



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

CHILD AND FAMILY AGENCY		
MINUTES OF BOARD MEETING HELD ON 22 FEBRUARY 2019 at 9.00am		
BLOOMFILED HOTEL, MULLINGAR, CO. WESTMEATH8		
Present	Pat Rabbitte	Chair
Present	Anne O'Gara	Deputy Chair
Present	Rory O'Ferrall	Board Member
Present	Liam Irwin	Board Member
Apologies	Deirdre Kiely	Board Member
Present	Teresa Kilmartin	Board Member
Present	Avril McDermott	Board Member
Present	Paul White	Board Member
Apologies	Sean Holland	Board Member

In Attendance	Pat Smyth Jim Gibson Brian Lee Colette Walsh Cormac Quinlan Laura Slevin Jill Barry Leonard McAuliffe Stephanie Butterfield Paul Hayden Kay Keilthy Emma Dodrill	Interim Chief Executive Chief Operations Officer Director of Quality Assurance Director of HR Director of Policy & Transformation. Director of Corporate Services/ IDPO Data Protection Unit Data Protection Unit Data Protection Unit Estates Manager Board Secretary Board Administrator
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SIGNED: Pat Rabbitte DATE: 26/03/2019

CHAIRPERSON

Board Only

1.0 Apologies

The Board noted apologies from S. Holland and D. Kiely.

1.2 Declarations of Interest

None

1.3 Minutes of the Board Meeting on 25 January 2019

The Minutes of 25 January 2019 were considered and approved by the Board.

1.4 Matters Arising

None

1.5 Action Log

The Board noted the action log as of 22 February 2019.

2.0 Board Workshop Review

- 2.1 The Board reviewed the recommendations of the Tusla Board Evaluation and the notes of the Board workshop held on 8 February 2019. The Board agreed to replace the current Board sub-committee structure with three new sub-committees. The Board discussed the outline of the sub-committee responsibilities and agreed to establish an Audit & Risk Committee, a Service Quality Committee and Organisation Development Committee. A minimum of 3 Board members will be appointed to each of the committees. The Board discussed membership of the sub-committees and proposed the following appointments.

New Sub- committees and proposed board members.

Number 1. Audit and Risk Committee (A & R Committee)

R. O'Ferrall (Chairperson), D. Kiely, L. Irwin,

Number 2. Service Quality Committee

S. Holland (Chairperson), A. D' Gara, L. Irwin

Number 3. Organisation Development Committee

P. White (Chairperson), A. McDermott, T. Kilmartin

- 2.2 The Board noted that the Chair of the Audit Committee's term of office will end as of the 31st December 2019. The Board, as part of its succession planning, will consider the skills and competences required in relation to the role of the Chairs of the sub-committees.
- 2.3 The Chair of the Audit Committee clarified the responsibility of the A & R committee in relation to grant funded agencies. The role of the A & R committee will be to monitor the commissioning agreements of the grant funded agencies and not to

approve the grants. The Board approved the draft outline of the sub-committee responsibilities.

- 2.4 The Board reviewed the areas of responsibility of the CEO and agreed to review the delegation by the Board to the CEO with a view to clarifying the areas of responsibility of the CEO as agreed at the Board workshop on 8 February.

A01319 Action: Board Secretary to submit to the Board a revised draft of Delegation by Board to CEO for consideration

- 2.5 The Board discussed the benefit of increasing the number of ordinary members appointed to the Board to support the Board subcommittee structure and ensure the efficient and effective discharge of the functions of the Agency. The Chair agreed to submit a request in writing to the Minister in relation to same.

A02319 Action: Chair to write to Minister requesting an increase in Board membership

- 2.6 The Board discussed the outline of the Board work plan. The Board approved the outline of the work plan subject to discussions with the ICEO regarding proposed outline and time lines.

A03319 Action: Chair to discuss the outline of the Board work plan with the ICEO

- 2.7 The Board requested the development of TOR's for each of the sub-committees identified as part of the Board evaluation process. The Chair of the Governance Committee agreed to discuss the development of the TOR's with Better Boards.

A04319 Action: Chair of Governance Committee to engage with Better Boards regarding TOR's

- 2.8 The Board expressed concern about the documents submitted to the meeting in relation to workforce planning. The Board was of the view that the documents submitted were aspirational in content and failed to identify deliverables. The Board recognised the importance of providing a realistic workforce plan. The Board requested the drafting of an executive summary which outlines the key deliverables.

P. Smyth joined the meeting

3. ICEO Monthly Report

- 3.1 The ICEO updated the Board on the meeting with the EAG held on 1 February 2019..

- 3.2 The ICEO updated the Board on Tusla's appearance before the Joint Oireachtas Committee for Children and Youth Affairs (JCCYA) on the issue of Social Work Recruitment and Retention. Attendance at the JCCYA provided an opportunity to present the progress and challenges faced by the Agency and the strategies being employed to address issues raised. A copy of the ICEO's opening statement will be distributed to the Board.

A05319 Action: ICEO's Opening statement to JCCYA to be distributed to the Board

- 3.3 The ICEO reported to the Board on his attendance at the Senior Officials Group and subsequent meeting with the Cabinet sub-committee on 21 February 2019.
- 3.4 The DCYA has written to Tusla requesting its views on the "First report of the Collaborative Forum of Former Residents of Mother and Baby Homes". A copy of the response to the report will issue to the Board when finalised. A communications plan is currently being developed in relation to the report.

A06319 Action: A copy of Tusla's response to the First report of the Collaborative Forum of Former Residents of Mother and Baby Homes to issue to the Board

- 3.5 The development of a framework to underpin a future Service Performance and Improvement System is scheduled to be completed at the end of May 2019 and the Service Performance and Improvement System will be presented to the Board when finalised. The Service Performance and Improvement System will feed into individual performance.

A07319 Action: The Service Performance and Improvement System to be presented to Board when finalised.

- 3.6 The ICEO advised the meeting that Tusla had a judicial review found against it in relation to special care.

P. Hayden joined the meeting

3.7 Estates

- 3.7.1 The Board approved the recommendation to enter into a new lease agreement in relation to Unit AG6 and A7, Courthouse Block, Pearce Road, Letterkenny, Co. Donegal.
- 3.7.2 The Board approved the recommendation to enter into a new lease agreement in relation to St. Joseph's Hospital campus, Mulgrave Street, Limerick.
- 3.7.3 The Board requested a governance review of property transactions submitted to the Board for approval. Tusla's Estates Strategy is scheduled to come to the Board in March.

A08319 Action: Governance review of property transaction to be undertaken and submitted to the Board for information.

P. Hayden left the meeting

SMT joined the meeting

3.8 Business Plan 2019

- 3.8.1 The Director of Transformation and Policy provided a final update on the Tusla Business Plan 2019. The Board noted the clarifications and minor amendments provided to the DCYA on the 12th February. The Board await the Minister's formal letter of acceptance of the Tusla Business Plan 2019.

3.9 Tusla Annual Report Proposal

The Board approved the outline for the 2019 Annual Report

3.10 HIQA Action Plan Update

3.10.1 The Director of Quality & Assurance provided the Board with a high level update on the progress against the HIQA Action Plan and the SMT engagement with the EAG.

3.10.2 The EAG commented on the changes to action timelines in the 2019 Business Plan that were not updated in the HIQA action plan and raised concerns about the agency's capacity to deliver. A full review of the timelines will be conducted against the HIQA action plan and brought to the Board for approval.

A09319 Action: A full review of the timelines to be brought to the Board for approval.

3.10.3 The EAG accepted Tusla's Governance paper which outlined the governance arrangements in Tusla in respect of the deficits identified in the HIQA Action plan. The Board agreed to seek the EAG's view /advice of the deficits in Tusla's Corporate Governance Structures at the next quarterly meeting with the Chair of the EAG.

3.10.4 The Director of HR advised that the HSE performance management system guidance document was submitted to the EAG. Elements of the HSE performance management system are adhered to within the Agency, however it is not universally implemented. Discussions have commenced with FORSA in relation to the development of a Tusla performance management system.

3.10.5 The Board noted Tusla's Strategic Action Plan status report of 14 February 2019.

3.10.6 The Chief Operations Officer reported to the Board on the tendering process in respect of children's residential services had commenced in relation to 226 children currently placed within the private residential sector to complement existing community based residential services provided by or on behalf of Tusla. The SMT have approved the commencement of the procurement process and the awarding of the contract, when the procurement process has been completed, will be presented to the Board for approval.

A10319Action: Awarding of contract to be presented to Board for approval

3.10.7 The Board noted the update on Dublin South Central and the progress report on Carlow/Kilkenny/South Tipperary.

L. Slevin and members of the Data Protection Unit joined the meeting

4. GDPR + Programme Phase 1 -- Update

4.1 The Director of Corporate Services/Interim DPO, provided the Board with the GDPR Programme -- Phase 1 activity update. The Board noted Tusla's current state assessment and areas of risk across GDPR key themes. Ensuring third parties processing data for Tusla take the necessary data protection measures was identified as an area of high risk. The Data Protection Unit is currently developing a data sharing agreement and assessment charter to enable the design of a central register

of third party data processors. This will include an initial risk assessment of the 9000 + vendors Tusla engages with.

- 4.2 As per the inquiry notice issued in December 2018, the DPC have commenced an inquiry with a focus on 71 individual notifications made to the DPC by Tusla in the period 25 May 2018 to 18 November 2018. **Redacted**
Redacted A core requirement for continued GDPR implementation will be adequate controls and safeguards in relation to appropriate and secure handling of paper records, secure external transmission of confidential information and safeguards particular to social work. The Board noted Tusla's DPC Inquiry Response of 13 February 2019
- 4.3 The Board noted Draft Data Protection Training and Awareness plan and Pilot Data Subject Access Request Process Map & Narrative.
- 4.4 The Board discussed the draft future state operating model design for Tusla's DPU, FOI and PAD functions. The operating model will continue to be part of ongoing discussions. The Board approved in principle the requirement for resources for the Data Protection, Freedom of Information and Parliamentary Affairs service support and statutory compliance operating model.
- 4.5 The Board approved in principle to progress Phase 2 of the GDPR + Programme request for tender (RFT) to support continued implementation from April 2019 onwards. A full tender document will be available at the March Board meeting.

A11319 Action: A full tender document will be made available at the March Board meeting

L. Slevin and members of the Data Protection Unit left the meeting

5. **Workforce Strategy**

The Board requested the development of an Executive Summary in relation to the Workforce Plan which sets out deliverables for 2019 and 2020. The Summary should highlight areas where Tusla cannot affect change without the direct input from government and other state bodies. The Board agreed that a current state assessment of the workforce plan would be submitted to the EAG.

6. **AOB**

The Board agreed to adopt the practice of identifying the source of the report within internal audit reports.
