Management Board Meeting Minutes
Monday 4 November 2019

Attendance: Secretary General (Fergal Lynch), Dermot Ryan, Éimear Fisher and Laura McGarrigle. Miriam Kenna reporting.

Apologies: Bernie McNally.

1. Minutes of Last Meeting
The minutes of meeting of 21 October 2019 were agreed with minor amendments.

2. Matters Arising
It was confirmed that the Department's Protected Disclosures Policy will be finalised very shortly, following some comments from Tusla Governance and Performance Unit.

3. Potential Introduction of Open or Semi-Open Adoption in Ireland
Paula Keatley and Cormac Grundy attended for this item and presented on a paper that had been circulated prior to the meeting. PK outlined the background to the work, which had been carried out under section 42 of the Adoption (Amendment) Act 2017, requiring a review within a specified timeframe. She set out the process by which the review took place, including an Open Policy Debate, an online public consultation, and a commissioned legal analysis by UCC.

PK summarised the findings of the review and consultation, and dealt with the recommendations for future action. A key message was that open or semi open adoption was intended purely on a voluntary, case by case basis, where it was in the best interests of the child and where it was established that the benefits exceeded any risks arising. The recommendations of the report pointed to the need for a statutory basis, clear guidelines for post-adoption contact, consultation with young people with experience of open/semi open adoption, and online resources for birth parents, relatives, adoptive parents and adopted children.

The MB members welcomed the document and received clarification on a number of points from CG and PK. Among the issues raised were: the advantages and disadvantages of a formalised statutory route to open/semi open adoption; the views and wishes of birth mothers; the costs involved and resources required; the place of wider contact centres for children; the role of the Adoption Authority of Ireland and its social workers; and the importance of balancing benefits against risks.

It was noted that the report would go to Government on 5 November with a view to being laid before the Oireachtas shortly afterwards.

4. GDPR Update
Ger Hughes and Alan Savage joined the meeting for this item. AS expanded on the contents of a paper that had been circulated prior to the meeting, noting the issues for consideration in a range of areas including governance, risk, conveying key information to the MB, resourcing and access to legal advice. AS also summarised the challenges relating to data

protection overall, including the Department's capacity to deal with Subject Access Requests, policy on retention of records, training, document transfers from external agencies and the need to review controller-processor contracts.

The MB noted the issues raised, and FL undertook to discuss a number of them separately with AS in the latter's capacity as Data Protection Officer. In particular, it was noted that a clear distinction must be made between the DPO's role as an advisory resource in relation to data protection issues, and the work to be done by the unit and across the Department on GDPR-related requirements.

Other issues raised were ongoing dissatisfaction about the lack of a central policy unit across Government Departments for GDPR issues; the need to utilise the Data Protection Local Officer Network within DCYA fully; and the importance all parts of the Department taking responsibility for their respective roles in relation to GDPR and data protection generally.

FL wished to have regular reports to the MB from the DPO, and to agree a structure for ensuring that the Department has a consistent approach to data protection issues across all MB areas. He would discuss the practical elements of further with AS.

5. AOB

EF sought approval for an additional AP for the GAL Executive office posssibly on secondment from elsewhere, based on a paper submitted, and this was agreed.

DR confirmed that a number of staff members had expressed an interest in moving to the Brunel Building. A list of possible units/staff which could move to Brunel was considered briefly by the MB. It was agreed that individual MB members would discuss the matter further with DR and HR unit as required. It was noted that a very early decision on the matter would be needed.

Next Meeting

The next meeting of the MB was confirmed for Monday 18 November 2019 at 10.30am.