



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

<b>CHILD AND FAMILY AGENCY</b>		
<b>MINUTES OF BOARD MEETING HELD ON THE 25<sup>th</sup> OCTOBER 2018</b>		
<b>CROKE PARK HOTEL, JONES ROAD, DUBLIN 3</b>		
<b>Present</b>	Norah Gibbons	Chair
<b>Present</b>	Rory O'Ferrall	Deputy Chair
<b>Present</b>	Sean Holland	Board Member
<b>Present</b>	Liam Irwin	Board Member
<b>Present</b>	Deirdre Kiely	Board Member
<b>Present</b>	Teresa Kilmartin	Board Member
<b>Present</b>	Avril McDermott	Board Member
<b>Present</b>	Paul White	Board Member
<b>Present</b>	Anne O'Gara	Board Member

<b>In Attendance</b>	Pat Smyth Jim Gibson Eoin Sheridan Brian Lee Colette Walsh Cormac Quinlan  Kay Keilthy	Interim Chief Executive Chief Operations Officer Acting Director of Finance Director of Quality Assurance Director of HR Director of Policy, Strategy & Transformation.  Board Secretary
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SIGNED:

DATE:

30/11/2018

CHAIRPERSON

Agenda Item	
	<b>Board Only Discussion</b>
	<p>The Chair of the Governance Committee updated the Board in relation to the anonymous Protected Disclosure (PD) received by both the Chair and the CEO. Following a preliminary investigation Internal Audit recommended that the matter be the subject of a full investigation under Tusla's Protected Disclosure Policy and Procedure. The Board approved the appointment of an external investigatory and the commencement of a phased investigation. The Governance Committee will approve the Terms of Reference of the investigation with the external investigator when appointed.</p> <p>The Chair of the Special Inquiries Committee updated the Board on the independent investigation and other matters arising from a Protected Disclosure submitted to the Minister for Children and Youth Affairs in January 2017. The Board expressed concern at the slow level of progress of the independent investigation to date.</p> <p>The Board discussed the invitation by DCYA to Board Member, Anne O'Gara to sit on a policy task group in relation to education welfare services. The Chair will discuss the matter with the Secretary General and the Board will discuss further at the November Board meeting. AO'G requested a copy of SCP Reform Programme approved by the Board.</p>
1.	<b>Apologies</b>
	None
	<b>Declarations of Interest</b>
	None
1.1	<b>Minutes of the Board Meeting of the 21<sup>st</sup> September 2018</b>
	The Minutes of the Board meeting held on the 21 <sup>st</sup> September 2018 were approved by the Board and signed by the Chairperson
1.2	<b>Minutes of the Board Meeting of the 28<sup>th</sup> September 2018</b>
	The Minutes of the Board meeting held on the 28 <sup>th</sup> September 2018 were approved by the Board and signed by the Chairperson.
1.3	<b>Action Log</b>
	<p>The Chair of the ODRS Committee will undertake an exit interview with the outgoing CEO.</p> <p>The Board requested a copy of the revised job profile for the post of CEO be distributed to Board members for consideration/comment.</p> <p>Betterboards are scheduled to complete the Board Effectiveness Review in December 2018. At the 17 December Board meeting, Betterboards, will provide a brief presentation of their findings with a final report issuing in January 2019.</p>

1.4	<b>Tusla Company Seal – Authorisation</b>
	The Board resolved at the Board meeting held on the 25 <sup>th</sup> September 2018 that the interim CEO is authorised to authenticate the Seal of the Child and Family Agency pursuant to paragraph 12(2) (b) of the Child and Family Agency Act 2013.
1.5	<b>Bank Mandate</b>
	The Board approved the amendment to the signatories on the Bank Mandate to take account of the resignation of the former CEO and subsequent appointment of the Interim Chief Executive Officer.
1.6	<b>Acting Interim CEO</b>
	The Board approved the appointment of Jim Gibson, COO as acting Interim CEO for the period 27 October 2018 to the 5 <sup>th</sup> November 2018 inclusive in accordance with Section 29(3) of the 2013 Child and Family Agency Act.
2.	<b>Interim CEO (ICEO) Report</b>
2.1	As part of the CEO's Monthly Report to the Board the ICEO provided an update on the publication of the Third Interim Report of the Disclosures Tribunal and identified the key issues for the Agency. The Board discussed the findings of the Disclosures Tribunal Report, highlighting issues and concerns for discussion with the Minister.
2.2	Redacted
	<b>Minister Katherine Zappone, Fergal Lynch, Secretary General and Patricia Ryan, Political Advisor joined the meeting</b>
	<p>The Chair welcomed the Minister to the Board meeting. The Minister outlined to the Board her serious concerns about the findings of the Third Interim Report of the Disclosures Tribunal published on 11 October 2018.</p> <p>The Board shared the Minister's concerns about the very significant shortfall in Tusla's performance, acknowledging the absolute failures reflected in evidence at both practice and governance levels within the Agency.</p> <p>The Board outlined the actions it had taken and would take to address the Tribunal findings. The Board assured the Minister that it is committed to addressing the Tribunal findings and implementing Tusla's Strategic Improvement Plan (HIQA Action Plan) to improve governance, management and oversight systems across the Agency.</p> <p>The Minister noted that the Board was also concerned that the Tribunal was dissatisfied with Tusla's engagement with its work. The Board was unambiguous in its message to staff who were called as witnesses advising of their support and their expectation that staff would fully co-operate with the work of the Tribunal. The Board requested Tusla's legal advisors to write to the Tribunal's Legal Team in relation to this matter.</p>

	The Minister will write formally to the Board requesting a response to the issues raised at the meeting.
<b>3.</b>	<b>HIQA Action Plan</b>
3.1	The Board noted the update in relation to the engagement between the Expert Assurance Group (EAG) and Tusla.
3.2	Tusla developed a Strategic Improvement Plan based on an analysis of the findings and recommendations in the HIQA Investigation Report into the Management of Allegations of Child Sexual Abuse. The analysis of the investigation report identified nine strategic improvement themes. The Board noted the briefing document in relation to Theme 7 - Governance which will be presented to the EAG at the next meeting scheduled for the 24 <sup>th</sup> October 2018.
3.3	Tusla's Project Management Office is finalising work plans in respect of the work themes. A status of the workplans will be provided at the November Board meeting.
<b>4.</b>	<b>Risk</b>
4.1	The Board noted the National Performance and Activity Data Dashboard – August 2018.
4.2	The Board noted the Child Protection and Welfare Social Work monthly activity report for August 2018.
4.3	The Board noted the Monthly Integrated Risk and Assurance Report 2018.
4.4	The ICEO and COO are scheduled to meet with the HSE in relation to Psychology Services.
4.5	A report on Home Schooling will be available at the November Board meeting.
<b>5.</b>	<b>COO Update</b>
5.1	The Board noted the update on the HSE National Independent Review Panel Report in respect of 'Amy'. Tusla will use the report for learning purposes.
5.2	The Board noted the update on the Tusla response to concerns raised by HIQA in respect of Carlow/Kilkenny/South Tipperary.
5.3	The Board noted the update on Dublin South City and concerns relating to child protection and welfare service and fostering services.
<b>6.</b>	<b>HR</b>

6.1	The Board noted the HR Integrated Report and the HR Dashboard for September 2018.
6.2	The Board discussed the challenges for HR in recruiting and retaining Social workers.
6.3	The Board requested additional statistics in relation to absenteeism and the inclusion of a comparator with another sector.
7.	<b>Finance</b>
7.1	The Board congratulated Eoin Sheridan on his appointment as Interim Director of Finance.
7.2	The Board noted the Financial Performance Report for the period to September 2018 forecasting an estimated overspend of €0.533 based on known information at the end of September. The issues driving the overspend are ongoing demand led issues including expenditure on children with disabilities, expenditure on the IRPP programme and legal expenditure in relation to GAL's. DCYA have been made aware of the issues driving the overspend.
8.	<b>Estimates</b>
8.1	The Board noted the update in respect of the budget allocation for 2019 and the next steps in respect of prioritisation and impact analysis.
8.2	The core SMT and members of the planning strategy group will indicate initial allocation of the budget against key agency priorities. This will be followed by the preparation of an impact analysis reporting that will form part of the Business Plan submission for 2019 and overall response to the Minister's Performance Statement 2019.
8.3	The Board's quarterly Business Plan 2019 report will identify the risks and impact throughout the year.
9	<b>Board Sub Committee Reports</b>
9.1	<b>Governance</b> The Chair of the Governance Committee updated the Board on the Governance meeting held on the 28 <sup>th</sup> September 2018. The Board noted the draft minutes of the Governance Committee meeting of the 28 <sup>th</sup> September 2018.
9.2	<b>Audit Committee</b> The Chair of the Audit Committee updated the Board on the Audit Committee meeting held on the 19 <sup>th</sup> October 2018. The C & AG issued their Management Letter in relation to the 2017 Audit. The Management letter noted payroll overpayments, procurement, vehicles not commissioned at time of audit, state claims derogation and retirement benefits. The interim audit for 2018 has commenced and is scheduled to conclude in December 2018.

9.	AOB
	<b>Discussion with Chief Social Worker</b>
	<p>The Board welcomed Ger, Brophy as Chief Social Worker to the meeting.</p> <p>The Chief Social Worker provided a presentation to the Board outlining Tusla's new service delivery framework, structure of the services and child protection and welfare strategy.</p> <p>The Board requested the Chief Social Worker to come back to the Board with a proposal determining where the role of Chief Social Worker sits within the organisation.</p>