Separated Children Seeking International Protection. The Agency is continuing to make savings wherever feasible and has achieved savings in relation to SEA's and Travel Costs. The Department is apprised of the Agency's financial performance on a regular basis as part of the Agency's standard engagement process.
- 16.2 In respect of a new lease for Brunel, a detailed examination was underway to cede up to four floors and the interest of other health partners in the space vacated was noted.

17. Annual Financial Statement (AFS) 2023 including SIC and Governance Statement

The Head of Financial Excellence and Governance joined the meeting.

- 17.1 The Board approved the GS/SIC/AFS for 2023 as recommended by the ARC subject to any further changes requested by the C&AG to be agreed by the Chair of the ARC and the Chair of the Board. Proposed by C. Watchorn; Seconded by S. Quigley and approved by the Board.

The Head of Financial Excellence and Governance left the meeting.

18. Annual Report (2023)

The Head of Strategy and Business Planning joined the meeting.

- 18.1 The Board adopted the Annual Report in relation to the performance of the Agency's functions during 2023 in accordance with section 13 of the Child and Family Agency Act 2013. Proposed by P. Doherty, Seconded by A. O'Gara and approved by the Board.

19. Business / Corporate Plan Progress Report (Q1 2024)

- 19.1 The Board considered the Business/Corporate Plan Progress Report for Q1 2024 and approved its onward submission to DCEDIY.

The Head of Strategy and Business Planning left the meeting.

20. National Corporate Risk Register (Q1 2024)

- 20.1 The Director of Quality and Regulation presented on the National Corporate Risk Register for Q1 2024. When compared with Q4 2023 there was no change to any of the residual risk ratings of the risks on the NCRR. This suggests that existing controls were insufficient to reduce the risks as they currently exist over the last quarter and risk owners should consider revised or additional actions to further reduce the residual risk rating. This issue was raised earlier in the meeting with the CEO, who agreed to look at the matter.

21. Performance Activity Report (Q1 2024)

- 21.1 The Board considered the content of the Performance Activity Report Q1 2024 noting the ongoing high rate of referrals and significant reduction in unallocated cases. The Board requested a breakdown of the referrals to be included as part of the regular performance report.

22. HR Employment Data Report (YTD)

- 22.1 The Board considered the contents of the HR Employment Data Report and congratulated the Director of People and Change on the launch of Apprentice Programme in Social Work. The Board noted the high level of absenteeism and welcomed the preparation of a granular report on absenteeism, that will be available in Q3 2024.

23. AOB

- 23.1 None

End.