

**Expert Assurance Group to Oversee and Advise on the Implementation of  
the Recommendations of the HIQA Statutory Investigation into Tusla's  
Management of Referrals**

**2nd Quarterly Report to the Minister for Children and Youth Affairs**

**March 2019**

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## Executive Summary

The first quarterly report of the Expert Assurance Group (EAG) was submitted to the Minister in December 2018 and published on the website of the Department of Children and Youth Affairs (the Department). This second report provides a further update to the Minister and Board of Tusla, the Child and Family Agency, on the progress made by Tusla on the commitments contained in its strategic action plan, developed following HIQA's Statutory Investigation.

At this stage, the EAG can confirm that a significant number of actions, 42 out of 46 actions, to improve services are progressing and Tusla has adopted procedures to monitor their implementation. The EAG will be seeking further evidence in the coming months that the governance, workforce strategy, accountability and the culture of learning are being progressed satisfactorily. The EAG noted the references to key actions into the 2019 business plan for Tusla.

The EAG notes that under Tusla's strategic action plan, systemic changes have been planned for and a number are underway. It is also evident that there is a broader range of services, other than those outlined in the action plan, for which Tusla is equally responsible, and these necessarily absorb time and resources, including children in care, domestic, sexual and gender based violence services, educational welfare, and early years services. The EAG is attentive to the significant challenges that are encountered by child protection organisations internationally, and acknowledges the significant strides made by Tusla in improving Ireland's child protection services since it was established in 2014. As a child protection organisation, Tusla has a particular responsibility to ensure its policies and systems are sufficiently robust to underpin safe services.

Overall, the EAG is satisfied that a significant number of actions in the Tusla Action Plan are being progressed, albeit most now identified as needing more time to be fully implemented. The roll out of the child protection practice approach, Signs of Safety, is providing for a consistent approach across the country with a welcome focus on safety planning. The EAG has concerns regarding the pace of progress of two key actions: the management of retrospective allegations of abuse and the delivery of the workforce strategy, the first of which was a central theme of the HIQA investigation and the second of which is fundamental to the effective operation of Tusla.

The EAG notes the project management approach that is being taken by Tusla and acknowledges the deeper analysis aiming for full and consistent implementation across all actions. However, the EAG does have concerns that this project management approach has not thus far prioritised key actions for early implementation.

A key action for the Tusla Executive is to deliver a realistic and creative workforce strategy. Key priorities include: the recruitment and retention of employees, the effective deployment of staff and the development of a performance management system to provide role clarity, support and accountability for all staff and managers. The EAG is conscious of the many policy and procedural changes right across the organisation that are underway and the challenges associated with this. We also view the consolidation and the embedding of these changes to be timely.

HIQA made a number of recommendations on educational pathways to support Tusla's future workforce needs; and the review of regulatory frameworks. The EAG notes the initiatives in these areas being undertaken with the relevant stakeholders by the Department of Children and Youth Affairs.

The EAG is conscious that Tusla is required to remain within its budget for the year. Consideration of various business planning scenarios is prudent given the uncertainties currently being faced by the country. The EAG recognises that the action plan must be managed in this context.

## 1. Establishment and Publication of 1st Quarterly Report

This is the second quarterly report of the Expert Assurance Group, covering the period 1 December 2018 to the end of February 2019.

The establishment by the Minister for Children and Youth Affairs (Minister) of the Expert Assurance Group (EAG<sup>1</sup>) was in response to recommendation 4 of the "Report of the investigation into the management of child sexual abuse against adults of concern by the Child and Family Agency (Tusla) upon the direction of the Minister for Children and Youth Affairs", as published by the Health Information and Quality Authority (HIQA). This report will be referred to as the "HIQA report".

The first quarterly report of the EAG was submitted to the Minister for Children and Youth Affairs and to the Board of Tusla in December 2018. It was subsequently published on the website of the Department of Children and Youth Affairs (the Department).

The first quarterly report addressed a number of areas that featured in the HIQA report and in the subsequent action plan developed by Tusla, including the workforce strategy, governance, performance management, the new policy on managing retrospective cases (substantiation, teams etc.), interagency working and financial resources. This report focuses in more detail on progress made across the full gamut of Tusla's proposed actions to address the deficits contained in the HIQA report.

## 2. Matters arising from the Terms of Reference

The EAG has been asked by the Minister for Children and Youth Affairs to advise on the likely timeframe for its work. Because the dates proposed for the completion of a number of the significant actions contained in Tusla's action plan have been extended the EAG considers that it should continue its role into the autumn. A formal recommendation on the duration of the work of the Group will be made to the Minister prior to the EAG's meeting in September 2019.

## 3. Meetings of the Expert Assurance Group

Recommendation 4 of the HIQA report was addressed by the setting up of the Expert Assurance Group. The recommendation stated the following:

The Department of Children and Youth Affairs should establish an expert quality assurance and oversight group to support and advise Tusla and the Department on the implementation of the recommendations of this investigation report and Tusla's Child Protection and Welfare Strategy and Corporate Plan. The Department of Children and Youth Affairs should provide regular updates on its website to inform the public of the progress being made.

The Expert Assurance Group has met twice since the end of November: 19 December 2018 and 1 February 2019. This brings the number of meetings held to six by the end of February 2019. The meeting in April will consider the management of retrospective allegations of abuse. The EAG will then have given consideration to the three key areas identified in the HIQA report:

Screening/preliminary enquiries, safety planning and the management of retrospective cases.

Summaries of the meetings in December 2018 and February 2019 are included in Appendix 2.

<sup>1</sup> The membership and role of the EAG are included in appendix 1 to this report.

#### 4. Recommendations contained in the HIQA Report

The HIQA report contained four summary recommendations. This section and sections 5 to 7 outline and assess progress to date in the implementation of Tusla's strategic action plan published following the HIQA report.

##### a. Recommendation 1: Tusla's Strategic Action Plan

###### Recommendation 1

The Child and Family Agency (Tusla) should:

- A. review all of the findings of this investigation, including the identified non-compliances with the National Standards for the Protection and Welfare of Children as set out in this investigation report;
- B. review these findings as they relate to all other child protection and welfare referrals, which follow the same referral pathway as all child sexual abuse referrals ;
- C. review all of the recommendations made by the Investigation Team throughout this report;
- D. publish an Action Plan on its website outlining in clear language and with clear timelines the measures it proposes to take to implement the actions identified in the recommendations A to C above. This Action Plan should include a named person or persons with responsibility and accountability in Tusla for implementing these recommendations and actions;
- E. ensure it continually reviews and updates this Action Plan and that updates on progress being made against these recommendations and actions are included in its annual report.

The HIQA report sets out three areas in need of urgent attention:

- Screening and Preliminary Enquiry: practice inconsistencies that meant not all children at potential or actual risk were assessed and protected in a timely manner;
- Safety Planning: practice inconsistencies meant some children were adequately safeguarded whereas others were not. Plans that were in place were not always re-evaluated and updated;
- Management of Retrospective Cases: the current policy did not include a standardised approach for staff, resulting in variations in practice and delays.

Additionally, the HIQA report includes a summary of more detailed recommendations in the concluding chapter of the report. These include:

- a) putting in place a uniform waiting-list management system to review and monitor all referrals awaiting allocation to a named social worker;
- b) reviewing and adopting the draft National Procedures for Determining an Outcome to Allegations of Retrospective and Extrafamilial Abuse Cases and Protecting Children at Potential Risk of Harm, and its accompanying draft practice guidance, and ensuring its implementation across Tusla;

- c) developing standard approaches to support the implementation of the above policy and procedures for managing retrospective referrals of allegations of abuse, to include prioritisation levels and timelines for assessments;
- d) putting in place strong and effective assurance arrangements to ensure that staff are educated and trained in applying this guidance and ensuring that routine quality assurance controls are in place to measure its effectiveness;
- e) supporting the Sexual Abuse Regional Team (SART) in the Dublin North East Region and other dedicated service-area-based teams to quickly and effectively complete risk assessments and, where appropriate, putting in place the required protective measures to ensure children's safety;
- f) reviewing and ensuring its current processes for case-record identification and closing cases are safe and effective;
- g) ensuring all persons who are the subject of an allegation of abuse are informed in a timely manner that an allegation has been made against them.

Tusla's strategic action plan, developed in response to the issues identified and recommendations made in the HIQA report, contained 46 proposed discrete initiatives and included other underpinning requirements at an organisational level needed to support the operational outcomes. This plan was approved by the Tusla Board.

The EAG is satisfied that, at the end of February 2019, three of these actions have been completed:

- *Action 8.2 (Risk Management):* A review of all risk registers to inform improvements to the risk management process has been completed and a report drafted.
- *Action 9.1 (Shared learning to improve quality and risk management):* A National Quality Improvement Collaborative Forum has been established and held 3 meetings by end 2018. The forum supports strategic approaches to on-going learning and improvement of services through quality assurance and from reports from bodies including HIQA, National Review Panel and the Ombudsman.
- *Action 9.2 (Shared learning to improve quality and risk management):* A digital system has been established for tracking actions from internal and external oversight to support good governance and accountability.

#### b. Timeframes in the Strategic Action Plan

The EAG accepts that there are a large number of interrelated actions involved and that the majority of actions are on track. We are disappointed that actions originally intended to be completed by Q1 2019 have not been fully progressed to completion. We recognise fully that certain circumstances can lead to changes in planned timeframes but we are strongly of the view that such timeframes must be realistic and that having been outlined and agreed that they be adhered to except in exceptional circumstances. The dates outlined originally by the Tusla Executive were accepted by the Board, the Minister and the EAG. Extensive revisions can undermine confidence in the change management process. It should be noted that the EAG is particularly concerned with the proposed change to the timeframes for the actions relating to the management of retrospective cases and will address this matter further at our next meeting with Tusla management. The EAG has also emphasised to the Executive the imperative of aligning the timelines for the various actions in their action plan with the same actions in their annual business plan submitted to the Minister.

Tusla provided the EAG with the following update on 27 February 2019, indicating the status of the strategic action plan<sup>2</sup> by theme (the second column refers to the number of actions under each theme):

Theme	No. of Actions	Completed	On Track	Partial implementation within existing resources	Delayed/Not achievable in current form
1. Management of Child Protection and Welfare Referrals	5	0	1	4	0
2. Safety Planning	3	0	3	0	0
3. Management of Retrospective cases of abuse	5	0	4	1	0
4. Interagency Working	8	0	7	1	0
5. Data and information management	3	0	3	0	0
6. Workforce Planning	5	0	3	1	1
7. Governance management and oversight	7	0	6	1	0
8. Organisational risk management	6	1	4	1	0
9. Collaborative systems to embed learning	4	2	1	1	0
<b>Total</b>	<b>46</b>	<b>3</b>	<b>32</b>	<b>10</b>	<b>1</b>

### c. Assessment of Achievements and Progress of Tusla's Strategic Action Plan

#### (i) Progress

The EAG has noted supporting information and the examples of positive progress being made:

#### *Service Performance and Improvement System*

- a) Action 7.1: A business case is being prepared to develop a Service Performance and Improvement System, drawing on research on national and international comparator organisations. This is on track for Q2 2019.

#### *Shared Data between Tusla and An Garda Síochána*

- b) Action 4.8: In January, Tusla and An Garda Síochána (AGS) agreed that there was a compelling business case to develop a controlled and secure exchange of electronic data between the databases of the respective organisations. The scope of the project is to be formalised and submitted to the National Child Safeguarding Strategy Liaison Committee which has oversight of the interagency working between Tusla and the AGS.

#### *Enhancement of National Child Care Information System*

- c) Action 3.4: In February 2019, Tusla added a module to the National Child Care Information System (NCCIS) to enable the automatic alerts when a child referred as a new referral is

<sup>2</sup> The EAG notes: a) workforce planning the action (theme 6) delayed pending approval by the Board; b) an action has been added to introduce a performance management system, action 7.7; two actions, 3.1 and 5.2, on the substantiation policy, which includes retrospective, were merged to avoid duplication.

already known to the service. This is evidence of the ongoing development of the NCCIS to support and minimise administrative work.

#### *Practice Audits*

- d) Action 7.4: In January 2019, Tusla established a practice audit plan by its Practice Assurance and Service Monitoring Team. Key areas to be examined are safety planning and risk management in the specific audit topics which includes care planning, and managing unallocated cases.

#### *Tusla and An Garda Síochána Working Better Together*

- e) Action 4.1: The review of the Tusla/An Garda Síochána Children First Joint Protocol started in Q4 2018, looking at the number and quality of Tusla/An Garda Síochána Senior Liaison Management Meetings, part of the interagency structures between the two organisations.

#### *Retrospective Teams in all Regions*

- f) Action 3.5: Tusla has agreed the structure of the regional teams for retrospective cases, noting the baseline of current resources in each region.

#### *Resource to Assist Social Work Practice*

- g) Action 1.5: The Empowering Practitioners in Practice Initiative was cited as an example of shared learning and a support for social work practice.

#### *Management of Referrals - Signs of Safety*

- h) The EAG welcomes confirmation of the extent of the roll out of Signs of Safety since it began in 2018. The EAG notes that the baseline of the roll out of Signs of Safety was completed in November 2018 and there is clear evidence that it is being used in all areas. Feedback is being incorporated at a policy and operational level by the Executive. By the end of 2018 year end almost 2,000 Signs of Safety training places had been made available to staff. Tusla has advised that, to date, 1,487 staff have attended the 2-day training and 484 staff have attended the 5-day training. The training programme in 2019 is currently on track.

A baseline audit of the roll out has shown that there is clear evidence that Signs of Safety is being used across all areas. Nationally, the level of implementation of the practice tools was 68%, based on a review of files representing 25% of referrals at June 2018. There were positive comments provided in the feedback on its usefulness for working with families and children and its potential for improving the service. Feedback also indicated that delays in recruitment and training slowed implementation in some areas where there were already staffing pressures. The learning from the audit results is being used to improve the implementation of Signs of Safety at policy and operational level.

There has also been progress in two out of the three key areas identified by HIQA as needing urgent action:

- *Screening and preliminary enquiry:* Signs of Safety as a national practice approach underpins the expected improvements for the management of referrals being received. As noted above, there is clear evidence of the approach being implemented. A baseline audit has shown that there is evidence of the practice tools being used.

The roll out of Signs of Safety aims to strengthen and deepen the management of referrals. The practice approach aims to improve consistency and the depth of the preliminary enquiry and initial assessment. The actions under this theme are dependent on the availability of staff



resources. Progress is being made but may only be partially implemented within current resources.

- *Safety Planning:* The actions under this theme are considered to be on track. Tusla's safety planning approach now includes a focus on harm prevention and evidence that shows how this is being achieved. In addition, a pilot on immediate safety planning requirements is to be completed in Q1 2019.

The HIQA report described safety planning as referring "to the arrangements put in place by Tusla to ensure children stay safe when there is an actual or potential risk of sexual abuse."

## (ii) Concerns

The EAG considers that the actions on the management of retrospective cases require attention. It is noted that the baseline resources have been identified and the retrospective programme has clear objectives. The EAG acknowledged in its previous quarterly report that some delay was expected following discussions between the Department and Tusla. However, an extension of timeframes for areas highlighted as urgent by HIQA must be challenged. It was not expected that the timeframes would be moved out on average by 3 to 6 months (the exception being the development of a standard business process and NCCIS module which are unchanged).

- *Management of retrospective cases:* The actions are not on track when compared to the original timeframes and the timeframes have been reset. The EAG finds it hard to accept these realigned timeframes are due largely, as suggested, to the later than planned delivery of the revised policy for the management of retrospective allegations.

The revised policy and procedure had not been approved by end February and a new roll out programme is currently intended to start in March 2019. The existing policy remains active pending the introduction of the revised policy on substantiation. There is an existing caseload of referrals in Tusla that is to be addressed.

The EAG is to examine the management of retrospective allegations at its meeting in April, including Tusla's role and its limitations. While the EAG urges that more urgency is shown on progressing the actions on national oversight and the establishment of the retrospective teams, it is worth noting that there have been positive developments as well, including:

- Tusla's Substantiation Governance Group has been set up and its terms of reference are expected to be agreed by end Q1 2019. The Group will oversee consistency in the regional teams and the implementation of the revised policy.
- The structure of the regional teams has been agreed.
- Principal social workers are being recruited to lead the Retrospective and Adult Abuse Regional Teams.
- A training needs analysis has been carried out and agreement is in place for specific training requirements.

In addition, the delivery of the services and the improvements from the action plan rest on the workforce organisation<sup>3</sup>. The EAG is concerned that recruitment into essential posts has not improved during 2018. Tusla faces a very significant challenge as there appears to be little prospect of social work numbers being expanded in the short term.

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<sup>3</sup> See also later comments for recommendation 2 in the HIQA report on a review of workflow and development of a workforce strategy.

It is understood that the workforce strategy is at an advanced stage and is expected to be considered by the Board before the end of Q1. In advance of this, the EAG has had discussions with the Executive on advancing the skill mix of front line teams, business support staff with a view to free up social worker time to work with children and families; to build on culture and values; to improve staff retention creating stable teams, and for performance management.

The EAG considers that prioritisation under the workforce theme should give greater weight to the urgent issues in the HIQA report, i.e. screening and preliminary enquiry, safety planning, and the management of retrospective allegations. For sustainable change, the staffing mix of teams, retention and the introduction of performance management must be seen as key actions.

## **5. EAG Engagement with the Tusla Executive**

The EAG appreciates that the Tusla Executive has continued to engage in open and, at times, very direct exchanges with it. It has been noted that in recent weeks the Executive and the Chair of the Board have appeared before the Joint Oireachtas Committee on Children and Youth Affairs (Committee), on 13 February and 27 February 2019, respectively. The commitment and openness in Tusla's public engagements with the Committee are to be welcomed in providing assurances to the public and an opportunity for Tusla to offer a frank view on its challenges.

There were three key issues identified in the HIQA report as needing urgent action. It appears to the EAG that there has been some progress in two of these but it has been slow. It is important to see evidence that services are becoming more effective and that the changes in the timeframes indicated in the strategic action plan are mitigated and the overall outcomes remain sustainable.

In light of the pressures identified generally, in particular the scale and range of recruitment required to sustain operations and implement what is a very challenging change programme, the EAG would consider it helpful to the Tusla Board and the Minister for the Executive to outline how it plans to prioritise core business and the key change actions. A note of realism from the Executive may be needed if it considers that keeping this focus may lead to certain non-core actions or services being re-profiled or deferred.

The EAG noted the outcome of the inspection of Tusla's Dublin South Central area, and that the steps to address the extensive criticism were drawing on the learning from previous improvement plans. The absence of shared learning and the response to the emerging issues in the area described in the inspection report were of concern. The EAG acknowledges the whole of system approach being taken and will request updates on progress under action 6.2. This report should be considered a watershed.

The EAG also noted the national overview report on foster care services in which HIQA indicated significant improvements in the services overall. This overall positive aspect of the overview report did not appear to receive the attention it deserved. The EAG noted previously that a focus that is almost exclusively on deficits erodes confidence. HIQA's intention to include a focus on shared learning in future inspections is welcome as an independent assurance to the public.

The EAG noted that Tusla's policy documents presented to date were of generally good quality. It was emphasised to the Tusla Executive that future meetings would seek evidence of the practical application of policies, governance and accountability to improve service delivery.

## **6. Tusla Business Plan 2019**

The EAG has no role in the preparation or provision of advice to the Board or the Minister in respect of the Tusla business plan. This is a separate process managed in line with the requirements set out in

the Child and Family Agency Act 2013. The EAG has been informed by the Department that actions arising from the HIQA report had been identified by Tusla as part of overall deliverables contained in the draft business plan for 2019. The EAG welcomes the inclusion of actions arising from the HIQA report in the business plan process and recognises the commitment from the Executive this entails.

Tusla is required to remain within its budget for the year under the Child and Family Agency Act 2013. Consideration of various business planning scenarios is prudent given the uncertainties currently being faced by the country. The EAG recognises that the action plan must be managed in this context.

## 7. Providing Public Assurances and Responding to Oversight

At the Joint Oireachtas Committee on Children and Youth Affairs in February 2019, Mr Pat Rabbitte, Chair of Tusla's Board outlined the level and extent of oversight faced by Tusla. This ranges from regulatory, for example HIQA and data protection, to statutory such as reporting to the Department and Oireachtas Committees. The breadth of the reporting extends across all of Tusla's functions and the level of detail required places a necessary and demanding burden on the Executive.

The challenge to the observer is having clear sight of the impact of a complex network of actions and strategies. Not all interested observers have the time, data and expertise to comprehend the actual scale of what is being achieved. The EAG recommends that the Executive consider making available qualitative but factual narratives or case studies that are underpinned by and include objective data and clear timeframes.

## 8. Update on Recommendation 2: Educational Pathways, Staff Review

### *Recommendation 2*

- As a matter of urgency, Tusla and the Department of Children and Youth Affairs should seek the assistance of the higher education and training establishments to create formal career-path mechanisms for students and graduates to support current and future workforce needs in Tusla, with the aim of providing a sustainable child protection and welfare service.
- In the interim, Tusla and the Department of Children and Youth Affairs should review the current operational arrangements in Tusla to identify efficiencies and improvements in workflow. This should include a review of the existing social worker, social care worker and support staff skill-mix, and the development of a workforce strategy.

### *Educational Pathway for Social Workers*

The Department of Children and Youth Affairs hosted a meeting in January 2019 of a high level group of key social work education stakeholders including all the third level service providers, the Irish University Association (IUA), the Technological Higher Education Association (THEA), the HSE and the Department of Education and Skills. The meeting discussed the current low base and the future supply of social work graduates. The first area to be examined will be social work student placements across adult and child services to allow the provision of more training places.

### *Operational Review, including a Workforce Strategy*

Social work is a very competitive labour market. Recruitment and retention of social workers is one of the biggest challenges for Tusla<sup>4</sup>.

<sup>4</sup> See also theme 6 of Tusla's strategic action plan.

Administrative and business supports are needed to free up social workers to focus on their core statutory tasks. Tusla is recruiting more supporting grades such as clerical administration staff. The intention is to create enhanced skill mix teams in a consistent manner and aligned to service demands in each area. The EAG expects that the forthcoming implementation of the Multi-annual Strategic Workforce Plan ('workforce strategy') will build on this.

At the EAG meeting in December 2018, the Executive advised that its Board had provided feedback and requested refinements to the workforce strategy implementation approach. It is understood that the associated implementation plan will be considered by the Board before the end of March 2019. This will be then considered further by the EAG.

## 9. Update on Recommendation 3: Review of Regulatory Frameworks

### *Recommendation 3*

- The Department of Children and Youth Affairs, with the assistance of the Health Information and Quality Authority (HIQA), should undertake an international review of best practice in the regulation of children's social services in order to inform the development of a regulatory framework for these services in Ireland. This is with the view to providing independent assurance to the public that the State's child protection and welfare services are safe and effective.

An update on the Department's work to review the regulatory framework is as follows:

- an international survey of regulatory approaches has yielded responses from across 13 EU and non EU countries, comprising 3 narrative responses and 20 surveys from States and regions, and these are being analysed,
- a literature review of international best practice in the regulation of children's services is underway, and
- consultations with leading experts from a number of jurisdictions are ongoing.

The Department and HIQA are to meet in April 2019 to discuss the work completed and to progress a work plan on the international review of regulatory frameworks. It is expected that a progress report on this work will be prepared before the end of Q2 2019.

The Department is also engaging with HIQA on its review of the inspection framework. The group overseeing this process is chaired by HIQA and the Department is a member.

## 10. Concluding Comments and Matters for Consideration

The bulk of the work to address the recommendations in the HIQA report falls to Tusla. There are considerable resources and attention being applied to the key issues raised in the report. The commitment of the Executive is acknowledged, as shown by their engagement when challenged by the EAG. It is evident that systemic changes have been planned for and a number are underway. It is also evident that there is a broader range of services for which the Executive is equally responsible, and these necessarily absorb time and resources. The EAG does not consider this as a reason for delay or inefficient actions in the child protection area.

The EAG has asked for a focus on providing evidence of the reform programme, in particular where the strategic action plan intersects with the workforce strategy and the Child Welfare and Protection Strategy. The EAG will seek further evidence in the next quarter on the following:

- that actions are underway and are being rolled out consistently across all areas,
- how staff are supported and managed where there are staffing deficits and challenging work,
- where improvements to governance and service delivery are now evident,
- the feedback mechanisms to self-correct the implementation of reforms,
- how sharing of good practice is part of Tusla's culture.

Sustainable improvement on the issues identified in the HIQA report must be demonstrated. It is reasonable to temper ambition with a note of realism. It has been noted in this quarterly report that recruitment remains a challenge for Tusla as an organisation. Due financial prudence has alerted the Executive and the Board of the potential effect of demand pressures on the full range of activities being planned.

The changes to the staffing mix on teams being driven by the workforce strategy, and the introduction of performance and accountability systems are a clear area of focus.

The EAG is aware that there is a large number of demands on Tusla to manage change across its full range of services and the challenge this could present to core business objectives must be managed carefully. The pressure to deliver change across the full portfolio of Tusla's responsibilities creates a risk of a loss of focus on delivering core services. The general management by the Executive of these governance responsibilities needs both direction by and the support of the Board.

The Tusla Executive may have further discussions with its Board on how core business will be prioritised during the year. If the action plan is to be affected by demand or staffing pressures, a detailed update on any adjustments to delivering the core objectives is to be provided to the EAG at an early date.

At this stage, the EAG can report that the actions to improve services are well underway and Tusla has mechanisms in place to monitor their implementation. The consolidation and the embedding of Tusla's policies and procedures are essential. The EAG will be seeking further evidence that the governance, workforce strategy, accountability and the culture of learning have been progressed satisfactorily in the coming months.

In respect of the recommendations on educational pathways and the review of regulatory frameworks, included in recommendations 2 and 3 in the HIQA report, the EAG notes the activity being undertaken with the relevant stakeholders. An indication of the timeframes involved is being sought, noting that these are likely to be longer term projects which must be clearly defined with the relevant stakeholders.

In conclusion, the EAG noted that the process for recruiting the new CEO is at an advanced stage. A stable senior management team is needed to provide policy direction and leadership, particularly in the area of culture, values and behaviours. The integrity of the process is essential. Tusla's role in protecting children is an essential public good, and the role of CEO is crucial to its delivery.

*Moling Ryan*

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Dr Moling Ryan  
Chair, Expert Assurance Group  
22 March 2019

## Appendix 1: Membership and Role of Expert Assurance Group

The Expert Assurance Group (EAG) was established with the appointment by the Minister of the chair of the group, Dr Moling Ryan, on 29 June 2018 and the full membership on 23 August 2018. The first meeting of the full group was on 30 August 2018.

On 30 August, the EAG adopted its terms of reference. It was agreed that the secretariat would be provided by the Department of Children and Youth Affairs ('the Department'). The EAG agreed that it may from time to time invite persons to attend meetings as needed or where specialist knowledge has been identified as needed for the EAG to complete its work.

The membership of the EAG encompasses a wide range of relevant expertise and is as follows:

- Governance: Dr. Moling Ryan (Chair) - retired public servant,
- Child Protection: Dr. Helen Buckley, retired lecturer, Fellow Emeritus at the School of Social Work and Social Policy, Trinity College, Dublin,
- Human Resources: Gerry Verschoyle, retired, former Head of HR Services at An Post,
- Legal: Dr. Conor O'Mahony, lecturer, currently employed in University College, Cork,
- Member of HIQA expert advisory group on the preparation of its report: Mr Andrew Lowe, Director of Social Work for Scottish borders Council (retired), public policy consultant,
- Social Work: Michele Clarke, Chief Social Worker, Department of Children and Youth Affairs.

Mr Andrew Lowe, in addition to having been a member of the advisory group for the statutory investigation, was also involved in the preparation of the governance review for HIQA that was included as part of the published report of HIQA's Statutory Investigation.

### Role of the Expert Assurance Group

The Minister approved the terms of reference on 23 July 2018 and the EAG formally adopted these at its meeting on 30 August. The role of the EAG is outlined in the terms of reference as being to:

- a. Review the recommendations contained in the report of the HIQA Statutory Investigation
- b. Consider the Action Plan prepared by Tusla in accordance with recommendation one of the HIQA Statutory Investigation
- c. Evaluate the work planned by Tusla under the Child Protection and Welfare Strategy and its Corporate Plan in the context of the Action Plan
- d. Take into account the report of the Garda Síochána Inspectorate "Responding to Child Sexual Abuse" and other relevant reports
- e. Provide support and advice to Tusla, and to the Department as considered necessary, on the plans to implement the recommendations of the investigation report
- f. Review the progress achieved on implementation in order to assure the Department and Tusla of the effective and timely realisation of the Action Plan.

## Appendix 2: Overview of Meetings of Expert Assurance Group with Tusla

### *5th meeting: 19 December 2018 - Safety Planning*

- a) The Chair met the Board, noting the EAG's 1<sup>st</sup> quarterly report. There was agreement on the need for consistency in the implementation of policies and actions.
- b) The background to the current approach to safety planning was noted. Safety was inherent in case management and care planning, with a focus on harm prevention.
- c) The general definition of safety planning recommended in the HIQA report was to be developed, and was reported to be on track.
- d) The sharing of information could be challenging when implementing a safety plan where co-operation is not forthcoming, which may need a formal substantiation step to be completed first. This can be a particular issue in managing retrospective allegations.
- e) Tusla emphasised that eroding secrecy in cases involving abuse increased the likelihood that the child involved would be protected.
- f) Actions on organisational structure reviews, culture and behaviours were to be reviewed on the appointment of a permanent CEO.
- g) The EAG stressed the need for an individual performance management system to be introduced as soon as possible. Tusla noted a number of performance related policies were in place. Discussions with unions were ongoing.
- h) The workforce strategy had been submitted to the Board and its feedback was being considered by the Executive.
- i) The policy on retrospective allegations, i.e. substantiation and fair procedures, was being revised and was expected to be rolled out in the New Year.
- j) The HIQA report on Dublin South Central was discussed. The EAG queried if institutional barriers were a factor. Tusla referred to a whole of system response to the report.
- k) The EAG noted that the policies as presented were well prepared, and asked that Tusla continue to provide detail on their implementation as it relates to the action plan.

### *6th meeting: 1 February 2019 – Performance Management and Workforce*

- a) Tusla's Board had provided further feedback to the Executive on the implementation plans for the workforce strategy, noting that the model had been accepted.
- b) Tusla confirmed that an update on timeframes in the action plan was to be provided by end February 2019.
- c) The EAG commented on the findings of the HIQA inspection report of Dublin South Central. Tusla reported it was taking a whole of system approach to address the findings.
- d) Service directors were being integrated into a broader based senior management structure.
- e) Area teams were being reorganised to incorporate an increase in non-social work staff, including business support to reduce administrative burden on social workers.
- f) Referring to the baseline audit of Signs of Safety, the cross directorate approach to incorporating learning into policy implementation was discussed.

- g) It was noted that Tusla had added a specific action on performance management and advised that scoping work was underway. Work was underway to consolidate existing policies as part of a model appropriate to Tusla's workforce. The EAG asked for early progress on a comprehensive performance management system.
- h) Improvement in overall retention rates and their variation across service areas were noted and a copy of the retention strategy, January 2019, was provided. A retention working group has been in place since 2018.
- i) Job satisfaction and culture were important retention factors, in which Signs of Safety feedback was indicating improvements.
- j) Tusla indicated that regional oversight for the management of retrospective allegations was expected to be in place by end Q1 2019.