

Frequently Asked Questions for Fórsa members working in Tusla

What should I do during the industrial action?

A detailed union instruction has issued to members working in the HSE, Tusla and Section 38 organisations. Members should familiarise themselves with that instruction and follow the work-to-rule and non-cooperation measures set out in it, including the specific tasks, programmes, projects and committees from which members are instructed to withdraw. This FAQ is considered to be a guide to help members with general queries and will be updated live as we progress through the dispute.

If a manager asks you to carry out any task or action covered by the withdrawal instruction, explain that you are following the union instruction and that you will continue to do so unless the employer seeks and agrees a derogation with the union.

What is a derogation?

A derogation is the formal process through which the employer may seek agreement from Fórsa for specific work or duties to continue during the work-to-rule. Simply put, it is a task or activity that is exempt from the industrial action being taken.

How does the derogation process work?

This process will be managed nationally between the Health and Welfare Divisional Executive Committee and Tusla. Any derogation that is granted or refused will be communicated to members and branches as soon as possible. Local branches and regional officials will then manage any follow-up engagement, including regional contingency meetings where required.

If a colleague is on annual leave, should I cover the position?

Members should provide support and cover as normal where a colleague is on annual leave or short-term sick leave.

Should I cover a vacant post?

No. From the start of the industrial action on Wednesday 30th September, members in Tusla, should not provide cover for vacant posts, including vacancies arising from maternity leave, retirement, career breaks or long-term sick leave. If asked to do so, members should advise their manager that they are following the union instruction.



I am in receipt of a temporary higher appointment. Should I continue to carry out the duties of the higher grade?

If you are in receipt of a temporary higher appointment you should continue to carry out your role and responsibilities associated with your post.

If you are not in receipt of a temporary higher appointment then you should not carry out the role, responsibilities or functions of a post of a higher grade. If you are asked to do so you should refuse and advise your manager that you are following the union instruction.

What if I have regular and rostered overtime?

Members who work regular and rostered overtime should continue to do so, however overtime required to cover a vacant post should cease.

We have a lot of change programmes underway in our department, what should we do?

Members are instructed to withdraw and disengage from all change programmes across Tusla, unless a derogation has been granted. More detailed advice in respect of Rreform is provided below.

Management have been asked to identify any areas that may impact on emergency services and/or client care, and to request appropriate derogations. These requests will be considered by the National Disputes Committee

If a derogation is granted we will ensure members are updated, but members must follow the instruction and disengage unless they hear otherwise.

What happens if my job or role relates solely to projects?

As part of the derogation process we have asked management to identify specifically those workers carrying out roles relating to projects and this will be considered by the National Disputes Committee.

A key part of my role is to process data, should I continue to carry out these duties?

Yes. If your main duty and responsibility is to collect and process data you should continue to perform this duty, however, you should not pass this on for central Tusla reporting purposes until the industrial action is over. If you are asked to do this, you should refuse and advise your manager that you are following the union instruction.

If the data is processed through a shared folder, it must not be uploaded to or processed in that location unless management obtains a derogation. However, it may be processed using an alternative method that does not involve the shared folder.



If I am asked to provide information in relation to, for example, KPIs, monthly activities etc. what should I do?

Tusla has been informed that if they require this information, they must write to Fórsa stating the reasons for this information and we will consider the request as part of the derogation process. So, unless we provide them with a derogation members are not to process this information. If a derogation is granted we will ensure members are updated, but members must disengage unless they hear otherwise.

I work in Finance and HR, what should I do in relation to the non-processing of information?

You should continue to process all statutory/legal data to the relevant authority, e.g. enquiries from CORU, HIQA etc.

HR and Finance processing in relation to payroll returns, absence recording (for payroll purposes only) and recruitment set-ups can continue.

All other data/returns must not be processed unless the employer is granted a derogation. If a derogation is granted we will ensure members are updated, but members must follow the union instruction and disengage unless they hear otherwise.

Should I attend national committee meetings?

Members have been instructed to withdraw from all national committees. If your manager requires your attendance they must seek a derogation. Unless this is provided then you should not attend. If you are asked to do so you refuse and advise your manager that you are following the union instruction.

I have been asked by my manager to engage with an external management consultants/advisors, what should I do?

Members are being instructed not to engage, report to meet or provide any information to external management consultants or Tusla advisors (this does not mean medical consultants, or commissioned services).

The only exception to this instruction is where this has been agreed with Fórsa in which case cooperation is permitted. Examples where this can be permitted might include Trust in Care investigations or grievances.

My performance achievement/management meeting has been scheduled after the Wednesday 30th September, what should I do?

Members are advised not to attend or participate in performance achievement/management meetings or preparatory work for these meetings. If you are asked to do so you should refuse and advise your manager that you are following the union instruction.



My line manager has asked us to develop a roster for an extended working week, what should I do, If I already work a roster or shift pattern, should I withdraw from it?

No. This action applies only to the extension of services. Members who already work a roster or shift pattern should continue as normal such as Children's Res or Special Care, NOHS. Shift swaps may also continue, provided they are part of normal annual leave cover and are not being used to fill a vacant post.

I am a manager and there is an expectation I should insist my team carry out their normal duties. What should I do?

In response to the cost-of-living crisis over 62,000 Fórsa members voted to take industrial action, across all grades, to stand up for decent pay, fair working conditions and strong public services. The industrial action is legally protected, and all union members are expected to follow the union instruction.

If you are asked to do anything which undermines this instruction, you should refuse and advise your own line manager to escalate this through the usual industrial relations processes.

I am worried about patient safety if I follow the union instruction.

We fully appreciate that ensuring client safety is a significant concern for members. If you consider that there is an immediate risk, you should take the action necessary to protect the young person or service user and then document the circumstances that led you to act. You should then advise your manager and the local disputes committee immediately before returning to the work to rule.

What about cross-cover arrangements?

No agreement is in place requiring health and social care professionals (HSCPs) to provide cross-cover, and members are instructed not to do so.

Urgent cases may occasionally arise, particularly in social work, and these should continue to be managed in the usual way.

How does this industrial action impact Tusla Reform?

Tusla Reform remains an ongoing process throughout 2025 and 2026. Where a reform measure has already been concluded within a team, network or region, members should continue to work as normal, while observing the wider work-to-rule measures set out in the union instruction.

Where a reform measure remains under development within any team, network or region, members should withdraw cooperation from that process unless otherwise advised by Fórsa. We have been clear to management that the responsibility in terms of derogation requests lies with them, and not with the union or individual members.

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I am a mentor in CRS social care, how does the industrial action impact this?

Some members are currently acting as mentors to newly appointed social care staff in certain settings. Where this mentoring arrangement is voluntary, members should withdraw from participation for the duration of the industrial action unless a derogation has been requested by the employer and granted by Fórsa.

What about agency staff?

The use of agency staff is a feature of some services. However, the employer should not increase or deploy agency staffing arrangements in a manner that undermines the effectiveness of the industrial action without a derogation from Fórsa. Fórsa will seek data on the current number and deployment of agency staff across Tusla services.

What about matrix management?

This issue was raised at a recent members' meeting. Members are advised that matrix management is not an agreed arrangement and should not be cooperated with, irrespective of the current work-to-rule or any other industrial action measure.

What about Children's Residential Services?

Members working in Children's Residential Services (CRS) should continue to provide safe, direct care to children and young people, in line with their contracts of employment, rostered hours and professional obligations, while observing the wider union instruction.

Where a member is concerned that compliance with the work-to-rule may give rise to an immediate risk to a child or young person, they should take the action necessary to protect that child or young person, document the circumstances, notify management, and then return to the work-to-rule.

The guiding principle is that members should continue to provide safe and essential care to children and young people, while withdrawing cooperation from additional, voluntary, reform-related, vacancy-cover, management-information and change-management activity that falls outside normal contractual duties or has not been agreed with Fórsa.

What about special or secure care?

As in CRS above the advice is similar to those members working in special care.

Members working in special or secure care should continue to provide safe, direct care to children and young people, in line with their contracts of employment, rostered hours and professional obligations, while observing the wider union instruction.

Where a member is concerned that compliance with the work-to-rule may give rise to an immediate risk to a child or young person, they should take the action necessary to protect that child or young person, document the circumstances, notify management, and then return to the work-to-rule.

The guiding principle is that members should continue to provide safe and essential care to children and young people, while withdrawing cooperation from additional, voluntary, reform-related, vacancy-cover, management-information and change-management activity that falls outside normal contractual duties or has not been agreed with Fórsa.

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